

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee

6th July 2005

AUTHOR/S: Director of Development Services

S/0788/05/F - Willingham

Conversion of Garage into Consulting/Treatment Room for Occupational Health and Physiotherapy at 31 Church Street for C Croft

Recommendation: Delegated Approval

Date for Determination: 24th June 2005

Conservation Area

Site and Proposal

1. This approximately 0.12 ha (0.3 acre) site containing a two storey, detached cottage with a long single storey rear projection with timber garage attached measuring 20.5m, is located on the north side of Church Street within the Willingham Conservation Area. The garage has a floorarea of 21.8sq.m. and is currently used as a store room. It is positioned 14.6m from the original rear elevation of the cottage and adjacent an outbuilding on the neighbouring property, No. 33 Church Street. Access gates to the site are setback 9m from the front property boundary.
2. The site adjoins residential dwellings to the north, east and west and is opposite Willingham House, previously used as a residential conferencing and training facility and Nursing Home. This section of Church Street is primarily residential with some retail, commercial and community uses. There are no parking restrictions along Church Street.
3. The full application received on 19th April 2005 seeks to change the use of the garage to a consulting/treatment room for occupational health and physiotherapy. The clinic is to be operated 5 days a week between the hours of 08:00 hours and 18:00 hours (with longer operating hours two days a week between 08:00 hours and 20:00 hours; and will be staffed by one physiotherapist at any one time (i.e. principally the applicant who resides at 31 Church Street) and one receptionist.
4. The proposal will involve an alteration in the appearance of the garage by the replacement of the existing garage doors and window with a new door and window, in addition to the insertion of two velux roof lights on the western elevation.
5. It is anticipated that the business will generate up to two vehicular traffic movements per hour on a normal working day (i.e. one vehicle arriving and departing per hour). Clients of the clinic are expected to arrive by appointment only. As the clinic contains only one treatment room, only one client can be seen at a time. Patient visits usually last 45 minutes, although a treatment/testing session could last for up to five hours.
6. It is anticipated that the residents of the property and staff of the clinic will park within the courtyard area of the site, behind the access gates, with space for two cars at the front of the site set aside for visitor car parking.

7. The agent has stated that periodically the clinic will hold a presentation/open session. Numbers of visitors/guests to these sessions will be controlled (especially given the small size of the clinic) and where it is anticipated that visitors will travel by car, arrangements will be made to try to offer parking locally, possibly by arrangement with the conference centre or local pub.
8. In support of the application, the agent points out that there is a conference centre, church, pub and shop in the immediate vicinity of the site. He adds that “the maximum impact to our neighbours will be via the coming and going of patients, especially during the times that the conventional clinic is in operation. Patients will arrive at set intervals only one at a time. The clinic will not generate extra noise or excessive waste whilst operating or any other form of disturbance that differs from our use of the site at present. Once open deliveries to the clinic will be infrequent and of small items of equipment and sundries such as rolls of paper tissue.

Planning History

9. Planning permission was given on 8 November 2001 for a two-storey rear extension to the property (**Ref: S/1851/01/F**). This consent does not appear to have been implemented.

Planning Policy

10. **Government Planning Policy Guidance 4 (PPG 4)** “Industrial and Commercial Development and Small Firms” outlines that it is now “generally recognised that it may not be appropriate to separate industry and commerce-especially small-scale developments-from the residential communities for whom they are a source of employment and services”. It adds that planning permission should normally be granted for commercial and industrial activities of an appropriate scale, particularly in existing buildings, within residential areas “unless there are specific and significant objections, such as a relevant development plan policy, unacceptable noise, smell, safety, and health impacts or excessive traffic generation. The fact that an activity differs from the predominant land use in any locality is not a sufficient reason, in itself, for refusing planning permission”.
11. **PPG 13** “Transport” aims to reduce the growth in the length and number of motorised journeys.
12. **Policy P2/2** of the County Structure Plan aims to locate employment sites so as to:
 - “Work towards a balance of jobs and housing;
 - Maintain a range of types and sizes of premises for business requirements;
 - Encourage a range of employment opportunities for local people;
 - Reduce the need to travel, particularly by private car;
 - Enable the fullest use of public transport, walking and cycling for work-related journeys;
 - Maximise the use of previously developed land and buildings; and
 - Support rural services and facilities.”
13. **Policy P2/6** of the County Structure Plan states that sensitive small-scale employment development in rural areas will be facilitated where it contributes to one or more objectives including enabling the re-use of existing buildings; helping to

achieve a balance of employment with the type and quality of local housing and helping to maintain or renew the vitality of rural areas.

14. **Policy P3/3** of the County Structure Plan states that “Local Planning Authorities will encourage the retention of local facilities and services within urban areas and assess the need for additional provision”.
15. **Policy P8/1** of the County Structure Plan and **Policy TP1** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) aims to promote more sustainable transport choices, to improve access to major trip generators by non-car modes, and to reduce the need to travel, especially by car.
16. There is no policy in the Local Plan directly relevant for a change of use of an outbuilding on a residential property to a use within the D1 Use Category as defined in the Use Classes Order 1987. Nevertheless, it considered that **Policy EM6** of the Local Plan outlines relevant criteria for the assessment of this type of application.
17. **Policy EM6** of the Local Plan states that within village frameworks of Rural Growth Settlements (which include Willingham), “planning permission will be granted for small-scale development in classes B1 - B8 providing that:
 - (a) There would be no adverse impact on residential amenity, traffic conditions, village character and other environmental factors, and
 - (b) The development would contribute to a greater range of local employment opportunities, especially for the semi-skilled and unskilled, or where initial development is dependent on the use of locally-based skills and expertise”.

Consultation

18. **Willingham Parish Council** - Recommendation of Refusal. “Whilst not opposed in principle to the change of use the Planning Committee refused the application on the basis of inadequate off-street parking and the effect of the changes within the conservation area”.
19. **Conservation Manager** - No objection. No impact on the Conservation Area.
20. **Chief Environmental Health Officer** - No objection.
21. **Local Highway Authority** - Asked for an amended layout plan from the applicant/agent addressing parking issues. It comments:

“Whilst I acknowledge the relatively modest daily level of traffic likely to be associated with this proposal, it is my view that appropriate parking should be provided within the site to cater for the vehicles likely to be associated with the dwelling together with the vehicles likely to be generated by the business. It is really not appropriate for the public highway to be used for patient (or employee) parking.

Clearly in order to achieve suitable parking, access will need to be made to the rear garden. It is not an option to simply extend the driveway to form tandem parking as this will result in unnecessary manoeuvring on the highway as vehicles nearest Church Street are moved to allow others to exit.

In addition, the access should be regularized to provide a width of 4.0m with minimum 1.0m by 1.0m pedestrian visibility splays each side.”

Representations

22. None received.

Planning Comments - Key Issues

23. The key issues for consideration in the assessment of this application are whether the principle of a change of use of the garage to an occupational health and physiotherapy treatment room (Class D1) is acceptable in this location, and potential impacts on residential amenity, highway safety and character and appearance of Conservation Area.
24. It is noted that planning permission is only required for the proposed material change of use as a result of the hiring of staff that do not reside in the dwelling. If the scale of the use was reduced and only involved the employment of one person, being the occupier of the house, the use would be considered 'ancillary' to the domestic use of the dwelling and not require planning consent.

Change of Use from Residential to Consulting/Treatment Room for Occupational Health and Physiotherapy Clinic (Class D1)

25. Development Plan policies, in addition to Government guidance are supportive of the location of small-scale employment uses in predominantly residential areas, unless there is specific evidence of harm to adjacent landuses. The location of the use within a Conservation Area, does not by itself, preclude a change of use.

Residential Amenity

26. The proposed change of use is not considered to seriously harm the residential amenity of adjacent residential properties. The use is of modest scale and is setback from adjacent dwellings. I am of the view that the residential amenity of adjacent properties can be adequately protected through the use of conditions of consent.

Highway Impacts

27. The proposal is not anticipated to result in a significant loss of highway safety for vehicles travelling along Church Street. I am of the view that there is adequate scope on the site to provide at least four parking spaces, which should be adequate for the parking needs of the residential dwelling and proposed use. The applicant has been requested to provide an amended plan illustrating car parking layout and pedestrian visibility, in line with comments received from the Local Highways Authority.

Impacts on Character and Appearance of Conservation Area

28. The proposal will not have a significant impact on the character and appearance of the Conservation Area. The proposal will involve minor alterations to the appearance of the garage building to facilitate the proposed use. The garage to be converted is not visible from Church Street or any public view -point. In that respect, consideration has been given to the statutory requirements in respect to Conservation Areas, required under Section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990 (c.9), namely aimed at preserving or enhancing the character and appearance of conservation areas.

Recommendation

29. Subject to the receipt of car parking layout to the satisfaction of the Local Highway Authority, Delegated Approval (as amended by Drawing No. P1 franked 17th June 2005) with the following conditions:

Conditions of Consent

1. Standard Condition A - Time limited permission (Rc A)
2. The permanent space to be reserved on the site for turning, parking, loading and unloading of vehicles shall be provided before the use commences and thereafter maintained.
(Reason - In the interests of highway safety.)
3. Sc5f - Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas.
(Reason - To ensure detailing appropriate to the Willingham Conservation Area.)
4. SC9 - The use, hereby permitted, shall be carried on only as long as the residential property, known as 31 Church Street is occupied by the present or any future owner of the application premises or by an employee of such an owner working at the application premises.
(Reason - To protect the amenities enjoyed by the occupiers of 31 Church Street due to the proximity of that property to the application premises.)
5. SC35 - The number of employees working on the application site at any one time shall not exceed two.
(Reason - To ensure that the scale of the use does not generate a volume of traffic movements which would cause disturbance to adjoining residents or result in a loss of highway safety.)
6. SC40 - Notwithstanding the provisions of Regulation 3 and Schedule 2 of the Town and Country Planning General Development Order 1995 (or any order revoking or re-enacting that order), the premises shall not be used other than for a consulting/treatment room for occupational health and physiotherapy and no other purpose (including any other purposes in Class D1 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that order.
(Reason - To protect the amenities of adjoining residents.)
7. The use, hereby permitted, shall not be undertaken on the premises before 08.00 hours Monday to Saturday nor after 20:00 hours Mondays to Saturday (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason - To minimise noise disturbance to adjacent residents.)

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**

P2/2 (General Location of Employment)
P2/6 (Rural Economy)
P3/3 (Local Facilities and Services in Urban Areas)
P8/1 (Sustainable Development - Links between Land Use and Transport)

- **South Cambridgeshire Local Plan 2004:**
EM6 (New Employment at Rural Growth and Limited Rural Growth Settlements)
TP1 (Planning for More Sustainable Travel)

2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:

- Highway safety
- Impact on Character and Appearance of Conservation Area

Background Papers: the following background papers were used in the preparation of this report:

- Planning Policy Guidance Note 4: Industrial and Commercial Development and Small Firms
- Planning Policy Guidance Note 13: Transport
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files Ref: S/0788/05 and S/1851/01/F

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