

DEVELOPMENT CONTROL COMMITTEE
26 May 2010

**DIRECTORATE OF COMMUNITY AND
 ENVIRONMENT**
PLANNING REPORT NO.PLN1018
SECTION C

The information, recommendations and advice contained in this report are correct as at the date of preparation, which is more than two weeks in advance of the Committee meeting. Because of these time constraints some reports may have been prepared in advance of the final date given for consultee responses or neighbour comment. Any changes or necessary updates to the report will be made orally at the Committee meeting.

APPLICATION NO.	10/00233/COUPP
DATE REGISTERED	22 April 2010
EXPIRY OF CONSULTATIONS	21 May 2010
PROPOSAL	Change of use of premises from social club to dance studio (Use Class D1)
LOCATION	61 North Lane Aldershot
WARD	North Town
APPLICANT	Diamond Dance Centres Ltd
AGENT	CT Foo Associates LLP
RECOMMENDATION	GRANT

DESCRIPTION

The property is a new two storey building 7.7m wide by 23.2m on the western side of North Lane backing onto Calvert Close and opposite the Pegasus Court Industrial Estate. It was built as a replacement for the Royal British Legion club-house which was destroyed by fire but has never been occupied. The building has a floor area of 178sqm on the ground floor. Although the approved plans showed that a first floor would be provided in the roof, there is currently no stair access to this area.

Planning permission was approved in principle for a change the use of the premises to a food preparation and delivery use (Use Class B1(c)), to be occupied by a catering company. Permission was however refused as the applicant failed to complete the required legal agreement to make provision for local highway improvements in accordance with the Council's adopted Supplementary Planning Document Planning Contributions -Transport.

The current application is for use of the premises as a dance studio (Use Class D1 - non residential education/training centre). The applicants already operate a similar dance school in North Camp, the Diamond Dance Centre, and wish to provide a similar facility in Aldershot. They intend to run one-to-one tuition sessions during the day from 0900 to 1800, together with evening classes twice a week from 1930 to 2230 and children's lectures & classes from 1730 to 2030 on Fridays and 0900 to 1930 on Saturdays.

No external alterations are proposed. Internally, a staircase would be constructed at the front and rear of the building to provide access to the first floor, which would have two rooms to be used as a waiting room for parents whose children are attending classes and an

administration office. The existing bar area would be retained for refreshments. The hard surfaced area at the front of the building would be laid out to provide three car parking spaces, with room for tandem staff parking alongside the north of the building. whilst two spaces would be provided for the Company's vans on the northern side of the building. Bin storage facility would provided at the rear of the site along with a cycle rack for two bicycles.

CONSULTEES RESPONSES

Transportation Strategy Officer	Expresses concerns about the highway safety implications of the proposal
Head of Environmental Health	No objection subject to conditions.
Planning Policy Team	No policy objection
Rushmoor Access Officer	No objection

NEIGHBOURS NOTIFIED

Individual notification letters were sent to 11 addresses in Calvert Close, North Lane & Pegasus Court.

NEIGHBOUR COMMENTS

Responses to notification of the application have been received from the occupiers of 1, 3 & 5 Calvert Close and 59 North Lane commenting as follows:

Inadequate parking, traffic impact on North Lane, noise, business use should not be in residential area, dance studio preferred to previously proposed catering use providing soundproofing, operating hours and refuse storage adequately addressed.

POLICY AND DETERMINING ISSUES

The proposal is within the built-up area as defined in the Local Plan Review and Policies ENV17(general development criteria), ENV46 (community facilities) and TR8 (access and parking) are relevant to the proposal, together with the Council's adopted Supplementary Planning Documents Car and Cycle Parking Standards and Planning Contributions - Transport .

The main determining issues are considered to be the principle of the proposal, the impact on the character of the area and on nearby residents and highway considerations.

COMMENTARY

Principle of the proposal

The permitted and long established use of the site is a social club, which for the purposes of the Local Plan is considered to be a community facility. Policy ENV46 seeks to prevent the loss of community facilities and states that it will only be permitted where the Council is satisfied that the facilities are not in demand or replacement facilities or equivalent community benefits are to be provided locally.

The dance studio use currently proposed is also considered to be a community facility that would be available to local people and the proposal would bring the site back into beneficial use without any loss in community provision. The Planning Policy Team therefore raise no objection to the proposal, which is considered acceptable in principle.

Impact on the character of the area

No external alterations are proposed to the building and having regard to the fact that the nature of the proposed use is similar to the existing social club it is considered that the proposal would have no adverse implications for the character of the area.

Impact on nearby residents

Some local residents have expressed concern about noise from the premises associated with the proposed use including loud dance music. The existing use as a social club has potential for noise-generating events such as parties and discos and the hours of use are uncontrolled. It is considered that there is little material difference between the existing and proposed uses in terms of noise or level of activity. The applicants already operate a dance studio in Queens Road, North Camp, which has residential properties close by. The Environmental Health Officer has confirmed that no noise complaints have been received about these premises.

The current application provides the opportunity to limit the hours of use of the premises to reasonable times and this can be secured by condition. Subject to this and bearing in mind the established use of the site it is considered that the proposal would have no material adverse impact on the living conditions of nearby residents.

Highway considerations

The Highways Officer considers that the number of multi-modal trips associated with the proposed dance studio would be little different from that linked to the permitted social club use and therefore no transport contribution is required.

A number of residents have raised objection to the proposal on grounds of inadequate parking and the Highways Officer has concerns about the dropping off and picking up of children for dancing classes. However, the site has always had limited parking and the building could be occupied by any type of social club without the need for planning permission. Additionally, any sort of community use would be likely to generate a similar level of vehicle activity.

It is considered that there is capacity in nearby commercial sites outside normal working hours for some overflow parking. Furthermore, all clients of the dance studio have to become members so that the applicants have control over the terms of membership. It is therefore recommended that the applicants are required to submit a travel plan detailing the measures they intend to take to encourage alternative means of transport other than the private car and to discourage their members from stopping on North Lane or parking in residential roads. Subject to conditions to secure the travel plan and to require 3 parking spaces to be laid out in front of the building as shown, it is considered that the proposal would have no material adverse implications for highway safety.

FULL RECOMMENDATION

It is recommended that permission be GRANTED 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 - As required by 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 premises shall not be used outside the following times:

1000 - 2200 Mondays to Fridays;
1000 - 2300 on Saturdays; and
1000 - 2200 on Sundays & Bank Holidays

Reason - To safeguard the amenities of neighbouring occupiers.

- 3 The use hereby permitted shall not start until the parking facilities shown on the approved plans have been laid out and made ready for use. The parking facilities shall be thereafter retained solely for such purposes. *

Reason - To ensure the provision and availability of off-street parking.

- 4 The use hereby permitted shall not start until details of the type and nature of measures to be introduced to encourage access to and from the site by non car based transport and to discourage inappropriate parking & dropping off in North Lane and local streets have been submitted to and agreed in writing by the Local Planning Authority. The agreed measures shall be implemented and retained throughout the use of the development. *

Reason - In the interests of highway safety and to encourage sustainable transport

- 5 Unless agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings:- P-01A, P-02A, P-03A & P-04A

Reason - To ensure the development is implemented in accordance with the permission granted

- 6 Prior to use of any part of the development hereby approved, details of satisfactory provision for the storage and removal of refuse from the premises shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and retained in accordance with the details so approved. *

Reason - To safeguard the amenities of the area.

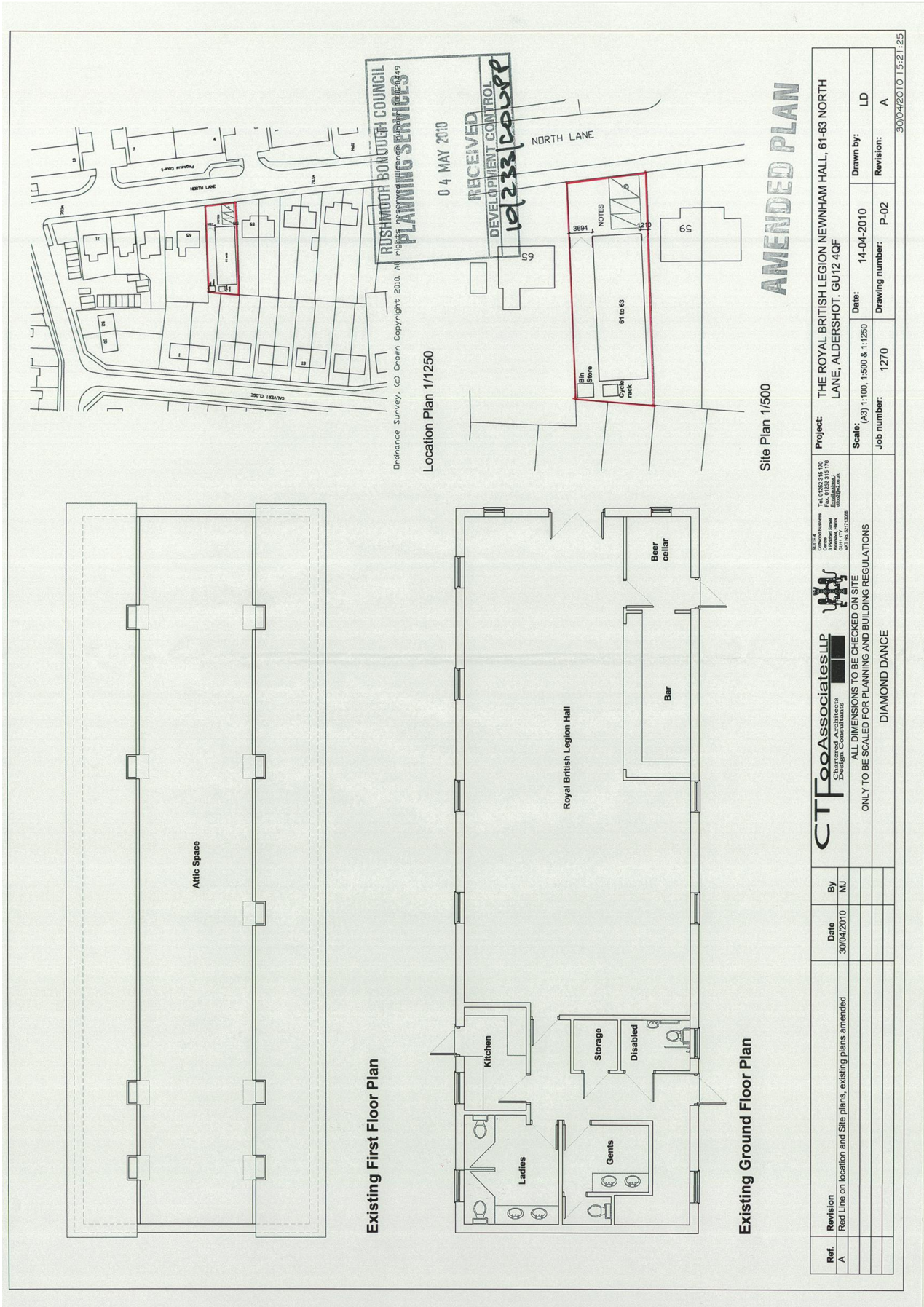
INFORMATIVES

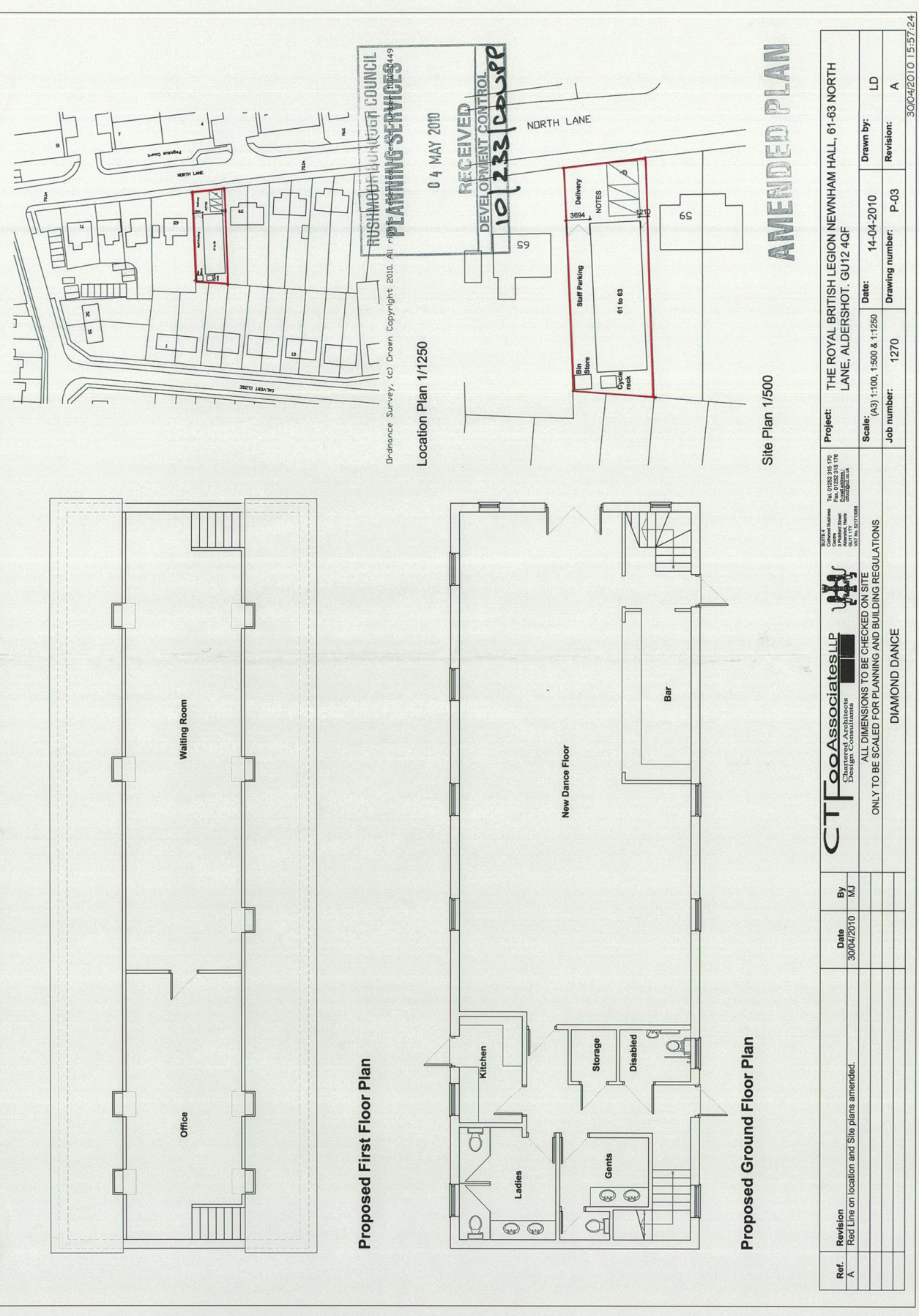
- 1 INFORMATIVE - Your attention is specifically drawn to the conditions marked *. These condition(s) require the submission of details, information, drawings etc. to the Local Planning Authority BEFORE WORKS START ON SITE or, require works to be carried out BEFORE COMMENCEMENT OF USE OR FIRST OCCUPATION OF ANY BUILDING. Failure to meet these requirements is in contravention of the terms of the permission and the Council may take enforcement action to secure compliance. As of April 2008 submissions seeking to discharge conditions or requests for confirmation that conditions have been complied with must be accompanied by the appropriate fee.
- 3 INFORMATIVE - The applicant is reminded that the premises should be made accessible to all disabled people, not just wheelchair users, in accordance with the duties imposed by the Disability Discrimination Act 1995. This may be achieved by following recommendations set out in British Standard BS 8300: 2001 "Design of buildings and their approaches to meet the needs of disabled people - Code of Practice". Where Building Regulations apply, provision of access for disabled people to the premises will be required in accordance with Approved Document M to the Building Regulations 2000 "Access to and use of buildings". Please contact the Access Officer on 01252 398722. The Rushmoor Access Group would also welcome the opportunity to give further advice and guidance.
- 4 INFORMATIVE - The applicant is advised to use their best endeavours to ensure that no bin collections take place outside the hours of 0700 - 1900 Mondays to Fridays.
- 2 INFORMATIVE - The applicant is reminded to contact the licensing authority before making use of the premises for the purpose of any licensable activity. Further information is available from the Council's licensing team in Environmental Health Services on 01252 398128.
- 5 INFORMATIVE - REASONS FOR APPROVAL - The Council has granted permission because:

The proposal is acceptable in principle and has no material adverse implications for the character of the area, the amenities of nearby residents or highway safety and is therefore in accordance with Policies ENV46, ENV17 and TR8 of the Rushmoor Local Plan Review (1996 - 2011).

It is therefore considered that subject to compliance with the attached conditions, and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether the decision to grant permission is compatible with the Human Rights Act 1998.







Ref. A	Revision	Date	By	CTFoAssociatesLLP	CTFoAssociatesLLP	Project:
A	Red Line on location and Site plans amended.	30/04/2010	MJ	Chartered Architects Design Consultants	ALL DIMENSIONS TO BE CHECKED ON SITE ONLY TO BE SCALED FOR PLANNING AND BUILDING REGULATIONS	THE ROYAL BRITISH LEGION NEWNHAM HALL, 61-63 NORTH LANE, ALDERSHOT. GU12 4QF
						Scale: (A3) 1:100, 1:500 & 1:1250
						Job number: 1270
						Drawing number: P-03
						Drawn by: LD
						Revision: A
						30/04/2010 15:57:24