

TWC/2018/0886

Former Shukers Garage, Holyhead Road, Ketley, Telford, Shropshire, TF1 5DS
Change of use from a garage to a Place of Worship and Community Hall (Use Class
D1 - Non residential institutions) ***AMENDED LOCATION PLAN AND ADDITIONAL
INFORMATION SUBMITTED***

APPLICANT

Mr R Kaul

RECEIVED

09/11/2018

PARISH

Ketley

WARD

Oakengates and Ketley Bank, Ketley
and Overdale

**THIS APPLICATION HAS BEEN CALLED TO COMMITTEE AT THE REQUEST
OF KETLEY PARISH COUNCIL AND THE PROPOSAL IS SUBJECT TO A S106
TO SECURE MONIES TOWARDS A POTENTIAL PARKING RESTRICTION
SCHEME.**

1. SUMMARY RECOMMENDATION

- 1.1 Full Grant subject to a Section 106 Legal Agreement, Condition(s) and Informative(s).

2. APPLICATION SITE

- 2.1 The application site is located within Ketley approximately 2.5 miles North-West of Telford Town Centre. Ketley is located within the urban area of Telford and as such has a provision of facilities for residents to use such as shops, schools and doctors surgeries and has good transportation links to the surrounding areas of Telford.
- 2.2 The site currently comprises a single-storey building which has been constructed in brick and has been clad with metal sheeting. The building occupies a large area of the site and has a mix of gabled and hipped roof types. Private car parking is provided to the front and side of the site.

3. APPLICATION DETAILS

- 3.1 This application seeks permission for the change of use from a garage/car dealership to a Place of Worship and Community Hall (Use Class D1 'non-residential' institutions).
- 3.2 The application does not include any internal or external changes to the building. The largest portion of the building will be changed into a place of worship, with the smaller element to the right of the building being converted into a Community Hall. 53 car parking spaces are proposed on-site.

4. PLANNING HISTORY

- 4.1 No relevant planning history.

5. RELEVANT POLICY DOCUMENTS

5.1 National Planning Policy Framework (NPPF)

5.2 Telford & Wrekin Local Plan 2011-2031

6. NEIGHBOUR REPRESENTATIONS

6.1 Thirteen neighbouring properties have been formally consulted on the proposal and one letter raising no objection has been received from the owner of the site opposite the application site (currently occupied by Trio Furnishings).

7. STATUTORY REPRESENTATIONS

7.1 Ketley Parish Council - **Object:**

- Inadequate parking provision has been accommodated on the site. Additional parking proposed and times of use conflict with busy shopping periods which will result in on-road parking;
- The existing highway infrastructure is inadequate to accommodate an additional 100+ vehicles arriving/leaving at the same time, raising serious health and safety concerns;
- No information has been provided as to the community groups which will use the building, what the building will be used for, how it will be managed and whether the applicant will be charging for room hire. Note that there are already similar facilities within the area;
- The operating hours are unacceptable given the location within a densely populated residential area. The building does not have any soundproofing and any music played would be clearly audible and noise from people coming/going would cause a disturbance;
- Enforcement of the times and numbers of attendees would be difficult.

7.2 Highways - **Support** subject to Conditions requiring the areas for parking, loading, unloading and turning to be laid out prior to first use. A Section 106 contribution of £3,000 towards the potential implementation of parking restrictions within the vicinity of the site.

7.3 Shropshire Fire Service - **Comment** that consideration should be given to Fire Safety Guidance document.

8. APPRAISAL

Principle of Development

8.1 The building has historically been used as a garage/car dealership, which falls

under the Use Class 'Sui Generis.' This application seeks to change the use to a place of worship and community hall (Use Class 'D1' non-residential institutions).

- 8.2 Places of Worship and Community Halls are considered to constitute Community Facilities under the Telford & Wrekin Local Plan. Policy COM1 of the Local Plan outlines that the Council will support new community facilities in order to meet the needs of local residents. Furthermore, it is noted that whilst these facilities should be located within Telford Town Centre, Market Towns, District and Local Centres, villages or within sustainable urban expansions, development outside of these areas can be supported if there is good accessibility to the site by foot, cycle and public transport.
- 8.3 The site is located within the urban area of Telford and there is a bus stop located less than 30 metres from the site. Monday – Friday Arriva Service 4 offers a regular service (every 25 mins) from 0634 to 2316 between Leegomery and Madeley via Telford Town Centre. The Saturday service runs every 30 mins between 0649 and 2318. A half hourly Sunday service runs from 0948 and 1848.
- 8.4 Additionally, there are good pedestrian and cycle links and as such, officers consider the application site to be situated within a highly sustainable location.
- 8.5 The scheme is therefore considered to be acceptable and would comply with the criteria outlined within Policy COM1 of the Telford & Wrekin Local Plan 2011-2031.

Highways Impacts

- 8.6 Ketley Parish Council have objected raising concern in respect of inadequate parking provision and potential conflict between users which is considered to result in on-road parking and the existing highway capacity.
- 8.7 The submission has been assessed by the Local Highways Authority. During the course of the application, further information was requested regarding number of attendees, opening hours and general information as to how the building would be used. The applicant has confirmed that the place of worship will hold services on the following days/hours:
- Monday to Friday: 0600 to 0900 (approx. 5-6 attendees);
 - Sunday: 0830 to 1400 (approx. 100-150 attendees) (Church Service taking place between 1100-1230).
- 8.8 It is noted that the applicant has also confirmed that the Church will open for Midnight Mass on Christmas Eve and Easter.
- 8.9 In respect of the Community Use, the Community Hall will be open between the following hours:
- Monday to Thursday: 0900 to 1700 (maximum 50 attendees);

- Friday: 0900 to 2200 (maximum 50 attendees);
- Saturday: 0830 to 1400 (maximum 50 attendees).

- 8.10 In respect of parking provision, the Telford & Wrekin Local Plan, Parking Standards for this Use Class requires 1 parking space per 10 sq. metres of Gross Floor Area. The Local Highways Authority have assessed the information provided and are satisfied that the proposed provision of 53 spaces meet this criteria. As such, the proposal provides adequate on-site parking provision satisfying the Local Plan Parking Standards.
- 8.11 Whilst it is acknowledged that the Sunday Church Service has potential to attract between 100-150 attendees. It is reasonable to assume that a number of these will be families who will travel in one car. This is an assumption used in the parking standards which the provision of 53 spaces meets. Even with an adequate provision there may be instances where drivers have to, or choose to park on Holyhead Road.
- 8.12 Should this occur and create a highway safety issue the Local Highway Authority have requested, by means of a Section 106, a contribution of £3,000 towards the potential implementation of parking restrictions within the vicinity of the site. The Highway Authority will monitor the interaction of traffic directly associated with the proposed establishment and the parking along Holyhead Road. Should an issue become apparent during the 3-year period following occupation of the establishment then the contributions shall be called upon to mitigate any issues associated with the traffic associated to the establishment.
- 8.13 In addition, the applicant has confirmed that an agreement is in place with the owner of the site opposite, that the 73 spaces on that site would be available for overflow car parking when required. As this is an agreement between two private parties and cannot be controlled by any planning obligation it carried limited weight.
- 8.14 It is therefore considered that the Parish Council's concerns over the number of attendees to the church on a Sunday can be appropriately controlled and mitigated, where appropriate, by means of the financial contribution requested by the Local Highway Authority.

Impact upon Neighbouring Properties Living Conditions

- 8.15 The Local Planning Authority are mindful that the application site is located within close proximity to residential properties and that the building is largely constructed in brick, clad with metal sheeting. As such, a Noise Report has been requested during the application process and this has been assessed by Officers.
- 8.16 The findings of the Noise Report outline that it is likely that the actual use of the building would not cause an excessive amount of noise and as such, it is considered that the noise would not be noticeable to neighbouring properties.

- 8.17 It is noted within the Conclusion of this Noise Report that whilst the noise of vehicles coming/going from the site would be noticeable to neighbouring properties, this would not cause a detrimental impact upon living conditions given the limited time period that it would take place.
- 8.18 The initial application submission requested 24 hour operation. It has been clarified by the applicant that the use will only operate into the early hours on two dates, namely Midnight Mass at Christmas and Easter. Officers consider the opening hours referenced at 8.9 of this report to be acceptable and would not harm the residential amenity of nearby residents.
- 8.19 Within the Noise Report a series of noise mitigation measures are proposed including the erection of signage asking people to leave quietly and to highlight this in meetings/services. A Condition is proposed to this approval which requires the recommendations within the Noise Report to be implemented.
- 8.20 It is considered that the proposed Opening Hours are acceptable and would not cause a significantly detrimental impact upon the living conditions of neighbouring properties. As such, the scheme is deemed to be compliant with Policy BE1 of the Telford & Wrekin Local Plan 2011-2031.

9. CONCLUSIONS

- 9.1 The principle of development is considered to be acceptable under Policy COM1 of the Telford & Wrekin Local Plan, given the sustainable location of the site. Adequate parking spaces can be provided on site and the Local Highways Authority are satisfied that a Section 106 Agreement would make the scheme acceptable from a highways perspective. The proposal would not have any significantly detrimental harm upon the living conditions of neighbouring properties and as such, it is considered that the proposal is compliant with the policies of the Telford & Wrekin Local Plan 2011-2031 and guidance within the NPPF and is acceptable subject to the s106, relevant Condition(s) and Informative(s).

10. DETAILED RECOMMENDATION

- 10.1 Based on the conclusions above, it is recommended that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT FULL PLANNING PERMISSION** subject to:
- a) The applicant/landowner entering into a Section 106 legal agreement with the Council (with indexation applicable to contributions from the date of committee resolution to grant FULL permission), terms to be agreed by the Development Management Service Delivery Manager, relating to:
 - i) Parking restrictions: £3,000 to monitor and implement parking restrictions in the vicinity of the site.

b) The following Condition(s) and Informative(s) (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager:

A04 Time Limit

C013 Parking, loading, unloading and turning

C38 Development in accordance with approved plans

C119 Development in accordance with noise report

DCust Hours of Operation as Outlined

I32 Fire Authority

I40 Conditions

I41 Reasons for grant of approval

RANPPF1