

4/03011/15/FUL - CHANGE OF USE FROM NON-RESIDENTIAL INSTITUTION (FORMER SALVATION ARMY HALL) (D1) TO ASSEMBLY AND LEISURE (YOGA STUDIO) (D2) AND ASSOCIATED INTERNAL ALTERATIONS INCLUDING CHANGE OF FLOORING AND CONVERSION OF OFFICE SPACE INTO RECEPTION AREA.

FORMER SALVATION ARMY HALL, ALBERT STREET, TRING, HP23 6AU.

APPLICANT: Miss Gibbons.

[Case Officer - Martin Stickley]

Summary

The application is recommended for approval.

The change of use from D1 to D2 considered acceptable in the site's location within a residential area. The main concern about this application is the potential traffic intensification and lack of parking within the residential area. Due to the limited size of the plot and the existing layout, the proposal offers no off-street parking. However, considering the uses already permitted under D1, it is not felt that the application would warrant a refusal on these grounds.

The proposal would not have any adverse impact on the appearance of the building and would not seriously detract from the streetscene. The development would not have a detrimental impact on the amenity of neighbouring properties. Therefore, the proposal is acceptable in accordance with the aims of the National Planning Policy Framework; Policies CS4, CS11 and CS12 of the Core Strategy and saved Appendix 7 of the Dacorum Borough Local Plan..

Site and Surroundings

The former Salvation Army Hall is on the south side of Albert Street, near the junction with Akeman Street and to the south of Tring town centre. It is a circa 1930's single storey hall with a red brick gabled façade and projecting gabled porch. The building features details such as flat tile arches over windows and door and tiled kneelers to the eaves. The hall to the rear is of a plainer design, pebble dashed, with a gabled slate roof. Windows and doors are modern uPVC replacements. The property is considered to make a positive contribution to the Tring Conservation Area.

Proposal

The proposed development seeks to change the use of a former public hall (previously used by the Salvation Army) to a leisure use without external alteration to the existing building. The proposed frequency within which the facility would be used is initially 14 classes per week with a view to increasing this to 20 classes per week. These classes would be operated between Mondays to Thursdays with two early morning classes and a maximum of two classes each evening. The proposed use is considered to be a small-scale in terms of its operation and would not result in any alterations to the existing building.

Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Tring Town Council.

Relevant Planning History

4/01930/14/LD USE AS AN EDUCATION AND TRAINING CENTRE FALLING
P WITHIN THE EXISTING USE CLASS D1
Granted
14/10/2014

Relevant Policy

National Planning Policy Guidance

National Planning Policy Framework (NPPF)

Dacorum Borough Core Strategy 2006-2031

NP1 - Supporting Development
CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS27 - Quality of the Historic Environment

Dacorum Borough Local Plan 1999-2011

Saved Policy 57 - Provision and Management of Parking
Saved Policy 58 - Private Parking Provision
Saved Policy 120 - Development in Conservation Areas
Saved Appendix 5 - Parking Provision
Saved Appendix 7 - Small-Scale House Extensions

Summary of Representations

Consultation Responses

Tring Town Council

Object.

- Changes proposed would permit classes of shorter duration thereby increasing traffic movements in a residential area where already is problem with lack of parking.
- Existing circumstance already causes blocked driveways.
- 4/01930/14/LDP was for D1 use is this a change to D2 although not specified.
- Suitability of access down narrow alley to create new entrance was questioned when there is an existing entrance.

Comments on additional information

Tring Town Council strongly object and are extremely concerned about this dramatic

and inappropriate change of use. Legitimate uses within D2 make the traffic survey irrelevant. While Councillors agree that the Hall needs to be used for something, this application is inappropriate particularly as there are alternative and more suitable locations within the town. Existing concerns explained in previous comments are not reduced by the subsequent plan. This area is already subject to intense traffic congestion.

Strategic Planning

The application site is located off Albert Street to the south of Tring town centre. The site is situated within a designated Residential Area within a Town and within the Tring Conservation Area.

Principle:

Strategic Planning have had a number of early informal discussions over the halls potential reuse. The loss of the previous community use has been an issue (Core Strategy Policy CS23). However, the community use has been lost for a few years now and ownership has changed hands. On this basis, we do not consider this is something worth pursuing and we note the use of the hall as a yoga studio has a community aspect to it.

The principle of the proposed development needs to be considered against Core Strategy Policy CS4, which states that, in residential areas, appropriate residential development is encouraged; however, non-residential development for small-scale social, community, leisure and business purposes is also encouraged provided it is compatible with its surroundings. The proposed development seeks to change the use of a former public hall (previously used by the Salvation Army) to a leisure use without external alteration to the existing building. The proposed frequency within which the facility would be used is initially 14 classes per week with a view to increasing this to 20 classes per week. These classes would be operated between Mondays to Thursdays with two early morning classes and a maximum of two classes each evening. The proposed use is considered to be a small-scale in terms of its operation and would not result in any alterations to the existing building. Therefore, it is considered that the proposed development complies with the spirit of Core Strategy Policy CS4.

Highways:

Consideration should also be given to the highway and traffic implications of the proposed development, particularly in respect of the number of anticipated visitors to the proposed yoga studios and the provision of sufficient car parking at the site. Saved Local Plan Policies 57 and 58, as well as the standards contained within Appendix 5 of the Local Plan, should be taken into account. For fitness centres, there is an expectation that 1 space is provided for every 15m² of gross floor area as a maximum-based standard. Also, the application site is located in Tring's Accessibility Zone 4, as such 75–100% of this maximum standard should be provided. The proposal seeks to change the use of the entire building which measures 93m². Based on the foregoing, the proposal should therefore seek to provide 5-7 car parking spaces.

No car parking is proposed on site as part of this planning application. Bearing in mind

this is a residential street which already experiences on-street parking (on both sides of the carriageway); there is a concern that the proposed development would exacerbate this issue during the applicants proposed schedule of classes. We note the information provided by the applicant in this regard which states that up to 25 people would attend any one class and that those who attend will be encouraged to use non-car modes of transport (four cycle spaces are proposed). The applicant also suggests the use of local businesses car parking facilities out of normal hours of working. However, we note that no evidence has been provided within the application as to what car parking provisions have been secured, if any, and whether these will be available for use by the applicants clients.

We would accept that the previous use would not have provided any parking with it (and obviously any other future uses) and the site is located relatively close to the town centre and associated parking there. Nevertheless, there is a concern that the proposal, if it is used to its maximum, could lead to additional on-street parking and cause obstructions on the public highway. In this respect, the Local Highway Authority should be consulted and their comments taken into account when determining this planning application.

Historic Environment:

Albeit located within Tring Conservation Area, the proposed development is not likely to have an impact on this designated heritage asset, particularly as only internal alterations are proposed. Therefore, the proposal is in compliance with saved Local Plan Policy 120, which states that alterations to existing buildings (in Conservation Areas) will be permitted provided they are carried out in a manner which preserves or enhances the establish character or appearance of the area.

Conclusion:

Subject to you being satisfied that the proposed development would not have an adverse impact on the local highway network, particularly through the exacerbation of on-street parking and obstructions within the public highway, the principle of the proposed development is considered to be acceptable.

Conservation and Design

The former Salvation Army Hall is on the south side of Albert Street, near the junction with Akeman Street and within the Tring Conservation Area. It is a circa 1930's single storey hall with a red brick gabled façade and projecting gabled porch. The building features details such as flat tile arches over windows and door and tiled kneelers to the eaves. The hall to the rear is of a plainer design, pebbledashed, with a gabled slate roof. Windows and doors are modern uPVC replacements. The property is considered to make a positive contribution to the Tring Conservation Area.

The application is for the change of use of the building to create a yoga studio. Some minor internal changes are proposed but these are not significant. No external alterations are proposed so the character, fabric and appearance of the building will remain unaltered. The proposal is considered to preserve the character / appearance of the Tring Conservation Area and accords with Local Plan policy 120, Policy CS27 and the NPPF. Recommend approval. If any external alterations / advertisements are required as part of any consent they should respect the existing fabric and appearance

of the property.

Hertfordshire Highways

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Note: The above application is for a change of use of the vacant Salvation Hall. There will be no planned changes to both pedestrian and vehicular access that will affect the highway and just as importantly there will be no off street parking spaces available, as is the case at present. The applicant has not stated that this will change within the application details, so the highway authority assumes that this will lead to further on street parking in and around the site when operational again. There may have been a lull in on street parking during the period when the building has been left vacant.

However, off street parking is now a function of the local authority to manage. The highway authority has not been made aware of any specific RTC's that are attributed to parking demand. It follows that the local authority will have to determine this application with no off street parking provision in accordance with their local parking policy. The change of use from D1 to D2 and the proposed class sizes along with the hours of operation are all important details that will need careful consideration when determining this particular application.

In the past, when helping to determine what the uptake in off street parking is a beat survey can be useful in helping to determine what the base level is. This will not only clearly determine the level of off street parking demand at set hours/days of the week, it will also help determine if there is spare on street parking capacity.

Comments on additional information

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Amended details:

The highway authority has been sent a copy of a Transport Assessment as additional details.

The TA has been compiled as supporting information to the above planning application.

In short the TA suggests that there overall there would be no material traffic impact associated with these proposals.

The TA discusses whether the proposed change of use will lead to a significant increase in traffic to and from the site (and hence increases in parking demand is well) over the existing legal use.

This is the main comment running through the TA. Whilst the hall has not been in use, demand for on street parking has been affected. The site has an existing permitted use which would generate a similar level of two way trips to that of this proposal. On street parking is not for the sole exclusive right of any one single person but if allowed, it is

there for everyone to enjoy.

What is rather disappointing is to find that within this amended application details there is not a parking survey. The previous response by the highway authority had suggested that a parking survey should be conducted but instead the applicant has turned towards the use of a TA to help support their application.

It may have been helpful in this particular instance if this exercise had been carried out as well as providing the TA and it certainly would have helped the LPA with their decision making in regards to the allocation off street parking.

As is the case, the level of off street parking any site that is subject to a planning application should provide in the borough of Dacorum is a matter for the local authority to decide on as per their parking policy. This includes the use of any mitigating factors that may reduce the level of off street parking, ie town centre location which would again accord with their SPG.

Local Residents

The list below represents the neighbouring properties who raised an objection to the application. All of the objectors are concerned about the issue of parking and the potential intensification on the surrounding road networks. Although a couple of the objectors would like to see the retention of the community use on the site, they feel that the parking issues would be amplified by the change of use. The intensification of vehicular usage of the narrow surrounding roads is of key distress to many of the residents. A few of the residents also commented on the potential noise nuisance from the proposed yoga studio.

2A Albert Street, Tring, HP23 6AU
7 Albert Street, Tring, HP23 6AU
42 Albert Street, Tring, HP23 6AU
43 Albert Street, Tring, HP23 6AU
45 Albert Street, Tring, HP23 6AU
46 Albert Street, Tring, HP23 6AU
47 Albert Street, Tring, HP23 6AU
50 Albert Street, Tring, HP23 6AU
29 Akeman Street, Tring, HP23 6AN
61 Akeman Street, Tring, HP23 6AN

Considerations

The principle of the proposed development needs to be considered against Core Strategy Policy CS4, which states that, in residential areas, appropriate residential development is encouraged; however, non-residential development for small-scale social, community, leisure and business purposes is also encouraged provided it is compatible with its surroundings.

The main issues of relevance to the consideration of this application relate to the impact of the works upon the character and appearance of the dwelling, streetscene and conservation area in accordance with Policies CS4, CS11, CS12 and CS27 of Dacorum's Core Strategy and saved Appendix 7 of the Dacorum Borough Local Plan (DBLP). Other key issues of importance relate to the impact on parking and the impact

on surrounding road network in accordance with saved Appendix 5 and saved Policy 58 of the DBLP. The impact with regards to the amenity of the surrounding properties must also be assessed under Policy CS12.

Impact on Appearance of Building, Streetscene and Conservation Area

The proposed use is considered to be a small-scale in terms of its operation. Therefore, it is considered that the proposed development complies with the spirit of Core Strategy Policy CS4. Some minor internal changes are proposed but these are not significant. No external alterations are proposed so the character, fabric and appearance of the building will remain unaltered. The proposal is considered to preserve the character/appearance of the Tring Conservation Area. Furthermore, the proposal would not damage the appearance of the building or streetscene. Therefore, the proposal accords with Local Plan saved Policy 120 and saved Appendix 7, Core Strategy Policies CS11, CS12 and CS27 and the NPPF (Paragraphs 129, 131, 132, 133, 137, 138, 140).

Impact on Amenity of Neighbours

Consideration has been given to the impact that the proposed extension would have on the adjoining neighbours. Policy CS12 states that regarding the effect on the amenity of neighbours, development should avoid visual intrusion, loss of light and loss of privacy. The application has received a number of objections. The main issues of concern are listed and addressed below.

- Lack of parking; intensification of road network/congestion.

Issues regarding parking and the impact on the surrounding road network are addressed in the section below (Impact on Parking and Surrounding Road Network).

- Noise nuisance.

One of the neighbours raised concerns regarding the potential noise nuisance created by music in the yoga studio. Due to the limited opening hours (7:30am - 9:30pm, Monday to Fridays, 9am - 4pm on Saturdays, and 10am until 4pm on Sundays), there would be no late night noise. The classes would be intermittent. The supporting statement states *"although my opening times look long the hall won't be in constant use. I envisage early morning classes taking place only twice a week and a maximum of two classes each evening (Monday-Thursday)."* Any music relating to the yoga activities would be kept inside the premises. It is the owners duty to ensure that the noise level is reasonable and action under the Environmental Protection Act 1990 could be enforced if a statutory nuisance is proven to exist.

With regards to the impact on the amenity of neighbours, the proposal is deemed acceptable in accordance with Policy CS12 of the Dacorum Borough Core Strategy.

Impact on Parking and Surrounding Road Network

Consideration should be given to the highway and traffic implications of the proposed development, particularly in respect of the number of anticipated visitors to the proposed yoga studios and the provision of sufficient car parking at the site. Saved Local Plan Policies 57 and 58, as well as the standards contained within Appendix 5 of

the Local Plan, should be taken into account. For fitness centres, there is an expectation that one space is provided for every 15sqm of gross floor area as a maximum-based standard. Also, the application site is located in Tring's Accessibility Zone 4, as such 75-100% of this maximum standard should be provided. The proposal seeks to change the use of the entire building which measures 93sqm. Based on the foregoing, the proposal should therefore seek to provide 5-7 car parking spaces.

No car parking is proposed on site as part of this planning application. Bearing in mind this is a residential street which already experiences on-street parking (on both sides of the carriageway); there is a concern that the proposed development would exacerbate this issue during the applicants proposed schedule of classes. It is noted that the information provided by the applicant in this regard which states that up to 25 people would attend any one class and that those who attend will be encouraged to use non-car modes of transport (four cycle spaces are proposed). The applicant also suggests the use of local businesses car parking facilities out of normal hours of working. However, there is no concrete evidence provided within the application as to what car parking provisions have been secured and whether these will be available for use by the applicants clients.

The current hall already has a 'D1 - Non-Residential Institutions' use, which permits the hall to be potentially used as a clinic, health centre, crèche, day nursery, day centre, school, art gallery, museum, library, hall, place of worship, church hall, law court, non-residential education/training centre. So theoretically, the hall has the ability to attract a large number of visitors, which there would be no control over. However, the hall has been left vacant after a presumed steady drop of in numbers over the years and the local residents have become accustomed to the low level of traffic attracted from the hall. This may be the reason for the high number of objections relating to highways-related issues.

It is accepted that the previous use would not have provided any parking with it (and any other future uses). The site is located relatively close to the town centre and there are a number of car parks and transport links (bus stops, etc.). Policy CS8 has strong focus on sustainable transport methods and aims to promote other road and passenger transport over private cars in the following order: pedestrians, cyclists, passenger transport (buses, trains and taxis), powered two wheeled vehicles, other motor vehicles. It is considered that given the sites location, alterate (more sustainable) methods of transport would be available. Nevertheless, there is a concern that the proposal, if it is used to its maximum, could lead to additional on-street parking and cause obstructions on the public highway. Policy CS8 also states that new development should "*provide sufficient, safe and convenient parking based on car parking standards.*" Hertfordshire Highways were consulted for further advice. They responded with the following.

"The Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission. There will be no planned changes to both pedestrian and vehicular access that will affect the highway and just as importantly there will be no off street parking spaces available, so the highway authority assumes that this will lead to further on street parking in and around the site when operational again. There may have been a lull in on street parking during the period when the building has been left vacant. However, off street parking is now a function of the local authority to manage. The highway authority has not been made aware of any specific road traffic collisions that are attributed to parking demand. It follows that the local authority will have to

determine this application with no off street parking provision in accordance with their local parking policy."

In the past, when helping to determine what the uptake in off street parking is a beat survey can be useful in helping to determine what the base level is. This will not only clearly determine the level of off street parking demand at set hours/days of the week, it will also help determine if there is spare on street parking capacity.

Further information was requested from the applicant and a transport statement was submitted. Hertfordshire Highways responded to this with the following.

"In short the transport statement suggests that there overall there would be no material traffic impact associated with these proposals. The transport statement discusses whether the proposed change of use will lead to a significant increase in traffic to and from the site (and hence increases in parking demand is well) over the existing legal use. This is the main comment running through the transport statement. Whilst the hall has not been in use, demand for on street parking has been affected. The site has an existing permitted use which would generate a similar level of two way trips to that of this proposal. On street parking is not for the sole exclusive right of any one single person but if allowed, it is there for everyone to enjoy.

The previous response by the highway authority had suggested that a parking survey should be conducted but instead the applicant has turned towards the use of a transport statement to help support their application. It may have been helpful in this particular instance if this exercise had been carried out as well as providing the transport statement and it certainly would have helped the LPA with their decision making in regards to the allocation off street parking."

The D1 use class is wide ranging and is reflected in the historic, actual and potential uses. The transport statement highlights that the previous tenants (Salvation Army) listed a children's nursery as one of their desired uses (see 4/01930/14/LDP). The statement goes on to say that nurseries can be a significant generator of traffic, although the number of cars parked for significant periods of time tend to be low, the number of drop-offs/pick-ups would be significant. Other desired uses included 'Mums and Tots' groups, which would attract vehicles for longer periods. The applicant lives locally and the transport statement highlights that the yoga use is more likely to attract a local catchment who are less likely to drive to the site. The statement also suggests that the alternate existing uses are *"quite specialist"* and *"would attract people from a wider catchment, who would be more likely to drive to the site."*

The transport statement also includes a travel plan, which states that the applicant would discourage her clients to drive to the site. The travel plan also mentions the area allocated for bicycle storage and includes a map showing that all of Tring would be within the cycle catchment area for the site (5km). Furthermore, the travel plan discusses the nearby car parks - *"These car parks have a significant number of spaces (79 in Frogmore Street east and 17 in Frogmore Street west) and by observation there is plenty of spare capacity in these car parks during the day. In addition parking is free for the first hour and charges after that are modest."* *"Occupants of the business park immediately to the north of the site, accessed off Akeman Street but with a pedestrian link through to Albert Street, have confirmed that users of the Hall may use their private parking in the evening when the business unit is closed. There will therefore be no need for any on-street parking in the evening."* Although the travel plan highlights the

above and that the applicant would inform her clients about the parking arrangements and encourage them to use them, along with other methods of transport, there is no way to ensure this. Furthermore, this could not be secured by planning conditions.

Overall, it is quite clear that the existing lawful use of the site has the potential to generate a significant level of demand which would impact on the surrounding area. In some cases, the number of visitors for these alternate uses could exceed the number of people attending a yoga session. In some cases, it would not. As mentioned earlier, there has been a lull in on-street parking over the past few years and residents have become accustomed to the improved parking situation. There are existing issues with parking on the narrow street due to the increase in vehicle size over the years and the increasing number of residents. However, the existing lawful use has the ability to produce a greater parking demand than the proposed use. The site is considered a sustainable location and the highways authority have raised no objections. Therefore, it is not felt that the application could be refused on highway safety or parking grounds.

RECOMMENDATION - That planning permission be **GRANTED** for the reasons referred to above and 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: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2 The premises shall only be open to customers between 7.30am-9.30pm on Mondays to Fridays, 9am-4pm on Saturdays, and 10am-4pm on Sundays.**

Reason: In the interests of the amenities of the occupants of neighbouring dwellings and to accord with Policy CS12 of the Core Strategy.

- 3 No development shall take place until full details of the proposed bicycle storage shall have been submitted to and approved in writing by the local planning authority. The approved bicycle storage facilities shall be provided prior to commencement of the use hereby approved.**

Reason: To provide a safe and secure means of storage for bicycle users and to enable sustainable transport to the site in accordance with Policy CS8 of the Dacorum Borough Core Strategy.

- 4 The development hereby permitted shall be carried out in accordance with the approved travel plan.**

Reason: For the avoidance of doubt and in the interests of proper planning.

Article 35 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-

application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.