

AGENDA ITEM NO: 8/3(b)

Parish:	Downham Market	
Proposal:	Internal refurbishment of the existing building with extensions to the north & south to allow for an office, wc's and changing areas. Landscaping to accommodate extensions and to allow for additional car parking on the site Amended access arrangements to create exit on to Rouses Lane.	
Location:	Jubilee Community Centre 106 Howdale Road Downham Market Norfolk	
Applicant:	Downham Market Town Council	
Case No:	17/00260/F (Full Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 13 October 2017

Reason for Referral to Planning Committee – Town Council application and referred by the Assistant Director – Environment & Planning.

Case Summary

The application is for full planning permission for the internal refurbishment of the Jubilee Community Centre, with extensions to the building for an office, WCs and a changing area. Amended access arrangements to create an exit onto Rouses Lane, landscaping and additional car parking on site are also proposed. The site area is 2.6 hectares and the building is approximately 400 square metres, with an additional 300 sq m proposed.

Key Issues

Principal of Development
Form and Character
Neighbour Amenity
Highways Implications / Access

Recommendation

APPROVE

THE APPLICATION

The application is for full planning permission for the internal refurbishment of the Jubilee Community Centre, with extensions to the building for an office, WCs and a changing area. Amended access arrangements to create an exit onto Rouses Lane, landscaping and additional car parking on site are also proposed. The site area is 2.6 hectares and the building is approximately 400 square metres, with an additional 300 sq m proposed.

The site lies within the centre of the town with the existing access off Howdale Road. The Community Centre sits alongside a hall, a scout hut and playing fields with 2 football pitches, a skate park, hard surfaced play area and a parking area.

To the northeast and west of the site is predominantly residential development with an employment use to the southwest. To the south is a burial ground.

The existing building and facilities are run down and not fit for purpose. The refurbishment and extension will enable the more effective use of the site and facility in a central location in the town.

SUPPORTING CASE

The following supporting statement was submitted by the applicant / agent:

Strategic Need:

Downham Market has a population of 10,443 based on 2014 mid-year estimates, up from 7,858 in 2001 and 9,994 in 2011 and in March was 11,667, a 16.7% increase from 2011. The town sits at the northern end of the "Cambridge Corridor" and its population has expanded hugely without any consequential increase in community asset facilities. There has been a 21% increase in dwellings and therefore the associated population since the last Census and there have been no resulting infrastructure improvements.

Several alternative options were considered before the proposed scheme was developed:

- Demolition and Rebuild on Existing Site - This would prove too expensive and in many ways unnecessary as most the building serves the local community well, it is just that additional space is required to meet the increased demand.
- Relocation to Another Site - We do not have another site that is owned by the Town Council that would be able to accommodate a building of the size required.
- Do Nothing - This is not an option as we would be unable to help our local community groups who provide an affordable and valuable service within the locality to develop.
- Accommodate elsewhere - We looked at relocating current and potential users at other facilities but this was not a viable option either as the capacity and facilities required do not exist in the local area.

The proposals:

The purpose of the project is to allow the Jubilee Community Centre to become a vibrant, modern, multi-purpose building that caters for the sports clubs, children, young people and other local community groups, as well as those that work with the elderly. The redevelopment will importantly allow more than one activity to take place at the same time, maximising usage and extending the range of groups that can use the facility.

The centre has been a focal point for community clubs and groups to develop in a predominantly rural area where access to main centres and facilities can be difficult. If there isn't suitable provision for these groups, there is a risk that they will simply cease to exist, along with the key role they play within the community in terms of combating social isolation.

Our project is based on the current use of the existing building and the feedback from both those that use the building and those that would like to but are currently unable to do so at present because of a lack of suitable space. User feedback is that the building no longer meets the needs of the wide range of groups in Downham Market.

The present design of the building does not allow any flexibility in terms of being able to accommodate the day nursery and other groups such as those that provide respite care at

the same time due to the logistics of the building and ensuring safeguarding standards are met.

PLANNING HISTORY

2/95/0762/F: Retention of portable building (revised proposal) at Downham Market Youth and Community Centre, Howdale Road, Downham Market.

RESPONSE TO CONSULTATION

Parish Council: At the meeting of Downham Market Town Council's Planning & Environmental Committee held on Tuesday 07th March 2017, having received legal advice, Members agreed that as the Town Council was the applicant it was not appropriate to pass comment at this stage.

Members understood they would retain the right to address the Planning Committee at that stage of the process.

Highways Authority: The proposed new access route does not form part of the adopted road network. The points of access at which it joins Howdale Road are similar in terms of their overall safety considerations, although Rouse's Lane is wider and offers the ability for two cars to pass. As a result I would not have a strong view against the proposal.

Rouses' Lane is however a public right of way and therefore you would need to consider the views of our Public Rights of Way Officer in relation to the suitability of those sections of the access route to cater for the intensification of use.

Internal Drainage Board: NO OBJECTION. The application indicates that surface water disposal is to a positive system and so a discharge application and possible discharge contribution to the Board will be required and full details of the drainage arrangement must be submitted the Board, and their consent obtained, before development commences.

Norfolk County Council – Public Rights of Way Officer:

07/03/2017 - In principle I have **NO OBJECTION** to the development proposal itself but I would question the merits of the proposed access arrangements.

The proposal suggests the implementation of a 'one-way' system for traffic on and off the site. While I appreciate the limitations of the existing access I am not convinced that the proposal is going to alleviate the issue just move it elsewhere. It would be preferable to avoid increasing vehicular traffic on Rouses Lane.

While there is an existing gated exit onto Rouses Lane it would need to be properly demonstrated that this is an existing private right of vehicular access to the land in order to be able to use this as a vehicular access onto the lane. The applicant cannot rely on Rouses lane being technically capable of carrying traffic as there is no public right of vehicular access along it. All existing access to business/cemetery benefits from existing private rights.

If the private vehicular right can be demonstrated then I would be unable to object to its use. I would point out though that this will remain a private right and the responsibility for adding traffic to Rouses lane and the subsequent additional wear and tear/damage to the surface of the route will remain the responsibility of those using it to repair. There have been representations in the past relating to the deteriorating condition of the access for vehicular traffic. Consideration should be given to a condition of any consent being the making up of the route to a better standard to cater for the additional use.

There appears to be no indication of how the one way traffic system will be managed. From the positioning of the proposed main car park I think this will only encourage Rouses lane to be used as the main entrance, so I would like to see more detail on how the proposal would be managed.

Environmental Health & Housing – Environmental Quality:

The proposed development will include the refurbishment of the existing building. Given the age of the building it is considered highly likely that there will be asbestos containing materials within the building. Therefore I would recommend the following conditions.

10014 – Asbestos Survey

10015 – Safe disposal of Identified Asbestos

CSNN: NO OBJECTION to the expansion of the centre, however, having been involved with investigating Anti-Social Behaviour and noise issues at this location in the past, I am mindful that the expansion will increase footfall to the centre and with this will come increased noise. With this large scale expansion, the time is right to review the sources of noise and look at incorporating measures into the design/build to reduce the impact of noise on nearby neighbours. I note that trees are shown to the boundary to the North (as existing, with trees/shrubs) and a new close board fence is proposed to the front boundaries of numbers 102 and 104 adjacent to the access road. Given the nursery entrance will be nearer to the adjacent dwelling than currently, I feel that the close board fence should be extended along the boundary separating 104 from the centre, at a suitable height to provide some additional noise attenuation i.e. 1.8-2.0m.

If more use of the centre is to occur and until later times, then I feel a noise management plan would help in identifying the potential issues and measures to control and reduce noise. I recommend that a condition requiring the production of a noise plan is attached to any approval issued.

I have concerns about the access/egress routes, but there appears little can be done to reduce the impact of noise from vehicles given the routes and dwellings are already existing. Clearly the one way system proposed will impact on people who currently benefit from no traffic passing them from the centre, yet to remain as existing will only exacerbate congestion etc. I cannot see any improvement to the situation.

Specific conditions are recommended for the consent.

REPRESENTATIONS Eleven letters of **OBJECTION** received, which raise the following issues:-

- Support for the redevelopment of the Jubilee Centre
- Proposed accesses into and out of the site are unsuitable, two vehicles cannot pass, difficult for commercial vehicles/ emergency services. It is inadequate and will be dangerous.
- Queries legality of using Rouses Lane. It is a restricted byway and no vehicular access is permitted. The Town Council take an inconsistent approach to development using a restricted byway.
- Access within Conservation Area and increased traffic will have a detrimental impact on this.
- Destroy the rural character of the Lane.
- No pedestrian footpath proposed, or lighting and it is required because otherwise is dangerous and unsafe.
- Historic issues of anti-social behaviour on the site. This will enable the problems to return.

- Questions raised to the Town Council around ownership of the Howdale? And who is responsible for the maintenance? As well as the status of Rouses Lane?
- Proposals will have a detrimental impact on residential amenity for neighbours. The increased use will cause additional traffic and noise disturbance. Suggests ways to alleviate the issues such as realigning the access into the centre, soundproofing the function room and restricting noise from events, high boarding around the other halls to reduce the noise. Previous recommendations made by CSNN team were not followed through and should be reconsidered. Security gate should be left in place and secured after 9pm as it is currently.
- Concern at the maintenance of Rouses Lane.
- Suggested alternatives to access the site, through the consent 15/01454/OM for 20 houses off Bexwell Road, or the roundabout at the top of Howdale.

NATIONAL GUIDANCE

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

LDF CORE STRATEGY POLICIES

CS04 - Downham Market

CS08 - Sustainable Development

CS13 - Community and Culture

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM9 - Community Facilities

DM15 – Environment, Design and Amenity

PLANNING CONSIDERATIONS

- Principle of Development
- Form and Character
- Neighbour Amenity
- Highway Implications/Access

Principle of Development

Located centrally in Downham Market the proposed development is entirely consistent with national policy and the adopted Local Plan in terms of the principle of development. The use is established on the site and the application is seeking to make better use of the facility, to allow for flexibility and to enhance its offer.

Policy CS04 of the Core Strategy sets out the Council’s policy approach for the town, and specifically refers to the need to support and provide additional services and local facilities to

meet the needs of the future population, as well as to redress present inadequacies. Policy CS13 'Community and Culture' reinforces this approach.

Consequently the application could be supported in principle.

Form and Character

The tired existing building is in need of improvement. The refurbishment and extension is entirely appropriate in this location, and for the type of use. Currently its appearance and layout limits the potential of its use and the proposal is to create a modern, functional and pleasant space. The proposal will create 300sq m of additional floorspace, 111 sq m for changing and shower facilities and 134 sq m community social space, with an independent toilet and office areas for the nursery and a new entrance. The scheme will also improve accessibility to the centre.

In terms of the design, form and character the centre is functional in nature and the proposal is to re-clad the building in part to unify the extensions, and add a canopy to form a combination of composite cladding and vertical timber cladding.

The surrounding area is largely residential with some employment and community uses adjacent to the site. The access at Rouses Lane is within Downham Market Conservation Area, although this scheme will have little if any impact on the Conservation Area and the Conservation Officer has not objected.

Neighbour Amenity

Ten letters of objection have been received to the application. These raise concerns that an increased number of visitors to the site will increase traffic and noise which will have a detrimental impact on neighbouring dwellings. Furthermore that historical issue with anti-social behaviour on the site should be considered.

The Community Safety and Neighbourhood Nuisance Team have not objected to the scheme however have requested that if consent were to be granted that consideration is given to the sources of noise. Specifically that conditions are attached for close-board fencing at a suitable height to provide some noise attenuation, and that a Noise Management Plan is produced to help identify and control and reduce noise.

Highways implications / Access

The community centre is currently accessed via a single carriageway off Howdale Road which passes a small hall currently used for boxing, and the scout hut, and four dwellings directly. To the south of the site is an existing access point which leads to Rouses Lane and is currently closed off by a gate. It is currently used for maintenance purposes only. The application seeks to open the Rouses Lane access, enabling traffic to enter the site as it does currently from Howdale Road and exit via the new access on Rouses Lane. This will help to alleviate the traffic issues which can currently arise.

The Highways Authority has not objected to the application because the new access route does not form part of the adopted road network, and the points of access at which it joins Howdale Road are similar in terms of safety considerations.

Rouses Lane is also a public right of way therefore Norfolk County Council Public Rights of Way (PROW) Officer has been consulted. They did not have an objection to the proposal but did question the merit of the access arrangements and it was requested that the private vehicular right be demonstrated. The applicant has been unable to clarify the ownership of

the Lane and so has completed Certificate of Ownership- Certificate C and advertised in the local press accordingly, to comply with planning legislation. Private rights over the lane are a separate issue for the Town Council and would not prevent the grant of planning permission.

While residents on Rouses Lane have raised objections to the increased traffic passing their dwellings, and residents at Howdale Road have identified concerns, the Town Council has limited opportunity to improve the access to the facility. The Town Council has stated it would be willing to upgrade the road surface from the proposed new exit at Rouses Lane, and agreeing with the other users a regular maintenance plan (details to be addressed through a planning condition). It would look to ensure traffic cannot exit left from the site onto the unsurfaced part of Rouses Lane track and use the surfaced area to the west where it splits in order to exit onto Howdale Road. Drawings identify the suggestions to improve the visibility at the exit in response to the concerns raised by the Public Rights of Way Officer.

CONCLUSION

The principle of development in this location is entirely acceptable, and in line with the Local Plan policy approach to supporting and enhancing local facilities in Downham Market. In terms of form and character the alterations and extensions to the centre are deemed to be acceptable and in keeping with the existing use of the land.

Neighbours have raised concerns about the noise and disturbance from an increased use of the centre, and if the application is approved it is suggested conditions are attached to consider the noise implications and best manage these. Similarly there have been objections raised to the use of Rouses Lane as an access to the centre, the detrimental impact this would have on dwellings along Rouses Lane and the fact that this is a private right of way. The Town Council has stated that they can utilise this access, and given this is the case the Highways Authority and Public Rights of Way officer do not object to the scheme. They do recommend conditions are attached regarding the maintenance of the access however, and the management of traffic. The applicant has argued there are limited opportunities to improve the facilities and the application may enable improvements to the current situation.

RECOMMENDATION:

APPROVE subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans (Drawing Nos 4822 050A, 051B, 052B, 053B, 054C and 055A).
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the commencement of the use hereby permitted a Noise Management Plan to protect the neighbouring dwellings from noise shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the development is brought into use.

- 3 Reason To ensure that the amenities of neighbouring occupants are safeguarded in accordance with the NPPF.
- 4 Condition Prior to the commencement of the use hereby permitted details of the proposed arrangements for future management and maintenance of Rouses Lane shall be submitted to and approved in writing by the Local Planning Authority. The Lane shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.
- 4 Reason To ensure satisfactory development of the site and to ensure the access is managed and maintained thereafter to a suitable and safe standard.
- 5 Condition The development hereby permitted shall not be occupied until a Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented as approved before the development is brought into use.
- 5 Reason To ensure satisfactory development of the site and to ensure the accesses are managed and maintained thereafter to a suitable and safe standard.
- 6 Condition Prior to the commencement of the development hereby approved, a survey specifying the location and nature of asbestos containing materials and an action plan detailing treatment or safe removal and disposal of asbestos containing materials shall be submitted to and approved by the local planning authority. The details in the approved action plan shall be fully implemented and evidence shall be kept and made available for inspection at the local planning authority's request.
- 6 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.
- 7 Condition Prior to first occupation of the development hereby approved evidence of the treatment or safe removal and disposal of the asbestos containing materials at a suitably licensed waste disposal site shall be submitted to and approved by the local planning authority.
- 7 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.