DELEGATED REPORT

Recommendation Made: 6 September 2011

Reference:- 11/00617/COU **Parish:- Burbage Parish Council**

Applicant:- Mr James Bailey
9 Hinckley Road
Burbage
Hinckley
Leicestershire

Location:- 9 Hinckley Road Burbage Hinckley Leicestershire LE10 2AF

Proposal:- CHANGE OF USE FROM OFFICE AND RESIDENTIAL TO SOLE RESIDENTIAL USE

Introduction:-

This application seeks full planning permission for the change of use of an office and residential accommodation to solely residential use (Use Class C3) at 9 Hinckley Road, Burbage. A Planning Statement has been submitted to support the application that advises that the office use was approved in 1996 and involved the use of the living room and bedrooms. There have been no internal alterations as a result of the part office use and no external alterations are proposed as a result of the proposed change of use to solely residential.

The property is a three storey brick built property located within the centre of Burbage and within the Burbage Conservation Area. There is a mix of uses within the vicinity of the site including residential, retail, public house and St Catherine's Church opposite which is a Listed Building. There is a private amenity area to the rear of the property. There is no off-street car parking associated with the property.

History:-

95/00866/COU	COU to Offices and residential Accommodation	Approved	10.01.1996

Consultations:-

No objection has been received from:-

Director of Environment and Transport (Highways)
Burbage Parish Council
Head of Community Services (Pollution)
Head of Community Services (Land Drainage)

Ward Members have made no comments in respect of the application.

No response has been received from:-

Press notice
Site notice
Neighbours.

Development Plan Policies:-

National Planning Guidance

Planning Policy Statement 3: Housing

Local Policy

Local Development Framework Core Strategy 2009

Policy 4: Development in Burbage'

Hinckley and Bosworth Local Plan 2001

Within settlement boundary and local shopping centre of Burbage
Policy BE1: Design and Siting of Development
Policy BE7: Development in Conservation Areas
Policy T5: Highway Design and Vehicle Parking Standards

Burbage Village Design Statement

Appraisal:-

The main considerations in respect of this application are the principle of development and its impact on: the character and appearance of the existing building, wider street scene and Burbage Conservation Area; the amenities of the occupiers of neighbouring properties, highway safety and other issues.

The Principle of Development

The site is located within the settlement boundary of Burbage as defined in the Adopted Hinckley and Bosworth Local Plan Proposals Map and is not allocated for any specific uses. The loss of the premises for offices use is unlikely to have an adverse impact on employment potential within the town centre given the small scale use of the premises. The site is in a sustainable location for residential development close to the centre of the village, public amenities and transport. There is adequate private amenity space to the rear of the building to serve the dwelling. As a result, it is considered that there is a presumption in favour of development in this case, subject to all other planning matters being appropriately addressed.

Impact on Existing Building, Street Scene and Burbage Conservation Area

Notwithstanding the previous planning permission for change of use to offices, the building has retained the character and appearance of a three storey dwelling. There are no material changes being proposed to the external elevations of the building. As a result the proposal will return the building to its former sole residential use and will not have an adverse impact on its character or appearance or that of the wider street scene and will preserve the character and appearance of the Burbage Conservation Area. Therefore, it is considered that the proposed change of use will be in accordance with policies BE1 and BE7 of the adopted Local Plan and policy 4 of the adopted Core Strategy. The Borough Council's Conservation officer does not object to the application.

Impact on Neighbours

The application building is attached to other residential properties and commercial premises. The proposed change of use to a solely residential use is likely to be less intensive than a use including offices and result in less comings and goings to and from the property and less potential noise transfer from the property to adjacent dwellings. Therefore, it is considered that the proposed change of use will not result in any adverse impact on the amenity of the occupiers of neighbouring dwellings and will be in accordance with policy BE1 of the adopted Local Plan in respect of impact on neighbours. No objection has been received from the occupiers of any neighbouring dwellings.

Impact on Highway Safety

The property has no off-street car parking in common with a number of other residential properties within the vicinity of the site and the site occupies a central location within the village where public transport is also available. This situation is no different to the situation that endured when it operated as a dwelling house prior to the change of use to include office accommodation. Given the likely reduction in comings and goings resulting from the removal of the office use, the proposals will not have an adverse impact on highway safety. The Director of Environment and Transport (Highways) does not object to the application.

Other issues

New residential development within the Burbage area would normally require a contribution to be made towards the provision and maintenance of public children's play and open space facilities to comply with policy REC3 of the adopted Local Plan and the Council's SPD on Play and Open Space. However, until 2006 the property was a dwelling and has retained a residential element during its part office/part residential use therefore, in this case it is considered there is no reasonable case to support the play and open space contribution required in respect of any 'additional' residential unit.

Conclusion

The proposal would respect the character and appearance of the existing dwelling and the wider street scene and would preserve the character and appearance of the Burbage Conservation Area. The proposed change of use would not have an adverse impact on the amenities of the occupiers of neighbouring properties or highway safety. The proposal is therefore considered to be in accordance with Planning Policy Statement 3, policy 4 of the adopted Core Strategy and policies BE1 and BE7 of the adopted Local Plan and is recommended for approval subject to standard conditions.

RECOMMENDATION:- Permit subject to the following conditions:-

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would preserve the character and appearance of the Burbage Conservation Area and would not have an adverse impact on the character or appearance of the existing dwelling, the street scene, the amenities of neighbouring residents or highway safety and would therefore be in accordance with the development plan.

Hinckley & Bosworth Borough Council Local Development Framework Core Strategy (2009):- Policy 4

Hinckley & Bosworth Borough Council Local Plan (2001):- BE1 and BE7

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

2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Site Location Plan at 1:1250 scale and Floor Plans Drawing Nos. 650/95/1, 650/95/2, and 650/95/3 received by the local planning authority on 28 July 2011.

Reasons :-

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 For the avoidance of doubt and in the interests of proper planning.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

Contact Officer:- Richard Wright Ext 5894