

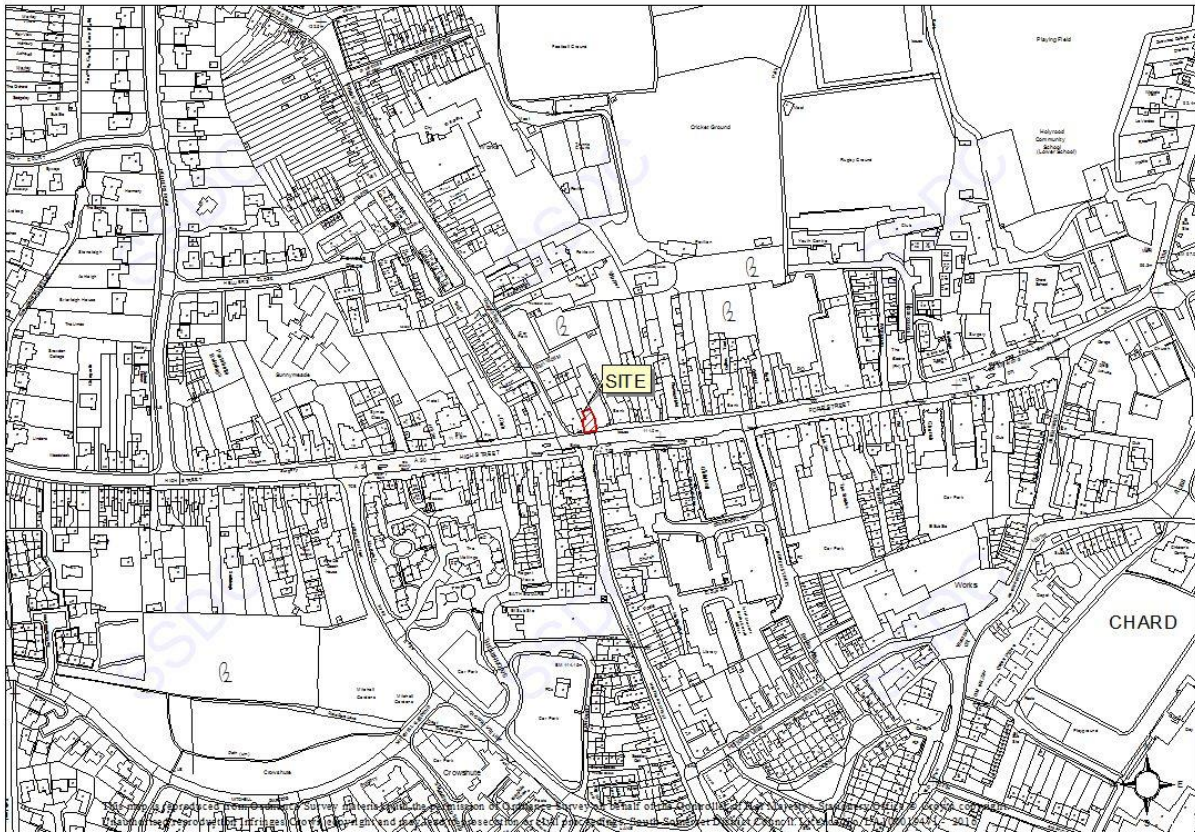
Officer Report On Planning Application: 16/01680/FUL

Proposal:	Change of use from office (Use Class B1) to residential to provide 1 No. unit of first floor living accommodation.
Site Address:	3/3A Fore Street Chard Somerset
Parish:	Chard
COMBE (CHARD) Ward (SSDC Member)	Cllr A Broom
Recommending Case Officer:	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
Target date:	14th June 2016
Applicant:	Mr & Mrs A Kenton
Agent: (no agent if blank)	Paul Rowe Caparo 11 Mervyn Ball Close Chard Somerset TA20 1EJ
Application Type:	Other Change Of Use

REASON FOR REFERRAL TO COMMITTEE

This application is referred to Committee as the applicant is a District Councillor.

SITE DESCRIPTION AND PROPOSAL





The application site comprises the remaining first floor office (107m²) of the former Chard and Ilminster News premises. The ground floor comprises the entrance to the recently approved flats and the single office on the first floor (14/02439/FUL). The property sits to the north of Fore Street opposite Holyrood Street within the centre of Chard, one side of the application site forms part of a Grade II listed property.

The application proposes the change of use of the remaining office into a one-bedroom flat. There is an associated listed building application for the internal works required to facilitate the change (16/01681/LBC).

The property is situated within the defined development area and conservation area of Chard. It is also within the primary shopping area but just outside of the primary shopping frontage.

HISTORY

There is a lengthy planning history for the listed building which benefits from permission for a restaurant and takeaway use on the ground floor with flats above. The adjoining property benefits from permission for a shop use on the ground floor with offices above.

The most recent history is:

14/02439/FUL - Internal and external alterations to include change of use and conversion of offices (Use Class B1) to form 2 No. residential units and the retention of 1 No. first floor office (Use Class B1) (Part Retrospective). Approved 28/8/2014.

14/02440/LBC - Internal and external alterations to include replacement front entrance (Use Class B1) (Part implemented). Approved 28/8/2014.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decisions must be made in accordance with relevant Development Plan documents unless material considerations indicate otherwise.

Relevant Development Plan Documents

South Somerset Local Plan 2006-2028:

- SD1 - Sustainable Development
- SS1 - Settlement Strategy
- EP3 - Safeguarding Employment Land
- EQ2 - General Development
- EQ3 - Historic Environment

National Planning Policy Framework (March 2012):

- Chapter 2 - Ensuring the Vitality of Town Centres
- Chapter 4 - Promoting Sustainable Transport
- Chapter 6 - Delivering a Wide Choice of High Quality Homes
- Chapter 7 - Requiring Good Design
- Chapter 12 - Conserving and enhancing the historic environment

National Planning Practice Guidance:

- Design
- Conserving and enhancing the historic environment
- Ensuring the Vitality of Town Centres

The starting point for the exercise of listed building control is the statutory requirement on local planning authorities to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses' (section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990).

Sections 16 and 66 of the Act require authorities considering applications for planning permission or listed building consent for works that affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building. The setting is often an essential part of the building's character, especially if a garden or grounds have been laid out to complement its design or function.

Section 72 of the Listed Buildings Act requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. This requirement extends to all powers under the Planning Acts, not only those that relate directly to historic buildings. The desirability of preserving or enhancing the area should also, in the Secretary of State's view, be a material consideration in the planning authority's handling of development proposals that are outside the conservation area but would affect its setting, or views into or out of the area.

CONSULTATIONS

Chard Town Council:

'I have no comments to make on these applications, Officers have raised 2 points which will need clarifying before it goes to Area West: 1) parking allocation & if additional spaces are required 2) confirmation of ED request regarding market appraisal.

Chard Town Council would therefore approve these applications subject to the above concerns being met before it goes to the Area West Committee.'

County Highway Authority:

Standing Advice.

Highways Consultant (SSDC):

Advises that the traffic generation and demand for parking associated with the proposed use is likely to be less than the associated extant use and therefore considers it unreasonable to insist upon the provision of car parking if none exists at present. Requests that cycle parking is secured by condition.

Conservation Officer:

Advises that the proposal is no more harmful than the previous proposal.

Economic Development:

Concerned that no marketing evidence or independent marketing appraisal from an agent has been provided to support the assertion that there is no market for office units in this location. The Economic Development Officer has requested evidence that the office has been actively marketed for 12 months.

REPRESENTATIONS

None received.

CONSIDERATIONS

It is considered that the main planning considerations are:-

- Loss of office space
- Impact upon listed building and the conservation area
- Impact upon neighbouring residential properties.
- Highways and parking

Loss of office space

Policy EP3 advises that employment land (Classes B1, B2 and B8) should be safeguarded and planning permission should not be granted for alternative uses unless it can be demonstrated that the loss would not demonstrably harm the settlements supply of employment land/premises and/or job opportunities. The policy requires that the applicants to submit a marketing statement to demonstrate that the premises have been marketed for a maximum of 18 months.

It is considered that, in this particular case, the loss of employment 'land' would be minimal. Whilst the existing space is classified as B1, the space is very small and its loss would not cause significant harm to employment land or job opportunities within the town centre. The agent has provided a letter from a local estate agent advising there has been no interest in the office confirming that *'it is not about the marketing, the demand for commercial - and first floor at that without parking - is just not there'*.

Impact upon listed building and conservation area

It is considered that the proposed works have been carefully considered and there will be no significant intrusion into the historic fabric of the listed part of the building. The only change is the insertion of a shower room within the space but the previous plans allowed for a new toilet cubicle in a similar location. This will be achieved by the insertion of stud walling which will not impact upon the historic fabric of the building. There will be no changes to the external appearance of the building. In the circumstances, it is felt that the proposal will not adversely impact upon the listed building and will preserve the character and appearance of the conservation area.

Impact upon neighbouring residential properties

It is not considered that the proposed use will have any significant impact upon existing residential flats adjacent to the site.

Highways and parking

The current property does not benefit from any form of parking provision, with the front of the site being protected by double yellow lines and zigzag lines leading up to the traffic lights. It is considered that as the site is within a highly sustainable location within the centre of Chard that a car free development is acceptable. In addition, it has to be noted that the existing office use operated without the benefit of any parking.

In the circumstances, the proposal is considered to be acceptable in relation to highway safety/parking.

Summary

It is not considered that the loss of this small space within the town centre would demonstrably harm the supply of employment land and as such this change of use can be supported. The proposed residential use will provide an appropriate addition to the town centre and the internal changes have been carefully considered in order to respect and preserve the historic character and fabric of the building and will preserve the character and appearance of the conservation area.

RECOMMENDATION

Approve

01. The proposed loss of this small office space within the town centre would not demonstrably harm the supply of employment land and the proposed residential use is an acceptable use within the town centre. As such the proposal is in accordance with Policy EP3 of the South Somerset Local Plan 2006-2028.
02. The proposed change of use and associated alterations by reason of their size, scale, design, materials and position, and limited/informed intervention into the historic fabric of this listed building, are considered to respect the historic and architectural interests of the building and preserve the character and appearance of the conservation area. This is in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan 2006-2028, and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

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

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans: KCWP7 and KCWP6 received 18 April 2016.

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