

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 February 2015

AUTHOR/S: Planning and New Communities Director

Application Number:	S/2424/14/FL
Parish(es):	Barrington
Proposal:	Change of Use from Office (B1) to Residential with associated works
Site address:	Church Meadows, Haslingfield Road, Barrington
Applicant(s):	Mrs C Balam
Recommendation:	Delegated Approval
Key material considerations:	Principle of Development Loss of Employment Use
Committee Site Visit:	3 February 2015
Departure Application:	Yes
Presenting Officer:	Rebecca Ward
Application brought to Committee because:	Deferred at January Committee meeting to enable members to undertake a site visit. Parish Council recommendation is contrary to Officer recommendation
Date by which decision due:	05 December 2014

Planning History

1. **S/0052/00** - Conversion, alteration and extension of the existing agricultural building for B1 office use together with new access and parking - Approved
2. **S/2027/12/FL** - Change of Use of self-contained office unit to residential use - Approved Nov 2012 – Two Year temporary consent only

Planning Policies

3. **National Planning Policy Framework**
National Planning Policy Framework (NPPF)

4. **Local Development Framework**

DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/7 Village Frameworks
ET/6 Loss of Rural Employment to Non Employment uses
CH/5 Conservation Areas
TR/2 Car and Cycle Parking Standards

5. **Draft Local Plan**

S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in favour of sustainable development
S/5 Provision of jobs and homes
S/7 Development Frameworks
E/14 Loss of Employment Land to Non Employment Uses
CC/4 Sustainable design and construction
CC/6 Construction Methods
HQ/1 Design principles
NH/14 Heritage Assets

Consultations

6. **Barrington Parish Council** – Recommends refusal for the following reasons; outside village envelope, object in principle to the conversion of farm buildings to residential, hold the view that there is a need for office space.
7. **Local Highways Authority** – No objections
8. **Environmental Health Officer** – No objections

Representations

9. None received

Planning Comments

Officer Update

10. The determination of the application was deferred by members of the Planning Committee on 14 January 2015, in order for a site visit to take place. There has been no change to the report.

Site and History

11. The application site is located in the Parish of Barrington on the outskirts of the village framework. It is neither in the Conservation Area nor in close proximity to any listed buildings. The existing office building is set amongst similarly designed units for commercial use in a courtyard setting. The car parking and maneuvering space for the buildings are located within the courtyard. There is limited landscaping, other than a hedge dividing the boundary.

12. The building is single storey and of simple design and is clad in black weatherboarding. All the surrounding buildings are predominately identical to this. It is reasonable to say that this site is primarily commercial.
13. The proposed scheme comprises the permanent change of use from office to residential. This application has followed a residential consent that was granted for a temporary period of two years on the 20 November 2012. The consent was granted on the basis that the scheme would allow for the continued use of the building. The consent has now expired and the occupants are still residing in the property.
14. The present proposal was amended on the 10 December 2014 to change the landscaping scheme, car parking area and make alterations to the front door.
15. The main concerns with regard to this application are the principle of development and the Councils five year housing supply, loss of business use in the countryside, impact on neighbouring amenity, and impact on street-scene and highway safety.

Principle of Development

16. The site is located in close proximity but outside the village framework and as such the provision of a new residential dwelling would normally conflict with the adopted policy DP/7. However, at this present time the Council cannot demonstrate a five year housing supply and as a result policies which would normally restrict housing development remain absent and silent. Where this is the case, the National Planning Policy Framework states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.
17. Barrington is a group village and does offer some basic day-to-day requirements. This includes a primary school, church and post office/convenience store. The site is within minutes walking distance to these services and therefore officers considered the site is relatively well served. A scheme for contributions towards community facilities, open space and waste receptacles will need to be agreed to meet the demands arising from the development prior to issuing a decision notice.

Loss of Employment Use

18. Paragraph 51 of the National Planning Policy Framework states that Local Planning Authorities should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.
19. Adopted policy ET/6 on 'Loss of Employment Use' relates only to schemes/proposals within villages frameworks. However, draft Local Plan, policy E/14, relates to sites within or on the edge of village frameworks. While objections have been received to the new policy, these are generally on the grounds it is too restrictive. As the proposal would require a relaxation of the policy, officers have therefore considered it in accordance with this latter policy.
20. Policy E/14 states that a change of use of existing employment sites to non-employment uses within or on the edge of development frameworks would normally be resisted unless the following can be demonstrated:

- a. The site is inappropriate for any employment use to continue having regard to market demand (marketing evidence of a period no less than 12 months).
 - b. The overall benefit to the community of the proposal outweighs any adverse effect on employment opportunities and the range of available employment land and premises.
 - c. The existing use is generating environmental problems such as noise, pollution, or unacceptable levels of traffic and any alternative employment use would continue to generate similar environmental problems
21. The agents/applicant have been requested, but not provided, any up to date marketing evidence to demonstrate compliance with criterion a. of emerging policy E/14. However, reference has been made to the previous application S/2027/12/FL where prior to submitting the application the property was marketed for a period of 18 months between 2006-2007. Officers at the time considered this information to be outdated and gave limited weight to this in determining the previous application.
22. Since the Council granted temporary consent in 2012, the agent/applicant has not marketed the property. In an email dated 2 December 2014 the agent states that this is because it would have been awkward for the existing tenant. However, attempts are being made to let a similar commercial building on the site (unit 4). This building has been on the market since August 2014 and as of yet there has been no interest and it still remains empty. Given that it has been empty for nearly 5/6 months without interest officers consider this should be given some weight.
23. Officers have also looked into the current Permitted Development Rights. Class J of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 allows for change of use from B1 (Office) to C3 (dwelling house) provided certain criteria are met. In this instance the scheme would currently fail as it has had an intervening residential use. However, if the building was reverted back to its lawful B1 use, it could potentially be changed to residential without needing planning permission provided the applicant submits a prior approval application to agree the details.
24. By virtue of the lack of housing supply in the district, recent government changes in permitted development rights and that the adjacent commercial building has remained un-occupied for a reasonable length of time, officers do not consider there is a strong economic reason why the change of use would be inappropriate. On balance, the principle of the change of use is therefore considered to be acceptable in accordance with paragraph 51 of the National Planning Policy Framework. In doing so, officers consider this addresses the concerns of the parish council.

Impact on Neighbouring Amenity

25. The primary neighbouring uses are commercial units and therefore the impact on neighbouring amenity is more likely to be from the commercial uses on the occupiers of the application building. As the buildings are used for B1 office use purposes any potential noise impacts are considered to be minimal. The Councils Environmental Health Officer raises no objections to the application. Officers therefore consider the scheme to be acceptable.

Highway Safety

26. As a result of the proposal the potential number of vehicular movements is likely to be reduced from its lawful use and therefore would not propose and adverse impact on highway safety. No objections were received from the Local Highways Authority.

Other Matters

27. Amendments were made to the design/layout of the scheme (dated 10 December 2014) to make the property appear residential rather than commercial. A revised landscaping scheme was also submitted to give the property a front garden. The changes made are considered to be appropriate.

Recommendation

28. Any adverse impacts of the development are not considered to significantly and demonstrably outweigh the benefits when assessed against the material considerations set out in this report and the proposed development remains acceptable. As such it is recommended that permission be granted for officers to approve the scheme subject to the s106 agreement and conditions listed below.

Section 106

Contributions towards community facilities, open space and waste receptacles

Conditions

- (a) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
- (b) The development hereby permitted shall be carried out in accordance with the following approved plans: CH12/LBA/261/PR101 rev A, CH12/LBA/261/PR101 rev A
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- (c) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- Planning Reference : S/2424/14/FL
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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