

## **PLANNING & REGULATION COMMITTEE – 15 FEBRUARY 2010**

### **CHANGE OF USE OF BUILDING FROM USE CLASS B1 (OFFICES) TO CLASS D1 (ADULT LEARNING TRAINING CENTRE)**

**Location:** The Corner House, Victoria Road, Bicester, Oxfordshire, OX26 6PB

**Application No:** R3.0203/09

**District Council Area:** Cherwell

#### **Introduction**

1. This application is for the change of use of an existing building (known as the Corner House) with planning permission for office use to be used as an adult learning training centre. The application does not propose any external changes to the building.

#### **Location (see site plan)**

2. The building is located to the north of Bicester town centre at the junction of Victoria Road, Bardwell Terrace and Bell Lane, approximately 300 metres from the Market Square. The building is situated immediately next to (outside) the boundary of the Bicester Town Centre as identified on the Bicester Proposals Map in the Cherwell Local Plan 1996 and Non-Statutory Cherwell Local Plan 2011.

#### **Site and Setting (see site plan)**

3. The application site is bordered on two sides by roads, Victoria Road to the west and Bardwell Terrace to the north. There is also a private access road leading to other properties and garages abutting the site to the south and east. Bell Lane lies immediately to the west and leads into Sheep Street which is the main commercial centre of the town. The site is surrounded by mostly two storey residential properties together with commercial properties and a church to the west. A strip of land along the southern and eastern edges of the building has in the past been used for parking. The applicant says that the ownership status of this land is unclear.
4. The Corner House building is built of buff brick with a plain tiled hipped roof which includes a number of dormer windows. It is mostly single storey with some limited accommodation in the roof void. At present the building comprises eight office rooms and ancillary facilities. It has previously been a doctor's surgery; planning permission was granted in 2001 for the change of use of the premises to offices.

## Background and Details of the Development

5. The building has been identified by the applicant as appropriate accommodation for the adult learning training service for Bicester which is currently located at Bicester Community College on Queens Avenue, some 400 metres (as the crow flies) to the south west of the Bicester town centre boundary. This service provides information and advice to visitors and adult education courses to students. The reason for relocation is a wish to provide the service from a location closer to the town centre which is more central and accessible than at present.
6. The formal teaching element of the service would be available to the public between 9am-2.30pm, Monday to Thursday and during term time only. The service anticipates that the number of students per week is expected to be up to 60 (based on a maximum of 12 students per course, five courses per week). This figure would probably not be achieved immediately. More general visitors to the service would do so between normal opening hours (9am-5pm) Monday to Friday. The service would be staffed by 2 full time and 4 part time staff who would be present on site from time to time.
7. Internal alterations to the building are proposed, no external alterations would be required. The main entrance to the building would remain on the south western elevation of the building off Victoria Road.
8. At present the site does not have any formal parking areas. The applicant expects that visitors to the site would walk, use nearby public transport stops or public car parks (including disabled provision) in and around Bicester town centre.

## Consultations

9. The consultation period on this application ran from 19 October to 9 November 2009.

Cherwell District Council

*(Planning Development Control)* – No objection.

*(Safer Communities and Community Development)* – No objection.

*(Environmental Protection)* – No objection.

Transport Development Control – No objection. Unlikely that there would be any significant change in the number of trips generated by the site and considering the location and accessibility of the site there is fair potential for walking, cycling and public transport trips to it. The proposal would not have any significant impact upon the local highway network or its users and we do not consider that the proposal would exacerbate the problems raised with on-street parking pressures which are typical of this area. Recommend a condition which requires a travel plan to be developed for the site.

**Third Party Representations** (Copies of these letters are available in the Member's Resource Centre)

10. We have received two letters from neighbouring residents. One objects to the proposal whilst the other raises concerns. The main issues these letters raise are:
- The existing Adult Learning site is just as accessible as the proposed site;
  - There will be an unacceptable increase in traffic on local roads and visitors to the building;
  - Parking will take place around and in the vicinity of the building creating problems with access to private property;
  - Visitors to the building will still use private cars and will not pay for car parks;
  - People will not walk the distance to the building from surrounding car parks and bus stops;
  - Concerned that the local Methodist Hall car park may be used for parking associated with the development;
  - Unclear how planning conditions to stop people parking around the building would be enforced;
  - Signs should be erected to deter parking and access to surrounding private land and should be maintained for the duration of the use of the building;
  - Vehicle access to the building should not take place through adjoining private access roads;
  - Double yellow lines should be introduced on adjoining private access roads;
  - Vehicle clamping should be introduced to deter parking on private roads.

**Relevant Planning Policies**

11. The South East Plan Regional Spatial Strategy 2026 (RSS).

CC1 - The principal objective of the Plan is to achieve and to maintain sustainable development in the region.

CC6 – Development should i) respect, and where appropriate enhance the character and distinctiveness of settlements and landscapes; and ii) use innovative design process to create a high quality built environment which promotes a sense of place.

12. Cherwell Local Plan 1996 (CLP)

C31 – In existing residential areas any development which is not compatible with the residential character of the area, or would cause an unacceptable level of nuisance or visual intrusion will not normally be permitted.

The Non-Statutory Cherwell Local Plan 2011 (NSCLP)

EN1 - Development which would have an unacceptable environmental impact (on the natural and built environment) will not be permitted.

R11 – Proposals for local facilities will be permitted provided the development (i) is conveniently located for the population it is intended to serve, (ii) is appropriate in terms of scale and siting, (iii) would not lead to a significant loss of amenity to adjacent properties and (iv) would not be visually intrusive.

TR4 – Before proposals for development are permitted the Council will need to be satisfied that all appropriate transport mitigation measures required to support that development are identified.

S12 – Proposals for new development appropriate to a town centre location will be permitted within Bicester town centre.

13. Other relevant policy documents include: Planning Policy Guidance 13 (PPG13) – Transport.

### **Comments of the Head of Sustainable Development**

14. The main issue to be considered with this application relates to:

(i) The potential impact on neighbouring residents

15. This development involves the change of use of an existing building from office use (Class B1) to and adult learning centre (Class D1). The application proposes no external changes to the existing building or to the surrounding site. Policy CC1 of the South East Plan seeks to achieve sustainable development in the region whilst Policy CC6 seeks to ensure that development proposals respect existing settlements. The building is located immediately adjacent to the edge of the Bicester Town Centre as identified in the NSCLP so Policy S12 of this plan should be considered. As the development is also adjacent to residential areas Policy C31 of the CLP is relevant as it seeks to ensure that developments in residential areas do not cause an acceptable nuisance. Policy R11 of the NSCLP encourages community facilities provided that they are conveniently located and do not have an impact on amenity or cause a visual impact. Policy TR4 of the NSCLP should also be considered as it requires new development to provide suitable transport mitigation measures.

16. We have received one objection to the application on the grounds that the change of use of the building would lead to an increase in traffic on surrounding roads and that parking will take place in unauthorised locations which would lead to problems of access to private roads and garages. These points have been discussed with the objector. We have suggested a number of conditions which seek to overcome the concerns but these suggestions have not satisfied the objector. The main consideration is therefore whether the proposed change of use of the building would result in an unacceptable increase in traffic and/or problems associated with unauthorised parking.

17. The existing office building accommodates on a daily basis approximately 22 people. The proposed adult learning centre would mean that, on a daily basis, the building would be able to accommodate a maximum of 12 students per day. The applicant anticipates that on average (based on current figures) there would be approximately 3 visitors (other than students undertaking courses) to the centre each day, during any day of the week there would be a maximum of 4 staff on site. On average when the building is operating at full capacity, the number of students, visitors and staff using the building would be approximately 19; this would be less than the current capacity of the office building. Transport Development Control raise no objection to the proposal and consider that the development would not lead to an increase in the number of trips generated by the site. They also consider that the location and accessibility of the site would mean that trips to it could be made by non-motorised and public transport means.
18. The objector has raised concerns about parking in unauthorised areas around the building, including private access roads adjacent to the site. The building has no dedicated parking areas. Although there is an area of hardstanding around the building (which could accommodate 2 or 3 cars) it is not laid out for parking and there is no formal agreement for such use. Staff and visitors to the building would therefore be required to park in nearby car parks, on street in authorised places, travel by public transport or walk/cycle. The nearest bus stop is 150 metres away and there are 6 public car parks within 250 metres of the building.
19. Transport Development Control consider that the proposal would not significantly contribute to on-street parking pressures. They have recommended that a Travel Plan be developed for the site to promote visits to the building by non car means. The applicant has stressed that students and staff using the centre would be informed through their day to day activities that parking should only take place in authorised parking spaces nearby. This would also be encouraged through the development and use of a travel plan for the building. Should parking take place in unauthorised parking areas this would be dealt with through the usual parking enforcement procedures. A condition has also been discussed and recommended which would require the applicant to provide signage on and in the vicinity of the building in order to deter unauthorised parking.
20. The objector has also requested that the private access roads in the vicinity of the building are double yellow lined in order to deter parking. Because the access roads are privately owned the County Council does not have consent to undertake double yellow lining or enforce any restrictions of them. The objector and other interested private owners could, if they so wish, provide parking restrictions on the road themselves.
21. In my view the change of use from offices to an adult learning centre would not result in an increase in users of the building and would not therefore increase traffic levels in the area. Transport Development Control and Cherwell District Council do not object to the proposal. I consider that it is in accordance with policy TR4 of the NSCLP. Although not located within the

boundaries of the Bicester Town Centre Proposals Map (as identified in the CLP and NSCLP) the proposal is immediately adjacent to this policy area which encourages the development of D1 uses. I also consider that due to the nature of the use of the building and issues already highlighted the development would be acceptable adjacent to a residential area as it would not increase noise or disturbance and there would be no visual impact. Also, the hours of use that the building would operate would be during normal office hours Monday to Friday; it would not be open in the evenings or during weekends. As such the development is consistent with policy C31 of the CLP, policy EN1 of the NSCLP and policy R11 of the NSCLP which encourages the development of new community facilities provided they do not result in significant loss of amenity to adjacent properties.

22. The building's location and accessibility to residential areas and bus stops would enable and encourage non-motorised and public transport trips to the site which would make the proposal consistent with policy CC1 of the RSS and R11 of the NSCLP. Although concerns have been raised that staff and visitors to the building would park in unauthorised parking areas and not walk from nearby public car parks I consider that the location of these (6 within 250 metres) would mean that the building is accessible on foot from large areas of public parking. PPG13 states that it is typical that 400 metres is the distance beyond which people will change their mode of transport from walking to car, there are 6 public car parks within this 400 metre distance.

## Conclusion

23. This proposal would provide an improved community facility for the residents of Bicester closer to the town centre than the existing facility. In planning terms I believe this proposal is acceptable and would not be detrimental to the environment of local residents or use of the immediate road network. Although concerns have been raised regarding a possible increase in traffic and parking I consider that the proposal would not lead to increase in users from its present use and the trips to the site can be managed through the development of a travel plan and other appropriate conditions to restrict parking. The building is well located immediately adjacent to the town centre boundary to encourage sustainable trips to the site. Importantly the amenity of local residents nearby would not be affected by the development as it would not generate noise or disturbance and the hours of use the building would operate would be restricted to typical working hours Monday to Friday.

## RECOMMENDATION

24. **The Committee is RECOMMENDED to approve Application Number R3.0203/09 for the change of use of building from use class B1 (offices) to class D1 (adult learning training centre), subject to conditions to be determined by the Head of Sustainable Development to include the following matters:**

1. that the development must be carried out strictly in accordance with the particulars contained in the application and the plans accompanying subject to conditions covering matters below;
2. that the development shall commence within 3 years of the date of the permission;
3. the hours of use of the building shall be restricted to between 8:30am and 5:30pm Monday to Friday;
4. that prior to the commencement of the development a scheme for the provision of signage on the building and in its vicinity to deter unauthorised parking shall be submitted and approved. All erected signs shall be maintained for the duration of the use of the building as an Adult Learning Training Centre; and
5. within 6 months of the first occupation of the building a Travel Plan for the site shall be prepared and submitted for approval and shall be implemented and updated appropriately.

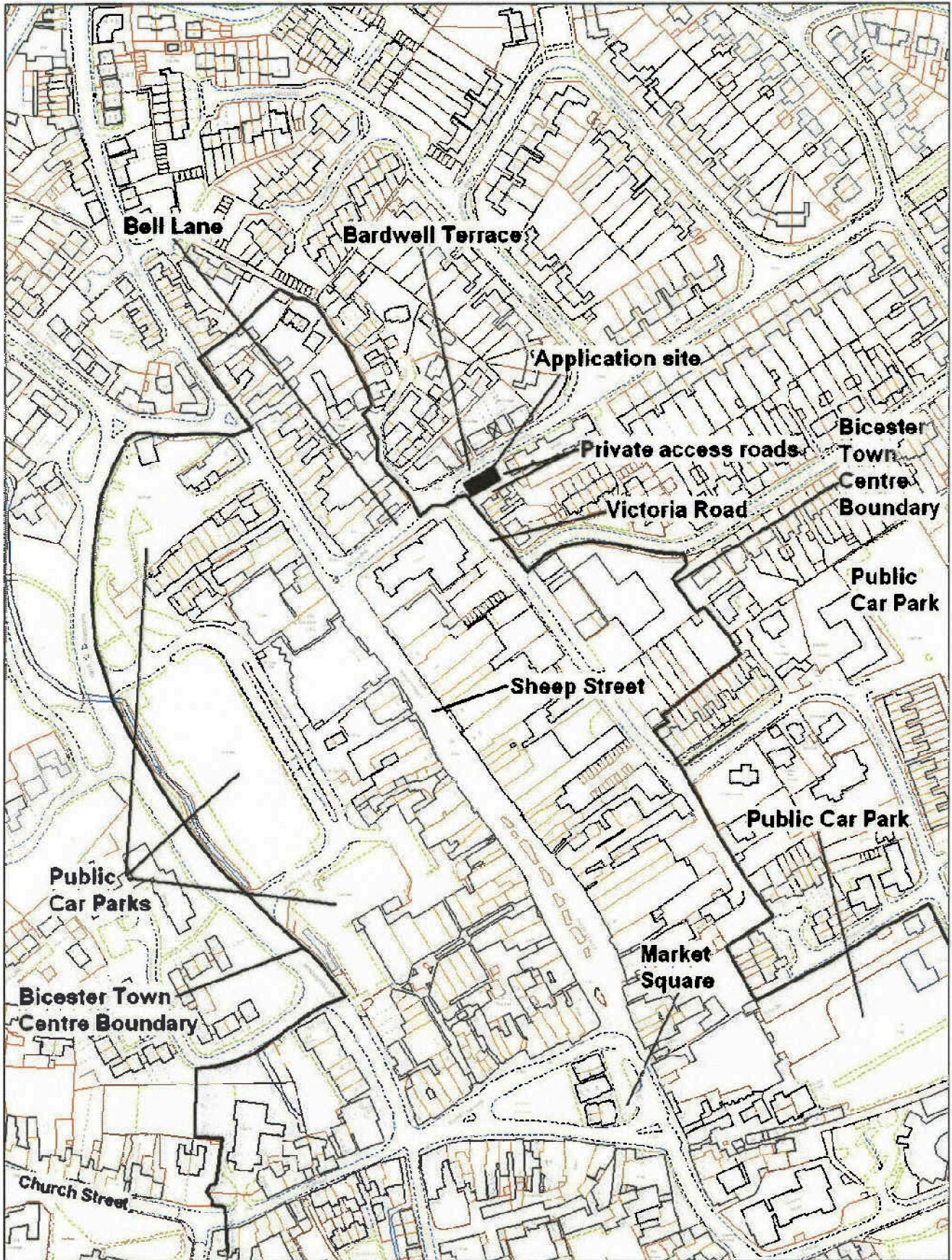
CHRIS COUSINS  
Head of Sustainable Development  
Environment & Economy

Background Papers: File Ref: R3.0203/09 8.1/5822/1

February 2010

**The Corner House, Bicester**

App. No. R3.0203/09



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