

## REPORT SUMMARY

<b>REFERENCE NO.</b>	3/19/0667/FUL		
<b>APPLICATION PROPOSAL</b>	External works to the community centre: A. Sails B. Accessible slope & steps to restaurant C. Pavement modification at restaurant extension (All related to Application No. 3/18/3538)		
<b>ADDRESS</b>	Barrington Centre, Penny's Walk, Ferndown, Dorset, BH22 9TH		
<b>RECOMMENDATION</b>	- Grant, subject to conditions: (see Section 11 of the report for the full recommendation)		
<b>REASON FOR REFERRAL TO COMMITTEE</b>	This application has been called to the Planning Committee in line with the Council's Constitution as it is an application submitted on behalf of the Council.		
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b>	<ul style="list-style-type: none"> <li>The design of the development would respect the context of the site and enhance the visual amenities of the locality.</li> <li>There are no material considerations which warrant refusal of this application.</li> </ul>		
<b>INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL</b>	Not Applicable		
<b>APPLICANT</b>	East Dorset District Council	<b>AGENT</b>	RLM Architects
<b>WARD</b>	Ferndown Central	<b>PARISH/TOWN COUNCIL</b>	Ferndown Town
<b>PUBLICITY EXPIRY DATE</b>	5 May 2019	<b>OFFICER SITE VISIT DATE</b>	11 April 2019
<b>DECISION DUE DATE</b>	24 May 2019	<b>EXT. OF TIME</b>	29 May 2019
<b>RELEVANT PLANNING HISTORY</b>			
App No	Proposal	Decision	Date
3/18/3538/FUL	Extension to South/Front. North/rear extension to replace existing public toilets. Demolition of the existing public toilets to form a landscaped area.	Approve	13/03/19

## **MAIN REPORT**

### **1.0 DESCRIPTION OF SITE AND SURROUNDINGS**

- 1.1 The Barrington Centre site is a level site on which the single story community centre building sits. This community centre includes the Barrington Theatre, Penny's Family Restaurant, various community activities and room hire. This site also includes a small section of the car park to the north of the Centre, in which is currently located a recently planted, immature tree.
- 1.2 The Barrington Centre's main frontage is to the south, onto the pedestrianised Penny's Walk. Opposite is Tesco's supermarket. To the east of the Barrington Centre is Library Road, the part of which immediately adjacent to the centre is pedestrianised, and further to the east is a Day Centre for the elderly. To the west is Ferndown Health Centre. To the north of the Barrington Centre is Penny's Lodge car park, which is in the ownership of the applicant. There is no boundary around the Community Centre site to the south, east or north. A hedge separates the Community Centre from the Health Centre to the west.
- 1.3 The site is within Ferndown Town Centre, on the primary shopping frontage, where existing uses are established as a mix of retail and community uses. The built form of the town centre is quite modern has a spacious character with low level 1-2 story buildings, many detached and with relatively generous gaps between plots.
- 1.3 Planning permission was granted in March 2019 (Planning reference 3/18/3538) to extend the Barrington Centre building to provide a new frontage and entrance for the community centre, carry out internal refurbishment works, provide new public toilets both inside the Barrington Centre and attached to the north of the Barrington Centre but externally accessible. The proposed sails and pavement modifications were originally included as part of the earlier application, but due to technical reasons it was necessary to consider these elements as part of a separate application.

### **2.0 PROPOSAL**

- 2.1 This proposal includes the following elements:
- Sails to be provided adjacent to the entrance and restaurant, to be made from a light permeable sail cloth and fixed using both the existing building and posts. It is understood the intention is that external seating for the restaurant will be provided under the sails adjacent to the restaurant.
  - An accessible slope and steps for access to the restaurant door.
  - Modifications to the pavement to the east of the Barrington Centre to wrap this around the permitted restaurant extension.

### **3.0 SUMMARY OF INFORMATION**

	<b>Proposed</b>	<b>Change/ net gain: From existing</b>
Width of proposed sails to south	4.3m	n/a
Width of proposed sails to east	4.3m	n/a
Minimum height of sails	2.5m	n/a
Maximum height of sails	3.9m	n/a

#### **4.0 RELEVANT PLANNING CONSTRAINTS**

Main Urban Area (Ferndown)  
Ferndown Town Centre  
Ferndown Primary Shopping Area

#### **5.0 POLICY AND OTHER CONSIDERATIONS**

##### **Christchurch and East Dorset Local Plan: Part 1, Core Strategy (2014)**

FWP1 Ferndown Town Centre Vision  
HE2 Design of new development

##### **National Planning Policy**

The National Planning Policy Framework (NPPF) 2019  
Planning Practice Guidance (PPG)

##### **Other Documents**

Ferndown Town Centre Strategy

#### **6.0 LOCAL REPRESENTATIONS**

- 6.1 In addition to letters to neighbouring properties, a site notice was posted on 11 April 2019 with an expiry date for consultation of 5 May 2019.
- 6.2 No representations have been received from neighbours or members of the public.

#### **7.0 CONSULTATIONS**

1. Ferndown Town Council – no comments received.

#### **8.0 APPRAISAL**

- 8.1 The main considerations involved with this application are:
- The design of the proposed sails

- The impact of the proposed modifications on the use of pedestrianised streets Penny's Walk and Library Road
- The accessibility of the proposal

#### The Design of the Proposed Sails

- 8.2 The sails are designed to complement the previously consented extension by providing an inviting 'soft edge' which provides a transition between the inside and outside. They will create an external space for activity in the public realm in line with the Ferndown Town Centre Strategy. They will bring character and a sense of fun to this community building. The proposed sails can be supported, subject to a condition requiring details of materials and colour scheme to be used (condition 3).

#### The impact of the proposed modifications on the use of pedestrianised streets Penny's Walk and Library Road

- 8.3 The proposed sails will extend over land which is currently paved and open for public access, although not forming part of a designated highway. The height of the sails will not impede pedestrian access underneath. Pedestrians will have to walk around the posts forming fixing points for the sails and it may be necessary for pedestrians with disabilities or pushchairs to avoid walking underneath the sails, however, given the proposed pavement modifications alternative access routes will be available, which is considered acceptable.
- 8.4 Due to the town centre location of this proposal and the limited space available for storage of construction materials and machinery on the site, careful management of the construction process will be required, and a condition requiring submission of a Construction Method Statement is proposed (condition 4).

#### The accessibility of the proposal

- 8.5 The proposal sees the submission of improvements to accessibility of the restaurant extension previously consented. There will now be disabled access to both the main entrance of the Barrington Centre (as exists presently) and the restaurant. This is an improvement on the accessibility of the existing situation as is considered a benefit of this proposal.

#### Conclusion

- 8.6 The proposal conforms to the requirements of the general policies of the Christchurch and East Dorset Local Plan Part 1 and the Ferndown Town Centre Strategy, taking into account material considerations.

## **9.0 Human rights**

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

9.1 This Recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

## **10.0 Public Sector Equalities Duty**

10.1 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

10.2 Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

- The development allows for improved access to the property for the disabled

**11.0 RECOMMENDATION** - Grant, subject to the following:

**Conditions:**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

2116.1-04A  
2116.1-05A  
2116.01A

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

3. Samples and/or a colour schedule of all materials and finishes to be employed in the provision of the sails and external landscaping, hereby permitted, shall be submitted to and approved by the Local Planning Authority before any on-site work is commenced. All works shall be undertaken strictly in accordance with the details as approved.

Reason: This information is required prior to commencement of development to ensure that the Council is satisfied about the details of the external appearance of the building

4. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: This information is required prior to commencement to safeguard the amenity of the locality.

**Informatives: N/A**

**Background Documents: N/A**

Case Officer: Elizabeth Fay

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.