

Area North Committee – 28 May 2014

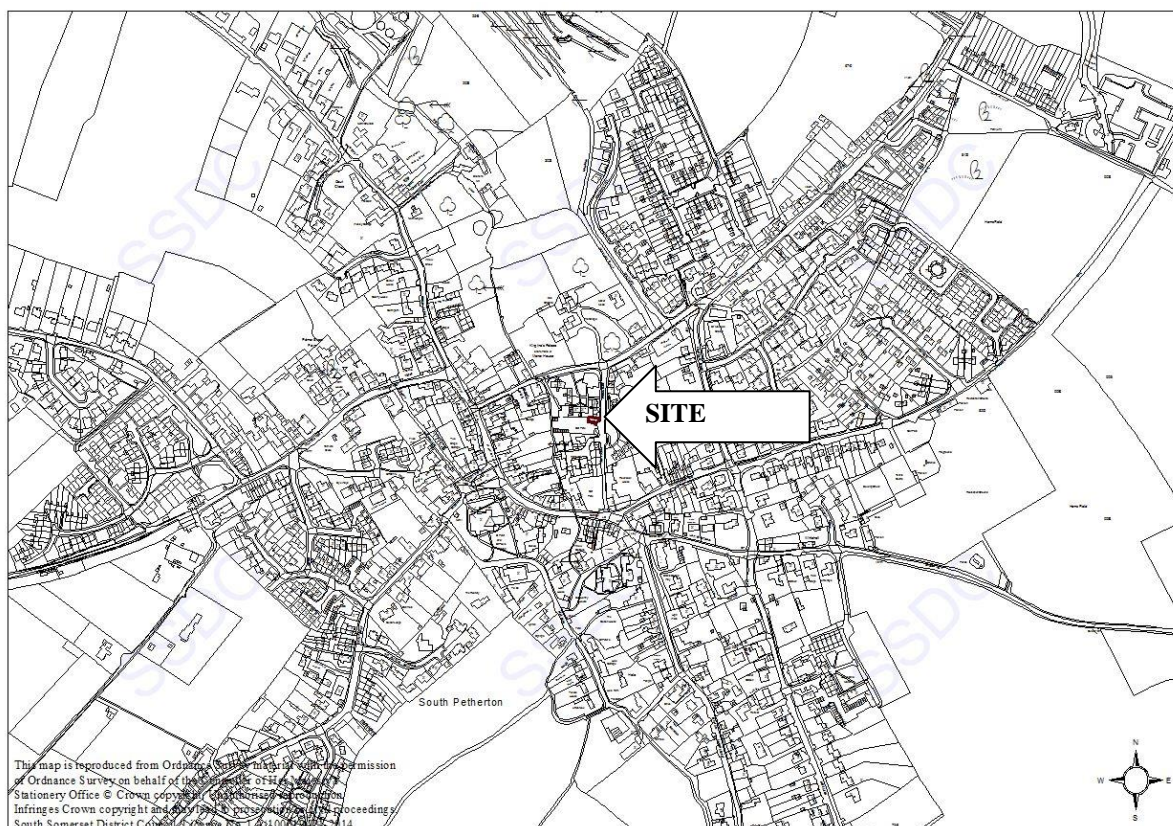
Officer Report On Planning Application: 14/01198/FUL

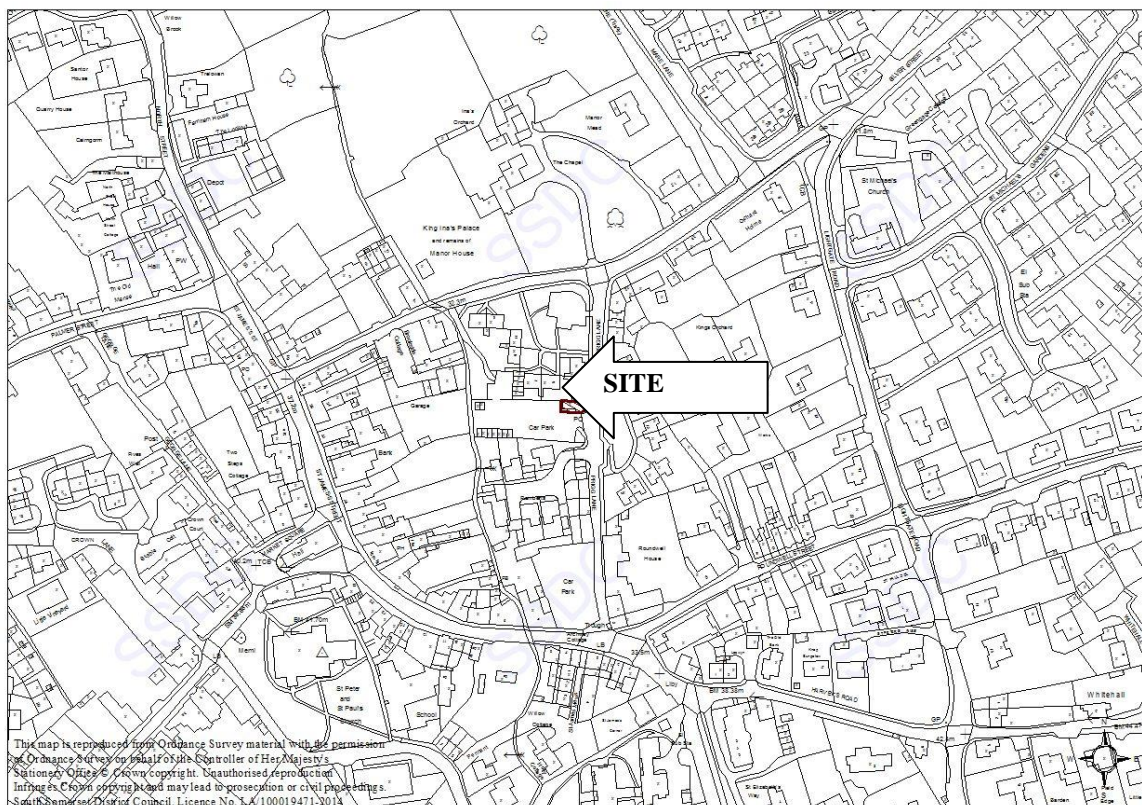
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| Proposal : | Alterations and change of use of former public conveniences to an office (Use Class B1). (GR 343368/116982) |
| Site Address: | Former Public Conveniences, Prigg Lane, South Petherton. |
| Parish: | South Petherton |
| SOUTH PETHERTON Ward (SSDC Members) | Cllr Paul Thompson Cllr Barry Walker |
| Recommending Case Officer: | Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk |
| Target date : | 9th May 2014 |
| Applicant : | Inno Group Ltd |
| Agent: (no agent if blank) | |
| Application Type : | Minor Other less than 1,000 sq.m or 1ha |

REASON FOR REFERRAL TO COMMITTEE

This application has been referred to the Committee as it is an application where the District Council is the landowner and there has been an objection.

SITE DESCRIPTION AND PROPOSAL





The application relates to the former public conveniences in Prigg Lane, South Petherton. The site is situated to the north-east of the village centre adjacent to the existing public car park and is within development limits and Conservation Area of the village.

The application building is single storey with hamstone and rendered walls, under a tile roof. The building's footprint measures 4m by 11m. The public conveniences were closed in 2011 and the building has remained vacant since that time.

The proposal seeks a single office space (Use Class B1) to include alterations to the fenestration comprising the enclosure of the porch to provide an external store with the enlargement of the existing high level windows. The intended occupier is a supplier of security products.

HISTORY

851100 – The erection of public conveniences. Deemed approved (Regulation 4) 2/7/1985.

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

Save policies of the South Somerset Local Plan:

Policy ST5 - General Principles of Development
 Policy ST6 - The Quality of Development
 Policy EH1 Conservation Area
 Policy ME3 Employment within Development Areas

National Planning Policy Framework (March 2012):

Chapter 1 – Supporting a prosperous rural economy
 Chapter 7 - Requiring Good Design
 Chapter 12 Conserving and enhancing the historic environment

South Somerset Sustainable Community Strategy

Goal 5 - High Performance Local Economy
 Goal 7 - Distinctiveness
 Goal 8 – Quality Development

County Parking Strategy 2012

CONSULTATIONS

South Petherton Parish Council:

The Planning Committee recommended that the application should be refused for the following reasons

1. Should be for community use
2. The site is not suitable for an office use as it is surrounded by residential development
3. There is no provision of parking space. The proposal would put extra pressure on an already scant provision of public parking.'

County Highway Authority:

Standing Advice.

Area Development Manager (North):

'I would like to make the following comments on this application. As you know SSDC is the owner of the building referred to, being the former public toilets. My role as Area Development Manager included consideration of the wishes and needs of local residents, in particular by involving local councillors in decisions to change the use of the building.

I note the comments from South Petherton Parish Council, and hope it is helpful to relate to each of their points.

1) Community use. The public toilets were closed in July 2011. At that time the parish council resolved that it did not wish to take on a lease / purchase of the building for its continued use as toilets or for an alternative community use. Since then the parish council has been invited to submit proposals for an alternative use, and offers of assistance to develop a business plan made. Formal marketing of the premises for alternative uses were put on hold in early 2013 specifically for the parish council to carry out local consultation and the development of a business plan. SSDC started to formally advertise the premises for either community or commercial mid 2013 and we arranged a site visit for members of the parish council. To date we have not received an application for community use for consideration, and the decision has been made to lease the premises to a small business subject to the relevant consents.

2) I view this site as suitable for A2 use. Neighbour amenity was considered when selecting the right type of business for this area. For example it would be primarily day

time / week day use, with limited traffic movements, household type noise levels and few people visiting the premises. I note that immediate neighbours have been consulted and no responses appear on the file.

3) A dedicated parking space could be considered, but this would be from the existing car park. The public car park is long stay and therefore open to any local business to use. The proposed use will not generate significant extra visits and so should not be significantly different to the former use – or an alternative community use. The local demand / supply of parking spaces is kept under review within the SSDC parking strategy, and this will continue. At present it is felt that there is a sufficient supply, although at times this may not be the case as with anything.

Despite the reservations of the parish council, I hope I can reassure you that the service teams who have worked to achieve a viable alternative use for this redundant buildings have considered the needs of local residents, and the vitality of the village centre. I hope that consent can be granted and a new business for the village can establish and take care of the building. Very happy to keep use of and need for the SSDC car park under review in conjunction with the parish council, residents and local businesses.'

REPRESENTATIONS

None received.

CONSIDERATIONS

The main planning considerations in this case are considered to be the principle of office use in place of the existing public conveniences; proposed design and impact upon the setting of the conservation area; highways/parking issues and impact upon residential amenity.

Principle

It has been stated that this proposal would result in the loss of a community use however it should be noted that the existing use as a public toilet does not benefit from a community use under the Use Classes Order; it is instead considered *sui generis*. As such, planning permission would be required for any change of use of the building including to a community use. Furthermore, it is clear from the comments of the Area Development Manger that efforts have been made to find alternative uses of the building including community uses but this has not resulted in any positive proposals.

It is therefore necessary to consider the principle of the change of use of the building to a use that provides economic benefits. This proposal will enable a positive re-use of this building which has been vacant since 2011. The NPPF advises that a positive approach should be taken with regard to sustainable new development that supports economic growth in rural areas; this includes the conversion of existing buildings. Given that it would not be possible to sustain an argument that this proposal would result in the loss of community use and with the very positive approach taken by the NPPF with regard to supporting the rural economy it is considered that the principle of this change of use can be supported.

Proposed design and impact upon the setting of the conservation area:

The external alterations are limited to fenestration treatment involving the enclosure of the existing porch to provide an external store and the enlargement of the high level windows to provide better light for the interior. Internally the building will be one large space with a small toilet and kitchenette. It is considered that the alterations are

acceptable and maintain the existing scale of the building and will preserve the character and appearance of the Conservation Area.

Highways/parking issues

In terms of parking provision, the existing use is not covered by the County Parking Strategy being *sui generis*. However, the proposed office use (Class B1(a)) would result in the requirement for one parking space; as the building is situated within the public car park which provides long stay parking it is not considered that specific provision needs to be made for the building. In terms of traffic movements, it is not considered that the use will result in a significant increase in traffic movements over the existing lawful use as a public toilet.

As such, the proposal is considered to be acceptable in terms of its highways impact.

Impact upon residential amenity

It is not considered that the change of use to an office would result in any significant increase in noise and disturbance to neighbouring residential properties. The use itself is for offices and the traffic movements will form part of those associated with the public car park. As such, it is not considered that the proposal would result in any significant loss of amenity to surrounding residential properties.

Summary

This change of use offers an alternative use for this vacant building that is currently securely locked and boarded up. The economic benefit that will result from the proposal is also welcomed. The impact upon highways/parking and residential amenity is considered to be minimal and not of such significance as to justify a refusal of the application.

RECOMMENDATION

Approve

The proposed change of use will result in economic benefits and by reason of the limited fenestration alterations will respects the character and appearance of the Conservation Area. Due to the location and proposed use there will be no adverse impact upon highway safety, parking provision or the residential amenities of surrounding properties. The proposal is therefore in accordance with the aims and objectives of the National Planning Policy Framework, Somerset County Council Parking Strategy and saved policies ST5, ST6, EH1 and ME3 of the South Somerset Local Plan 2006.

Subject to:

1. 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.

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

Location and Block Plan (1:1250 and 1:200) received 7 March 2014

Proposed Elevations (1:100) received 7 March 2014

Proposed Floor Plan (1:50) received 7 March 2014

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reason: To safeguard the character and appearance of the conservation area having regard to the provisions of Policy EH1 of the South Somerset Local Plan 2006.
