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| APPLICATION NO: 15/02143/COU | | OFFICER: Mrs Lucy White |
| DATE REGISTERED: 15th December 2015 | | DATE OF EXPIRY: 9th February 2016 |
| WARD: Springbank | | PARISH: |
| APPLICANT: | Gloucestershire Mentoring And Support CIC | |
| AGENT: | Port Architects Ltd | |
| LOCATION: | Ron Smith Pavilion, Springbank Way, Cheltenham | |
| PROPOSAL: | Conversion of part of sports pavilion (function room) to C3 (cafe) | |

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application relates to a single storey, pavilion sports building located adjacent to the Springbank Resource Centre and Springbank Neighbourhood Shopping Centre. The building is used as a changing room facility (associated with nearby playing fields in Springfield Park) and function room. The function room is currently being used as a temporary workshop by maintenance staff employed by Cheltenham Borough Council
- 1.2 The applicant proposes the change of use of part of the building from D2 (function room) to a café (A3). The remainder of the pavilion would remain for use as changing rooms and ancillary facilities. The café would be open to the general public with profits from sales put towards supporting deprived young people in the local area. The applicant is Gloucestershire Mentoring and Support (MAS).
- 1.3 This application is before Planning Committee because the building is owned by Cheltenham Borough Council.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Residents Associations
Smoke Control Order

Relevant Planning History:

86/00747/PF 28th August 1986 PER

Welch Road Playing Fields Cheltenham Gloucestershire - Erection Of Community Room And Sports Changing Rooms With Vehicular Access And Car Park

86/01280/PF 18th December 1986 PER

Arle Farm Welch Road Playing Fields Cheltenham Gloucestershire - Proposed Community Room And Sports Changing Rooms Vehicular Access And Car Park
As Amended By Revised Plan Received On 16 Dec 86

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 4 Safe and sustainable living
CP 7 Design
RT 1 Location of retail development
RT 5 Non-A1 uses in local shopping centres
TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

Security and crime prevention (2003)
Shop front design guide SPD (2007)
Sustainable developments (2003)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Environmental Health

16th December 2015

Further to being consulted on the above planning application, please find below my comments, which I hope can be added as an informative to the consent? The legal requirements with regard to Asbestos, Duty to Manage Requirements, which are applicable, if the fabric of the building will be disturbed as part of the work.

MANAGEMENT OF ASBESTOS (The Control of Asbestos Regulations 2006 Regulation 5)

WHEN REFURBISHMENT OR OTHER WORK WHICH DISTURBS THE FABRIC OF THE BUILDING ARE PLANNED THEN IT WILL BE NECESSARY TO COMPLETE A REFURBISHMENT AND DEMOLITION SURVEY, IN AREAS WHERE THE MANAGEMENT SURVEY HAS NOT BEEN INTRUSIVE, BEFORE THE WORK IS CARRIED OUT.

This type of survey is used to locate and describe, as far as reasonably practicable, all asbestos contain materials in the area where the refurbishment work will take place or in the whole building if demolition is planned. The survey will be fully intrusive and involve destructive inspection, as necessary, to gain access to all areas, including those that may be difficult to reach.

A refurbishment and demolition survey may also be required in other circumstances, e.g. when more intrusive maintenance and repair work will be carried out.

The full guidance document (HSG 264) is available on line at: <http://www.hse.gov.uk/PUBNS/books/hsg264.htm>

16th December 2015

The plans for the kitchen do not indicate if there will be facilities for washing food and/or equipment and whether or not there is to be a designated wash hand basin available in the kitchen. In accordance with food hygiene legislation these will need to be provided.

21st January 2016

With regard to this application I have no adverse comment to make.

5. PUBLICITY AND REPRESENTATIONS

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|-------------------------|---|
| Number of letters sent | 0 |
| Total comments received | 0 |
| Number of objections | 0 |
| Number of supporting | 0 |
| General comment | 0 |

- 5.1 Given the nature and location of the building, letters were not sent individually to neighbouring properties. However, a site notice was posted within the vicinity of the application site.
- 5.2 At the time of writing, no letters of representation have been received as a result of the public consultation exercise.

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The key issues are the principle of a change of use of part of this building to a café, the design and scale of any alterations, traffic and parking implications and the potential harm to the amenities of occupiers of neighbouring properties.

6.3 Principle of Change of Use/Design and Layout

6.4 The change of use of part of the building from a function room (D2) to a small café (A3) is considered acceptable. Local Plan Policy RT1 allows for new retail development subject to the availability of sites or buildings suitable for conversion and advises on the sequentially preferable locations for development. Similarly Policy RT7 advises that retail development in out of centre locations should not harm the vitality and viability of the town centre or a neighbourhood centre.

6.5 The application site is located just outside the designated Springbank Neighbourhood Shopping Centre. All the units of this shopping centre have been closed for some time and the centre, as a whole, is now redundant. That said, the adjacent Springbank Resource Centre accommodates a range of community facilities, including a doctors surgery, dentist, a pharmacy and children's day nursery. This generates a high level of visitors to the complex throughout the day, including the weekend. The application site is also located adjacent to community playing fields and a children's play area and All Saints Academy School is nearby. As such, it is anticipated that there would be demand for a local café in this location which would certainly relate to the function of the resource centre and contribute to its vitality. The site is also accessible by choice of means of transport and is thus considered a sustainable location.

6.6 The building is considered suitable for conversion and has an existing kitchen facility and connection to all necessary services. Equally, the retention of the changing room facility is welcomed. The only external alterations are the replacement of existing windows and panelling on the front elevation with full height curtain wall glazing (with security roller shutters over). The side entrance and canopy would be retained but with replacement aluminium side double entrance doors. The side entrance would be the customer entrance to the café. Officers consider that the proposed alterations and general refurbishment proposals would improve the overall character and appearance of the building which is beginning to look tired.

6.7 Impact on neighbouring property

6.8 The adjoining building is a community centre and also accommodates various health services. A block of flats is located on land to the rear, some 12-28 metres distance from the rear elevation of the pavilion and there are a number of dwellings in Peter Pennell Close whose gardens back onto the public car park.

6.9 The activity and potential for noise would emanate from the front and side entrances to the proposed café and there should be no significant increase in noise and disturbance and general activity on the site above that which is currently associated with the Community Resource Centre or that which could be generated by the authorised use of the building as a function room.

6.10 The Environmental Health Team has no concerns in relation to the proposed change of use. To further safeguard local amenity, a condition has been added to limit opening times to regular shop trading hours.

6.11 Access and highway issues

6.12 There is a large public car park located adjacent to the pavilion building. It is anticipated that, the majority of the proposed café customers would be those visiting the Community Centre or children's nursery. The proposed use is unlikely to generate a significant increase in footfall or vehicular trip rates to the site. Any increase in demand for parking within the existing car park or on local streets should therefore be minimal.

7. CONCLUSION AND RECOMMENDATION

7.1 The proposed change of use and alterations to the pavilion building are acceptable and the new café should be a welcome addition to the community facilities in this location. It is therefore recommended that planning permission be granted subject to the following suggested conditions.

8. CONDITIONS / INFORMATIVES

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.
Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 The use hereby permitted shall not be open to customers outside the hours of 08:00 to 17:00 Monday to Saturday and 08:00 to 12:00 on Sundays.
Reason: To safeguard the amenities of adjoining properties and the locality in accordance with Local Plan Policy CP4 relating to safe and sustainable living.

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.