

RECOMMENDATION : RETROSPECTIVE GRANT WITH CONDITIONS

REFERENCE: P/15/661/FUL

APPLICANT: MRS DEBORAH SMITH
9 TREHARNE ROAD CAERAU

LOCATION: CAERAU CLINIC DUFFRYN ROAD CAERAU

PROPOSAL: CHANGE OF USE OF CAERAU CLINIC TO SOCIAL CENTRE INC.
MEETINGS, BINGO, SERVING ALCOHOL & ENTERTAINMENT

RECEIVED: 2nd October 2015

SITE INSPECTED: 19th October 2015

APPLICATION/SITE DESCRIPTION

The application seeks retrospective planning permission for the change of use of this former clinic to a community centre. The use commenced in July 2015 and this application seeks retrospective consent.

The site lies within a predominantly residential area and the nearest dwellings are situated approximately 17m to the north east.

The Access Statement submitted with the application states that the activities undertaken at the community centre include health & beauty, arts & crafts and IT courses, community group meetings, bingo, coffee mornings, darts matches and snooker games. The applicant has stated that the maximum amount of people attending these activities has been 31.

The applicant has advised that the centre is only open in the evenings 2-3 nights a week and is not open after 2230.

The former use of the building as a clinic falls within class D1 of the Town and Country Planning (Use Classes) Order 1987 and the proposed use as a community centre falls within class D2 of the Town and Country Planning (Use Classes) Order 1987, hence planning permission is required to change the use.

There are no external alterations proposed at the premises.

RELEVANT HISTORY

None

PUBLICITY

Neighbours have been notified of the receipt of the application.

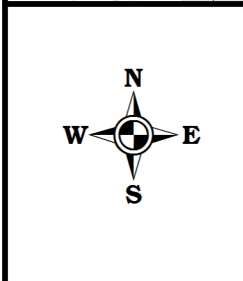
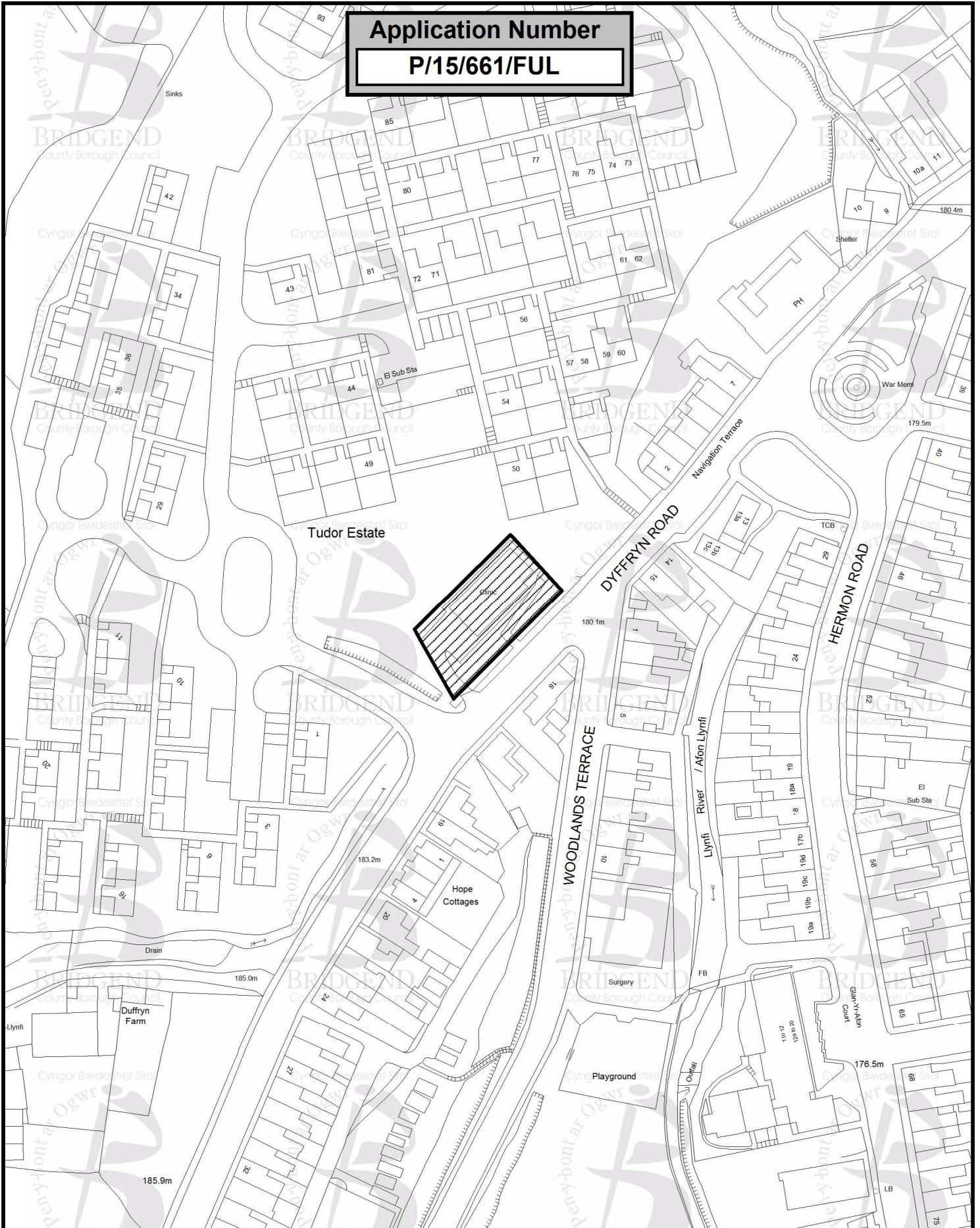
The period allowed for response to consultations expired on 6 November 2015.

NEGOTIATIONS

The application has been submitted as a result of enforcement investigations.

Application Number

P/15/661/FUL



Scale 1:1,250

Date Issued:
23/12/2015

Development-Mapping
Tel: 01656 643176

Mark Shephard
Corporate Director-Communities

Communities Directorate,
Bridgend County Borough
Council, Civic Offices,
Angel Street,
Bridgend CF31 4WB.

O/Drive/Plandraw/new MI layouts/
Committee DC Plan

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CONSULTATION RESPONSES

Town/Community Council Observations

Notified on 9th October 2015

Has no objection to the proposal.

Councillor P J White

Considers that the application can be determined under officer delegated power.

Head Of Street Scene (Highways)

Advised that they have no objection to the proposal.

Head Of Street Scene (Drainage)

Has no comments to make on the proposal.

Group Manager Public Protection

Have advised that they are unlikely to have any objections to the proposal.

REPRESENTATIONS RECEIVED

Objections Were Received From The Following Local Residents:, -

E McCulloch - 9 Tudor Estate

M Jones - 30 Tudor Estate

H Thorpe - 47 Tudor Estate(requested to speak at the Development Control Committee)

L Edwards - 48 Tudor Estate

J Hughes - 96 Tudor Estate (requested to speak at the Development Control Committee)

A petition of 13 names and addresses was also received.

The objections are summarised as follows:-

- Loss of clinic facility
- Noise
- Parking provision/ Highway safety
- Antisocial behaviour/Increase in criminal activity
- There are other more suitable facilities within close proximity to the site
- The facility has been operating prior to the submission of the application
- Entertainment License should not be issued.
- Potential impact on property value
- Serving of alcohol could give rise to anti-social behaviour.

COMMENTS ON REPRESENTATIONS RECEIVED

The loss of the clinic is addressed in the 'Appraisal' section of this report.

In respect of noise, the application has been assessed by the Group Manager Public Protection who has raised no concerns in respect of noise. However, a condition shall be attached to any permission granted limiting the hours of operation to 10.30pm, which should reduce any disturbance to nearby residential properties late at night.

The Transportation Development Control Officer has advised that the scheme has been

assessed and it is acceptable in terms of highway and pedestrian safety and parking provision, given the former use of the site as a clinic.

Instances of anti-social behaviour are predominantly matters for the Police. Notwithstanding the above, no objections have been raised by the Group Manager Public Protection concerning the proposal. However, a condition limiting the opening hours of the premises to 10.30pm (daily) would assist in mitigating any late night/early morning instances of anti-social behaviour.

Whilst there may be other premises in the locality which could accommodate the proposed use, the Local Planning Authority must consider the application as submitted.

The application was submitted as a result of an Enforcement investigation.

The Entertainment and alcohol licences are subject to separate legislative procedures and the application must be considered in land use terms only.

Potential devaluation of property is not a material planning consideration.

APPRAISAL

The application is referred to the Development Control Committee for determination as a result of the number of objections received from local residents.

The application seeks planning permission for the change of use of this building from a clinic to a community centre.

A clinic falls under class D1 (non-residential institution) of the Town and Country Planning (Use Classes) Order 1987 and the proposed use as a community centre is considered to be a D2 (assembly and leisure) use.

Strategic Policy SP13 of the Local Development Plan (LDP) states that, in order to maintain and improve the quality of life of residents, educational/training, health/well-being, libraries, outdoor and indoor recreation facilities and community buildings will be retained or enhanced. The supporting text at paragraph 6.2.2 states 'It is essential that the quality of the life of all the County Borough's residents is sustained and adequately catered for, and that community services and social facilities continue to address their needs, and are not diminished or undermined by planned growth. Social and community uses and/or facilities include schools, sport, recreation, leisure and cultural facilities, health services, libraries, cemeteries and all types of community buildings including places of worship, and in some cases privately owned community buildings such as crèches, indoor leisure facilities, gymnasiums and public houses.'

The development results in the loss of a clinic facility which serves the community but does provide an alternative community facility. As such, the proposed development is considered to comply with Policy SP13 of the LDP.

Whilst the loss of the clinic facility is disappointing, the retention of such a facility is outside of the control of the Local Authority and the development proposes an alternative community facility.

There are no external alterations proposed and, as such, the development does not raise any concerns in respect of visual amenities.

In terms of residential amenity the application does not propose a predominately A3 (food and drink) use and there is insufficient evidence to indicate that the use is detrimental to residential amenity. However, conditions are attached recommending restricting the use of the building to a community centre and limiting the hours of operation to 0800 - 2230 daily.

Whilst determining this application Policies SP2 & SP13 of the Bridgend Local Development Plan were considered.

CONCLUSION

Notwithstanding the objections received, this application is recommended for approval because the development complies with Council policy and Council's guidelines and does not adversely affect visual amenities nor so significantly harms neighbours' amenities or highway safety as to warrant refusal.

RECOMMENDATION

(R64) That approval be GRANTED subject to the following condition(s):-

- 1 The premises shall be used for a social centre 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.

Reason: To safeguard the interests of residential amenities.

- 2 The use hereby permitted shall not be open outside the hours of 0800 to 2230 Monday to Sunday.

Reason: In the interests of residential amenities.

* THE FOLLOWING IS AN ADVISORY NOTE NOT A CONDITION

a) Notwithstanding the objections received, this application is recommended for approval because the development complies with Council policy and Council's guidelines and does not adversely affect visual amenities nor so significantly harms neighbours' amenities or highway safety as to warrant refusal.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None