

Date of Meeting	18 October 2017
Application Number	17/06331/FUL
Site Address	Rothermere, Bythesea Road, Trowbridge BA14 8JQ
Proposal	Change of use from office (B1) to Drug and Alcohol Misuse Advice and Treatment Centre (D1), and conversion of first floor to cluster housing unit of 5 bedrooms and communal facilities
Applicant	Wiltshire Council, Health Promotion & Prevention
Town/Parish Council	TROWBRIDGE
Electoral Division	TROWBRIDGE CENTRAL - Cllr Stewart Palmen
Grid Ref	385432 157686
Type of application	Full Planning
Case Officer	Matthew Perks

Reason for the application being considered by Committee

This report is brought to Committee since it is an application made by Wiltshire Council and there have been objections. This is in accordance with the scheme of delegation states that: *“Applications submitted by Wiltshire Council will not be dealt with under delegated powers where an objection has been received raising material planning considerations”*. The decision making authority must therefore rest with the elected members of the area planning committee.

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.

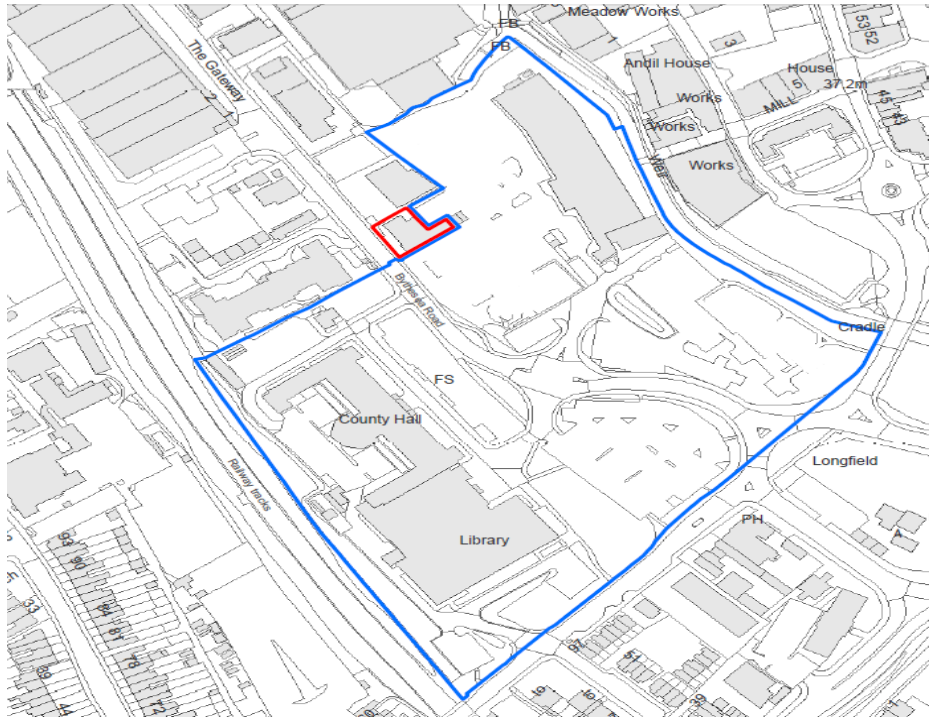
2. Report Summary

The report assesses the proposal in the light of the principle of the development in this location and potential neighbouring amenity impacts, and recommends that planning permission should be granted. Trowbridge Town Council raised no objections and the Council’s Highway and Environmental Health officers also raised no concerns.

38 neighbour objections were however received.

3. Site Description

The subject property known as ‘Rothermere’ is located to the north of and diagonally opposite County Hall located off County Way within central Trowbridge. The property building is not listed and is not within the town’s conservation area. The subject building is a double storey building which was formerly used by the National Probation Service as offices under planning Use Class B1. The Probation Service is now housed across the road at County Hall and the premises are presently vacant. The insert on the following page illustrates the location of the property and land owned by the Council, which includes the site.



4. Planning History

93/00198/FUL - Construction of an extension and alterations – Approved 27.03.1993

W/99/00389/FUL – 1.2m satellite dish – Approved 19.04.1999

W/05/02884/OUT - Redevelopment to provide multiplex cinema, ten pin bowling and associated commercial leisure and hotel facilities together with the construction of a public library, offices and residential development – Application withdrawn 02.10.2009

In addition the above planning history, the following (undetermined) application is also worth recording since it adjoins and site/subject building as illustrated on the accompanying site plan.

17/07693/OUT - Outline application for a mixed use redevelopment of the site comprising the demolition of all existing buildings on site and redevelopment to include the provision of up to 690m² of retail floor space (Classes A1, A2 and A3); up to 1,100m² of restaurant/public house floor space (Classes A4 and AA); up to 54 residential apartments (Class C3); new health facility (Class D1) of up to 4,000m² floor space; a new leisure centre (Class D2) with up to 1,800m² floor space with provision of an energy centre within the proposed leisure facility. The provision of associated vehicular access, car parking and service vehicles access and creation of new footpaths/cycleways across the site, new riverside walkway, public amenity space, new landscaping, removal of existing trees and replacement tree planting; and, provision of a new pedestrian footbridge across the River Biss, along with steps on the eastern side of River Biss to connect into the existing riverside footpath.

17/07693/OUT Location Plan



The proposed redevelopment proposals submitted under application 17/06331/FUL for the Rothermere property should be assessed on their own merits and as things stand at present. The Council cannot prejudge the outcome of application 17/07693/OUT. However, it is worthwhile noting that should application 17/07693/OUT be granted, the redeveloped Rothermere building would form part of a wider site redevelopment with additional civic and health facilities.

5. The Proposal

This application seeks planning permission to change the use of the building from the existing B1 Use Class (Offices) to a Class D1 (Treatment Centre) on the ground floor and Class C4 (Residential use for unrelated individuals, with shared facilities) on the first floor.

The supporting document which accompanies the application states that the aim is to provide *“...a much needed facility to aid people in the local community who are recovering from Drug and Alcohol misuse. Many of whom are also homeless or rough sleepers. The intention is to separate the building into two parts; the ground floor will become a treatment centre and the first floor will be converted into residential accommodation offering ... private rooms, a communal bathroom and communal kitchen.”*

The D1 Treatment Centre use at ground floor level would be used by medical professionals, who would be able to administer prescriptions to those in recovery. The five first floor rooms would be offered as affordable accommodation for vulnerable persons who are recovering from substance misuse.

6. Local Planning Policy

Core Policy 1: Settlement Strategy; Core Policy 2: Delivery Strategy; Core Policy 29: Spatial Strategy for the Trowbridge Community Area; Core Policy 46 (Meeting the needs of Wiltshire’s vulnerable and older people); Policy 57: Ensuring High Quality Design and Place Shaping; Core Policy 60: Sustainable Transport

The following are also material to the assessment of this application:

National Planning Policy Framework, National Planning Practice Guidance and the Wiltshire Car Parking Strategy

7. Summary of consultation responses

Trowbridge Town Council - No objection

Wiltshire Council Highway Officer - The highway officer notes that the proposed change of use of the former office building (B1) to a substance misuse advice and treatment centre and provision of a five bed residential accommodation unit on the first floor does not include any dedicated car parking provision. The highway officer is of the view that the previous office use would have attracted a significant amount more vehicle movements than the proposed use. Additionally, as the staff associated to this facility would be employed by/ associated with Wiltshire Council, parking would be available in the adjacent staff car park. As a result, the officer does not foresee this proposal having a detrimental impact upon highway safety and no highway objection is raised.

Environmental Health Officer – No objection. Detailed comments are provided within para 9.2.

8. Publicity

Following the public notification and advertisement of this application, 38 third party public representations were received, all from dwelling units within the “Regal Court” complex on the opposite side of Bythesea Road. All contained the same wording, as reads as follows:

"I wish to object to this application - the proposed treatment centre is directly opposite Regal Court, a block of 59 retirement flats with elderly and vulnerable residents of .up to 99 years of age. This is simply not the location for such a centre, especially in view of Application No. 17/07693/OUT which proposes further residential and retirement housing on adjoining land.

If the proposal is forced through despite this objection, I would point out that there is no indication of the level of supervision or security at the centre - as it includes cluster housing, I feel that on-site '24h' supervision and security is essential. (Anything less would pose a significant risk to residents in nearby properties.)"

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

9.1 The Principle of the Development

The proposed ground floor level use must be considered as the provision of a health centre/clinic, which falls under planning use class D1 of the Use Classes Order. This Use Class covers uses including clinics, health centres, crèches and consulting rooms as well as public halls and non-residential education and training centres.

In terms of the Wiltshire Core Strategy, strategic objective 6 sets out to *"...ensure that infrastructure is in place to support communities"*, which includes healthcare facilities; and that *"adequate services and infrastructure provision, to meet the needs of Wiltshire's growing population and economy, are brought forward in a timely and responsive manner alongside new development proposals"*. One of the key outcome associated to the Council's strategic objective enshrined within the WCS in terms of delivering new infrastructure, services and facilities will require *"effective partnership working between the Council, other infrastructure providers and developers to facilitate infrastructure delivery; opportunities for the co-location and multi-functional use of existing and new infrastructure services and facilities will have been realised"*.

Moreover, WCS CP46 is a policy which seeks to meet 'the needs of Wiltshire's vulnerable and older people'. This policy states that the provision *"...of homes and accommodation for vulnerable people will be supported, including but not limited to:*

- iv. people with learning disabilities*
- v. people with mental health issues*
- vi. homeless people and rough sleepers*
- vii. young at risk and care leavers.*

Such accommodation should be provided in sustainable locations, where there is an identified need, within settlements identified in Core Policy 1 (normally in the Principal Settlements and Market Towns) where there is good access to services and facilities."

In terms of policy considerations, the proposed new health care and treatment facilities are considered wholly acceptable in principle. The site is a highly sustainable location with very good access to services and facilities. In addition, there would be a close proximity to the Council's social services and the probation services located across the road at County Hall. The Job Centre is located along the same road and there are good links to public transport, supermarkets and leisure facilities within a short walking distance. If approved and implemented, it would make use of a vacant building and provide an essential rehabilitation facility.

9.2 Neighbouring Amenity

The proposed change of use would regenerate an existing vacant building in the town-centre. The concerns expressed by third parties from 'Regal court' have been carefully considered and the Council's public protection anti-social behaviour support officer advises as follows:

"The ... application requests a change of use from a Probation Office to a Substance Misuse treatment centre. The office will be staffed throughout the opening hours and when closed, there will be an Out of Hours number for members of the public to call if they have any concerns – there is also the option to call 101 or 999 at any time throughout the day or night.

The clients attending the building will have appointments with the staff and drop-ins will be facilitated during normal office hours when the building is open. When the site is closed at the end of the working day, there will be no reason for clients to access the treatment centre, therefore we see no reason why there would be increased anti-social behaviour in the locality, given that this wasn't the case when the building was utilised by Probation Officers. On this point, we would argue that clients recovering from substance misuse are no higher risk to the residents of Regal Court, than the offenders previously being managed at Rothermere. It is also worth mentioning there have been no reports of anti-social behaviour linked to the 3 operational treatment hubs, therefore no evidence to suggest such a building will attract increased anti-social behaviour as a rule.

The 5 cluster bedrooms will be for service users who have been detoxed and in recovery, restarting their journey into living independently. The tenants will be supported in the property and anti-social behaviour will not be tolerated. There will be an on call facility for the supported housing component too; if someone is in crisis the supported housing management provider can be contacted. We would further argue that the Amber Foundation, next door to Regal Court, is a similar facility housing homeless, unemployed members of the public and supporting them to become independent. As the residents of Amber Foundation have not been an issue to Regal Court, we would like the same tolerance to be granted to those housed at Rothermere who will be getting the required amount of support to continue their recovery journey as a member of the community."

It is acknowledged that perceived fears can be a material planning consideration but there should be some form of justification or substantiation. The implied risks to nearby residents and the potential for anti-social behaviour associated with the treatment centre and on site accommodation have been carefully appraised; and as reported above, the Council's anti-social behaviour support officer maintains that the proposed facility should be able to operate in such proximity to other housing. There have been no reports of anti-social behaviour at the 3 existing treatment hubs, which indicates that the facilities are well managed with monitored behaviour. There is no reason to suggest that the Rothermere facility would be run differently. The ground floor treatment centre would only be operational during working hours and would be managed by way of appointments with full-time staff. The use replaces the previous probation office facility which has moved over the road to County Hall which would create some synergies and close relations between the facility and the nearby health care and well-being / social support services available at County Hall.

There is no evidence that the proposed use would have a detrimental impact on adjacent residents. The out-of-hours number would provide an additional contact point in the event of any issue arising when the facility is closed. The occupants in recovery in the living accommodation would have on call access to managers in the event of crisis. The "Amber Lodge" facility, which provides accommodation and assistance for young people in difficulty, including recovery from addiction, lies immediately north of Regal Court and as reported by the public protection team there have not been any anti-social behaviour examples or reported complaints made by the public. Although the fears raised by local residents are fully appreciated, the concerns raised are considered not sufficient to justify a refusal

recommendation. It is however considered appropriate to impose a condition requiring a Facility Management Plan which would enable the Council, inter alia, to consider and define the opening times and details of contact numbers should any issues arise.

9.3 Other Matters

As noted above, highway officers raise no objections and environmental health officers do not identify any issues in relation to nuisance.

10. Conclusion (The Planning Balance) – Officers report that this planning proposal accords with the development plan in respect of the provision of support to vulnerable people within the community and with the Rothermere property being located in a town centre context in a highly sustainable location with numerous facilities all within easy reach of people visiting and residing in the facility. Permission is therefore recommended.

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. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan registered on 04 August 2017; Floor Plan as Existing registered on 04 August 2017; and Floor Plan as Proposed registered on 04 August 2017

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

3. The development hereby approved shall not be brought into use until a Facility Management Plan (FMP) has been submitted to and approved in writing by the local planning authority. The FMP shall include, but not necessarily be limited to, the following:

- a) The hours of operation for the D1 use;
- b) The staffing levels;
- c) The responsible persons and lines of communication; and
- d) Further details in respect of the out of hours contact details and procedures.

The approved FMP shall be adhered to and implemented in accordance with the approved details.

REASON: In the interests of neighbouring amenity.