<table>
<thead>
<tr>
<th>Application Number</th>
<th>19/00896/FUL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Address</td>
<td>Children’s Play Centre/Café, The Trinity, Worcester, WR1 2EY.</td>
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<tr>
<td>Description of Development</td>
<td>Change of use to Use Class A2</td>
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<tr>
<td>Case Officer</td>
<td>Mr John Longmuir</td>
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<tr>
<td>Applicant</td>
<td>Worcester City Council</td>
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<tr>
<td>Ward Member(s)</td>
<td>Cathedral</td>
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<tr>
<td>Agent</td>
<td>One Creative Environment</td>
</tr>
<tr>
<td>Reason for Referral to Committee</td>
<td>City Council interest.</td>
</tr>
<tr>
<td>Expiry Date</td>
<td>24th January 2020</td>
</tr>
<tr>
<td>Key Issues</td>
<td>The appropriateness of the different use.</td>
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<tr>
<td>Web link to application</td>
<td><a href="https://plan.worcester.gov.uk/Planning/Display/19/00896/FUL">https://plan.worcester.gov.uk/Planning/Display/19/00896/FUL</a></td>
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<tr>
<td>Recommendation</td>
<td>The Deputy Director - Economic Development and Planning recommends that the Planning Committee grant planning permission subject to the conditions set out in section 9 of this report.</td>
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</table>

1. **Background**

1.1 The application was registered on 25th November 2019. The application expires on 20th January 2020. An extension of time has been agreed to allow the matter to be referred to the Planning Committee on 23rd January 2020.

1.2 The application has been referred to the Planning Committee in accordance with the adopted Scheme of Delegation as the application is made on behalf of the City Council.

2. **The Site and Surrounding Area**

2.1 The application site is in the city centre, just outside the perceptible retail area. It is on a corner, wrapping around Trinity Street and The Trinity.

2.2 The site lies within the “Historic City Conservation Area”. There is a listed building opposite and there are others in the vicinity, as well as non designated heritage assets.

2.3 The building has large “shop” windows on the ground floor with UPVC sash style windows above. It has an elongated fascia sign bearing the name of the former
use. At ground floor level, the site appears as one building, however the roofline is broken suggesting different elements.

2.4 The building was originally the Co-op. Between 2000-2012 it was used as a library, before The Hive, before becoming vacant until 2016, when it was used as a children’s indoor (soft) play area, with an ancillary cafe. This use ceased in November 2019.

3. **The Proposal**

3.1 The application seeks permission for a permanent change of use of the 422 sq.m. ground floor to Use Class A2, with the intention of it being used as a housing advice centre. Opening hours for staff would be 07:00-19:00, and 09:30-16:30 opening for customers Mondays – Fridays. Four staff would be based at the site, with potential back office hot-desking. Up to 30 visitors a day are anticipated.

3.2 No external building works are proposed.

3.3 Some signage will be required but that will be the subject of a separate advertisement application in the future.

3.4 The site itself has no car parking but is close to public car parks.

3.5 An indicative floor plan has been submitted, which shows little change internally. An explanatory supporting statement has also been submitted.

3.6 In accordance with Article 15 (7) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), full details of the application have been published on the Council’s website. As such, Members will have had the opportunity to review the submitted plans and documents in order to familiarise themselves with the proposals prior to consideration and determination of the application accordingly.

4. **Planning History**

4.1 The recent planning history of the site comprises the following applications:

- P10D0342 - Proposed conversion of first and second floor office space into nine residential apartments. Approved 29th September 2010

- P15D0554 - Proposed refurbishment of basement and ground floor retail unit and conversion of first floor level to residential with associated works. Approved 23rd May 2016.

- P16D0150 - Proposed development of a soft play centre with ancillary cafe. Approved 28th June 2016

- P18D0389 - Variation of conditions 3 and 5 of planning permission P16D0150 to allow use of the cafe as a takeaway. Approved 18th December 2018.
5. **Planning Policy**

5.1 The Town and Country Planning Act 1990 ('the Act') establishes the legislative framework for consideration of this application. Section 70(2) of the Act requires the decision-maker in determining planning applications/appeals to have regard to the Development Plan, insofar as it is material to the application/appeal, and to any other material consideration. Where the Development Plan is material to the development proposal it must therefore be taken into account. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application/appeal to be determined in accordance with the Plan, unless material considerations indicate otherwise.

5.2 The Development Plan for Worcester comprises:

- The South Worcestershire Development Plan (SWDP) which was adopted in February 2016
- The Worcestershire Waste Core Strategy, which was adopted in December 2012
- The City Plan shows the area for possible short term improvement.

**South Worcestershire Development Plan (SWDP)**

5.3 The following policies of the SWDP are considered to be relevant to the application proposals:

- SWDP 1 – Overarching Sustainable Development Principles
- SWDP 2 – Development Strategy and Settlement Hierarchy
- SWDP 4 – Moving around Worcestershire
- SWDP 6 – Historic Environment
- SWDP 7 – Infrastructure
- SWDP 13 – Effective Use of Land
- SWDP 21 – Design

**Material Considerations**

**National Planning Policy Framework (NPPF)**

5.4 The revised National Planning Policy Framework was updated on 19th February 2019. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It constitutes guidance for local planning authorities and decision takers and is a material planning consideration in determining planning applications.

5.5 All the policies in the NPPF constitute Government's view of what sustainable development in England means in practice: an economic role, contributing to a strong, responsive, competitive economy; a social role, supporting vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations and by creating a high quality built environment with accessible local services that reflect the community’s needs; and an environmental role, protecting and enhancing our natural, built and historic environment. Economic, social and environmental improvement should be sought jointly and simultaneously.
5.6 Paragraph 38 of the NPPF encourages Local Planning Authorities to approach decision taking in a positive way and to foster the delivery of sustainable development. Local Planning Authorities are advised to approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

National Planning Practice Guidance (NPPG) and National Design Guide

5.7 On 6\textsuperscript{th} March 2014 the Government also published National Planning Practice Guidance (NPPG) that has been revised and updated in the meantime and comprises, amongst other matters: Air Quality, Health and Wellbeing, Noise, and Use of Planning Conditions. Similarly, in October 2019 the Government published the National Design Guide.

Supplementary Planning Documents

5.8 The following Supplementary Planning Documents are relevant to the application proposals:-

- Design Quality SPD

The Design Quality SPD was adopted on 5\textsuperscript{th} March 2018 and replaces the previous Supplementary Planning Guidance Note 3: Design (SPG3). Both documents encourage high standards of design for development proposals in accordance with the aims and interests that the NPPF seeks to protect and promote in this regard. The Design Quality SPD is consistent with the planning policies in the SWDP.

- Planning for Health in South Worcestershire SPD

The Planning for Health SPD primarily focuses on the principal links between planning and health. It provides guidance and interpretation of the SWDP from a public health perspective. The SPD addresses following nine health and wellbeing principles:

- Sustainable development
- Urban form - design and the public realm
- Housing and employment
- Age-friendly environments for the elderly and those living with dementia
- Community facilities
- Green infrastructure and play spaces/recreation
- Air quality, noise, light and water management
- Active travel
- Encouraging healthier food choices
Worcestershire’s Local Transport Plan (LTP4) 2018 – 2030

5.9 LTP4 sets out issues and priorities for investment in transport infrastructure, technology and services, focussed on supporting travel by all modes. In accordance with national and local objectives, a series of local transport-specific objectives are identified in the LTP4:

- "To support Worcestershire’s economic competitiveness and growth through delivering a safe, reliable and efficient transport network.
- To limit the impacts of transport in Worcestershire on the local environment, by supporting enhancements to the natural environment and biodiversity, investing in transport infrastructure to reduce flood risk and other environmental damage, and reducing transport-related emissions of nitrogen dioxide, particulate matter, greenhouse gases and noise pollution. This will support delivery of the desired outcomes of tackling climate change and reducing the impacts of transport on public health.
- To contribute towards better safety, security, health and longer life expectancy in Worcestershire, by reducing the risk of death, injury or illness arising from transport and promoting healthy modes of travel.
- To optimise equality of opportunity for all of Worcestershire’s citizens with the desired outcome of creating a fairer society.
- To enhance the quality of life for Worcestershire’s residents by promoting a healthy, natural environment, for people, wildlife and habitats, conserving our historic built environment and preserving our heritage assets."


5.10 The 'Streetscape Design Guide' (SDG) was produced to aid architects, engineers, planners, developers, designers and other professionals in preparing transport infrastructure related to new developments. It is to be considered in conjunction with Manual for Streets 1 and 2, as well as the Design Manual for Roads and Bridges.

5.11 Chapter 4 relates to 'Planning for Parking’ and seeks to provide an approach as to how car parking in Worcestershire should be provided to support development in a manner which embraces the NPPF. It is considered that if the applicant is the end user that they are well placed to assess operational demands but all sites must be considered against a planning use class to ensure they equally address the needs of future users. Therefore applications should provide a suitable evidence base to ensure vehicles are not displaced onto the highway to ensure highway safety is not compromised and maintain the free flow of traffic to the benefit of the local economy. This document only reflects a small part of managing vehicle demands and therefore should be read alongside the Local Transport Plan (above) which contains policies to promote sustainable travel through the provision of physical infrastructure and travel planning initiatives.
6. **Consultations**

6.1 Formal consultation, including display of site notices, has been undertaken in respect of the application. No comments from the public have been received.

6.2 The following comments from statutory and non-statutory consultees have been received in relation to the proposals:-

- **Worcestershire Regulatory Services** - No objection.
- **Archaeological Officer** - No objection
- **Highway Authority** - No objection, questioned need for cycle parking.

7. **Comments of Deputy Director - Economic Development and Planning**

7.1 Policy SWDP1 of the South Worcestershire Development Plan sets out overarching sustainable development principles and these are consistent with the Framework. The various impacts of the development have to be assessed and the benefit and adverse impacts considered, to establish whether what is proposed is sustainable development. Taking the above matters into account, I consider the main issues raised by the proposal relate to the principle of development and whether the development would be sustainable, having regard to the 3 dimensions of sustainability set out in the Framework: economic, social and environmental, in particular with regard to:

1. The economic role;

2. The social role:
   - Residential amenity;

3. The environmental role:
   - Impact on heritage assets
   - Access, car parking and highway safety;

These issues will now each be considered in turn.

**Principle of proposed use**

7.2 The application site is located within the City Centre, in an area of varied uses including commercial and residential. The site is currently vacant and was last in use as a children’s indoor play centre.

7.3 There are no policies within the Development Plan which define the use of the site and therefore there is no in principle objection to the proposed use. The site is located within the City Centre and is sustainably located close to public transport for staff and visitors. The principle of the use of this sustainable site is supported.

1. **The Economic Role**
7.4 The proposed use provides some employment opportunities, albeit a relocation from elsewhere.

7.5 The proposal utilises the existing building, which helps maintain the viability and vitality of the immediate area.

7.6 The site and the surrounding buildings do have some potential to be redeveloped in the future, perhaps even extending the city centre retail coverage. However, it would be unreasonable to object to this proposal on grounds of preventing such an opportunity, as there is no firm alternative proposal. Moreover, such retail floorspace would have a substantially higher commercial value than this proposed use, which would provide the development incentive.

2. The Social Role

7.7 The key aim is to provide a housing advice centre. Paragraph 127 of the National Planning Policy Framework (2019), states that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

7.8 As a consequence, it is considered that the proposal has very important social roles which are considered to weigh in favour of granting planning permission. However, one must also consider the impact of the development on nearby residents.

Residential Amenity

7.9 The proposal is for a Class A2 use, which by their characterisation tend to be compatible with residential uses, as they do not generate significant noise or nuisance. Indeed this use should be more amenable than the indoor play area. The new A2 use is contained within the building and the hours of use are essentially daytime. As such, I do not consider that the proposals would have a detrimental impact on residential amenity.

3. The environmental role

Impact on heritage assets

7.10 This proposed use should not impair the character of the Conservation Area or the setting of nearby listed buildings as the area has a wide range of uses. It also gives the building a use in the medium term, thereby avoiding any potential perception of neglect. The proposal makes no external changes to the building, so its appearance will be unchanged. Similarly, there are no archaeological implications.

Access and parking

7.11 The site does not have its own parking facilities but is close to public car parks and public transport.
7.12 The previous (and extant) use as a play centre would have generated substantially more demand for car parking. Thus, it would be unreasonable to object on lack of parking given the materiality of this fallback position. My view on this matter is reinforced by the lack of objection from the Highway Authority.

7.13 The building has a level and wide entrance from the pedestrian pavement as well as a spacious foyer, which offer easy access even for those physically challenged. The site is open and well overlooked, which offers good security and reassurance for vulnerable visitors.

8. Conclusion and planning balance

8.1 The scheme meets all 3 sustainability objectives in paragraph 8 of the NPPF, respecting the economic, social and environmental aspects. The submitted scheme has more than sufficient detail to allow proper consideration.

8.2 For the above reasons I consider the proposal is acceptable and would result in a satisfactory form of development, subject to conditions, on the site in accordance with the policies of the South Worcestershire Development Plan and the corresponding aims and the NPPF.

9. Recommended conditions

9.1 In the event that members resolve to grant planning permission the following conditions are recommended:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

   Reason:

   To conform with the requirements 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 approved shall be carried out in complete accordance with the submitted plans and submitted information (including recommendations within reports).

   Reason:

   For the avoidance of doubt and to secure a satisfactory form of development in accordance with policy SWDP 21 of the South Worcestershire Development Plan and aims and objectives of the National Planning Policy Framework.