

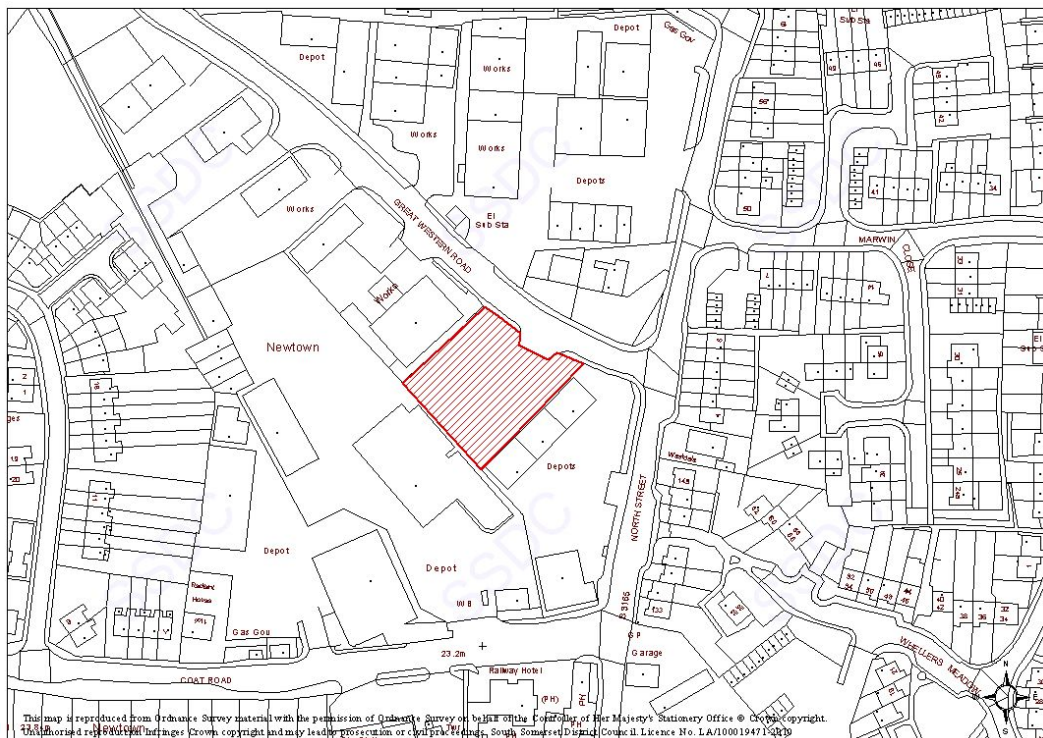
Officer Report On Planning Application: 09/04831/COU

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| Proposal : | The change of use of premises from Use Class B8 (Warehouse) to Use Class D1 (Non Residential Institution)(GR 346184/120115) |
| Site Address: | Unit 2 Great Western Road Martock |
| Parish: | Martock |
| MARTOCK Ward (SSDC Members) | Mrs Ann Campbell (Cllr) Mr Patrick Palmer (Cllr) |
| Recommending Case Officer: | Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk |
| Target date : | 17th February 2010 |
| Applicant : | Martock Christian Fellowship |
| Agent: (no agent if blank) | |
| Application Type : | Other Change Of Use |

REASON FOR REFERRAL TO COMMITTEE

This application has been referred to committee at the request of the Ward Member in agreement with the Chairman's substitute Cllr Robathan in order for the planning issues to be given further consideration on the basis that there appears to be general support for the development within the parish. Furthermore the issues of loss of employment and the sequential test need to be debated especially as this scheme is providing community space.

SITE DESCRIPTION AND PROPOSAL



The application site is within the development area and forms part of the Martock Business Park. The application site is located just off its junction with the Martock - Long Load road.

The proposal seeks change of use from B8 to D1 (non-residential institutions). D1 includes: medical and health services, creche and day nursery, day centres, museums and exhibition halls, education and training centres and places of worship. The Business Park is mainly used for B1, B2 and B8 uses. In addition, several of the sites along the main road have uses for car sales, snooker club and vets. The proposal provides for a 250+ auditorium, meeting rooms, kitchen, coffee shop (enterprise commercial), preschool (commercial enterprise).

HISTORY

94/01500/FUL - Change of Use of former industrial unit from use class B1/B8 to use class A1/B8. Approved. Previously occupied by a parcels delivery and collection point.

Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under 54A 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:

Regional Spatial Strategy

VIS2 - Principles for Future Development

EN4 - Quality of the Built Environment

Somerset and Exmoor National Park Joint Structure Plan 2000

STR1 - Sustainable Development

STR5 - Development Inside Towns, Rural Centres and Villages

South Somerset Local Plan 2006

ST5 - Principle of Development

ST6 - Quality of Development

TP6 - Non-residential parking

ME6 - Retention of Land and Premises

National Planning Guidance

PPS4 - Planning for sustainable economic growth (published Dec 2009)

Martock Local Community Plan 2007

CONSULTATIONS AND REPRESENTATIONS

Town/ Parish Council - Martock Parish Council are happy that Martock Christian Fellowship (MCF) have found a potential new home but regret they are unable to comment officially on this application due to our interest in their current building.

Economic Development - Whilst there are currently a number of vacant units at the Great Western Industrial Park at Martock, I believe that there is still a reasonable interest in the market place for workspace in this location despite the current economic climate. I would recommend that all units undertake a robust marketing exercise before change of

use is considered. Provided a competitive rental or sale price is sought, I would say that there will still be a level of interest in this unit. Although there are a number of precedent cases on the park for change of use, I do not think that the trend should be proliferated, especially as the Economic Development team currently deal with a good number of enquiries for workspace in South Somerset on a weekly basis.

I understand that the applicant is some months into a marketing exercise and it would be appropriate to ask for detail of this marketing campaign and the response level. I believe that a level of responsibility lies with the applicant to demonstrate that they have made substantial efforts to find a suitable occupant for the premises with its current planning use.

County Highway Authority - The site is located within the development boundaries for Martock within close proximity to the residential catchment areas of the settlement. The site is also connected by continuous pedestrian facilities. It is also noted that the site is located in close proximity to several bus routes enabling access to the site by alternative means than that of the private car.

However, it is noted the proposed site is located within the Martock Business Park where HGVs continually operate during the day. The Highway Authority question the suitability of such a location for the proposed community facility given that such a use is likely to increase the level of pedestrian movements, including those by young children and senior citizens at this point. Whilst it is acknowledged that during evening and weekend meets/events the potential for conflict will be significantly reduced and given the hours of operation outlined in the additional information there are concerns that conflict may take place when the industrial estate is in operation.

There are also concerns regarding the level of parking provided within the site. At present the off road parking caters for approximately seven vehicles. Comment is made in the design and access statement that some of the events offered by the existing community facility can generate considerably more traffic than can be accommodated within the site. As a consequence, it is likely that vehicles in connection with the proposed use will be forced to park on the highway. This is likely to not only interrupt the free flow of traffic but also add to the hazards for all road users at this point.

As a result, whilst it is acknowledged that the site under its existing use would have generated a level of traffic to and from the site it is considered that this change of use could increase the potential for conflict between pedestrians and commercial traffic and result in additional parking on the highway. Therefore I would recommend that the application be refused on highway grounds.

SSDC Technical Services - No comment

Environmental Protection - No observations

County Archaeology - No objections.

33 neighbour notifications were issued. There have not been any received responses.

Applicant's Submission (paraphrased from their Design and Access Statement) - This details the activities currently undertaken at the Gospel Hall (their current base that the Parish Council would like to extend into). These activities would be moved to their new site and include: A mothers and toddlers group (Monday and Wednesday mornings), senior citizen activities, social nights, with access to other groups including adoption and fostering groups, Martock Photographic Club, National Childbirth Trust and

so on. In moving to the proposed site its location remains part of the residential area and provides an additional social facility in the area of north Martock.

The existing Gospel Hall, directly alongside the Parish Hall suffers from no off road parking and very limited roadside parking on a busy street.

Martock Local Community Plan identifies a number of shortfalls in community provision including a) a limited range of cultural events and lack of suitable facilities for larger community events, b) No public facility for the elderly, C) Most public buildings are Listed, archaic, overused and poorly situated in terms of accessibility. The Community Plan identifies a number of projects to be taken forward over the next 5 years. Of these, a key project for the Parish Council is: Parish Hall extension (Parish/ Gospel Community Centre) Enlarge and enhance the existing Parish Hall by expanding into the next door Gospel Hall when it becomes vacant, to provide a multi-purpose community centre.

Sites that have previously been considered include the redundant Methodist Church, a plot of land off Fold Hill Lane, however, the purchase of this site had fallen through when another interested party offered more than MCF. A multi-use community facility on Stoke Road recreation ground was considered but after much pressure from an opposing community group the Parish Council withdrew. Following further discussion with the Parish Council it has been agreed that a MCF presence in the north of Martock would be of great benefit, providing church and community facilities in an area where a large percentage of the population live and parts of which are Martock's most deprived.

Current community facilities are all located in the southern end of Martock. Following conversion, the building will offer a range of enhanced facilities for use by the MCF members, local residents and Martock's businesses:

a) 250+seat main auditorium, b) small, medium and large meeting rooms, c) fully equipped catering facilities, d) commercial coffee shop. e) training rooms. The facilities would provide opportunities to support programmes, lunch clubs, practical support, pre-school places.

CONSIDERATIONS

The main considerations relate to the loss of an employment site, to be balanced against a community need, and the relevance of highway safety.

Employment Use:

Planning Policy Statement 4 (Planning for Sustainable Economic Growth) and Policy ME6 (Retention of Land and Premises) are of particular interest in considering the matters raised by the proposal. The former, which is the most recent publication, requires a much more robust evidence base to understand both existing business needs and likely changes in the market (policy EC1.1). Of concern is the need to maintain the supply of business premises and to avoid hindering economic progress where business units are hard to come by.

Policy ME6 considers it essential that employment opportunities are maintained in rural areas to help sustain rural communities and reduce the need to travel. Employment opportunities in such areas are limited, and it is important to retain and protect the overall availability and distribution of employment opportunities, the retention of which may facilitate the establishment of smaller firms in relatively inexpensive accommodation. While other local sites are anticipated to come forward it is considered premature to permit the loss of an employment site unless due process is followed; namely that there

is submitted a robust marketing appraisal that suggests that there is no demand for the unit in question.

This approach is supported by Economic Development and although there is a level of vacancy on the estate; this needs to be seen in the context of the current economic climate. The loss of the site to another use is considered to have a detrimental effect on the confidence of the wider employment site, which would be to the detriment of the remaining businesses.

Having concluded that there is a significant effect on the employment use further consideration is given to whether there is an overriding need that outweighs the employment value for which there is no suitable alternative site. This, however, requires that the applicant has undertaken a sequential approach which would consider sites within the area and not necessarily limiting the search to Martock. The relevance of a sequential approach is given further consideration below. It is, however, considered that the application lacks an evidence base that demonstrates a lack of market interests in the employment site.

Community Need:

Following policy ME6: Is there an overriding need? The Parish Council's interest is to acquire the vacant premises that belong to the applicant once the applicant has acquired a new site. There is a wider community interest in addition to the Parish Council's intention, to see the creation of local facilities in the area of north Martock, to be provided by the applicant. The community need is the locational advantage of the site mindful that a sequential approach would seek sites other than at Martock. Given the community interest that is identified, to pursue a sequential approach is considered to be illogical with local knowledge considered capable of offering support or otherwise for the site.

The premises would be available to local groups as well as to the Members of the Martock Christian Fellowship. Planning will not secure the move by the Parish Council into the vacant premises and this is a matter between the respective parties.

Policy ME6 permits consideration of exceptions, and given that the sequential test might be by-passed, development can be permitted where this respects the form and character and setting (which it would), and there is no significant impact on neighbours (considered probably to be the case). Policies ME6 and ST5 also refer to the development not giving rise to access problems, and traffic being accommodated, and this gives rise to concerns which are given further consideration below.

Business Use versus Community Need:

This involves consideration of the social contribution versus the need to comply with the employment policies. On balance the employment use is a significant hurdle, which the applicant has not addressed through a robust marketing appraisal. This in reality means that the employment use is denied to other employment providers.

The balance between the lack of an evidence base, which is the main objection to the proposal, and the community needs for Martock, supported by the Parish Council, given the perceived benefits, is a matter that Members may take a view on, although the officer opinion is to uphold the need to have the evidence base submitted. It is acknowledged that a sequential approach would ignore the community need, identified to be part of the current proposal, and result in no perceived community gain for north Martock. The need versus the issue of loss in confidence for the local business community is best addressed through the provision of a robust marketing appraisal.

Highway safety:

The Highway Authority recommend refusal of the application given the conflict between users and access to the wider business site. The site's location at the entrance to the business park is balanced between its potentially suitable location adjacent to residential properties versus the site's lack of parking which would lead to further pressure on the on-road parking at a sensitive location at the entrance to the business park. While there is existing on-road parking that is not controlled the proposal applies additional pressure given the size of the lorries that require access at this point onto the business park.

Policy TP6 does not prescribe parking standards given the scale of facility that is proposed although this seeks an understanding of both the essential operations/ servicing required and the maximum staff/ visitor parking needed. This is required to be realistic. However, with only seven spaces on site and a reasonable assessment that many more traffic movements will be generated then the lack of sufficient on-site parking is a significant concern.

Notwithstanding that weekend use is more likely to be accommodated, it is the weekday use of the site that gives rise to concerns of conflict. While it is considered that weekday traffic and associated community needs will draw users from the immediate community thereby limiting vehicle movements there remains a concern that there is insufficient off road parking, and given human nature is to drive rather than walk the actual use has the potential to generate significantly greater traffic and parking issues.

Concluding Remarks:

The interests of the local community are given full consideration, although these must be balanced against the employment requirements and the location of the application site in conjunction with the highway issues that arise. It is considered that the proposal should be refused given the lack of any robust evidence base and the uncertainties about realising the community needs balanced against the site's location, and the highway safety issues identified.

RECOMMENDATION**REFUSE**

01. The proposal is contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policies ST5 and ME6 of the South Somerset Local Plan since the proposed development is likely to result in a conflict between pedestrian and commercial traffic, which would be prejudicial to the safety, amenity, and convenience of users.
02. The proposed development would be likely to encourage the parking of vehicles on the public highway, which would interrupt the free flow of traffic and thereby add to the hazards of highway users at this point. The proposal is therefore contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted April 2000).
03. The proposal results in the loss of an employment site for which there has not been any evidence that there is a lack of such demand further to policy ME6 of the South Somerset Local Plan.