

NORTH WALSHAM - PF/20/0444 - Change of use from retail use and residential flat to office and residential flat (sui generis); 15 - 17 Mundesley Road, North Walsham, NR28 0DA for Mr D Simpson

Minor Development
- Target Date: 08 May 2019

Case Officer: John Cosgrove
Full Planning Permission

SITE CONSTRAINTS

SFRA - Areas Susceptible to Groundwater Flooding
SFRA - Risk of Flooding from Surface Water + CC
LDF Tourism Asset Zone
LDF - Town Centre
LDF - Settlement Boundary
Conservation Area

RELEVANT PLANNING HISTORY

PLA/19861624 - 15 Mundesley Road.
First Floor Shop to Flat - Approved: 07/11/1986

PLA/19850861 - 17 Mundesley Road.
Change of Use of Ground Floor to Offices- Approved: 14/06/1985

THE APPLICATION

The application is for the change of use from a shop on the ground and part of the first floor of the property to an office which includes a conference room. The existing one-bedroom flat on part of the first floor.

REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllr N Lloyd for the following reason: "This constituency office is being brought to the town for the benefit of our MP who also happens to be a Member of this Council. It is my view that in the interests of transparency we should be seen to uphold the spirit of our constitution and let this application have a public hearing".

PARISH COUNCIL

North Walsham Town Council – objects due to loss of retail space.

REPRESENTATIONS

None received.

CONSULTATIONS

Norfolk County Council (Highway) - no objection.

Conservation and Design Officer - no response.

Environmental Health - no objection.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development may raise issues relevant to Article 8: The Right to respect for private and family life.
Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

CRIME AND DISORDER ACT 1998 - SECTION 17

The application raises no significant crime and disorder issues.

POLICIES

National Planning Policy Framework (NPPF):

Section 6 – Building a strong, competitive economy
Section 7 – Ensuring the vitality of town centres
Section 12 - Achieving well-designed places
Section 16 – Conserving and enhancing the historic environment

North Norfolk Core Strategy (adopted September 2008):

SS 1 - Spatial Strategy for North Norfolk
SS 5 - Economy
EN 4 - Design
EN 8 - Protecting and enhancing the historic environment
EC 5 - Location of retail and commercial leisure development
CT 5 - The transport impact of new development
CT6: Parking Provision

MAIN ISSUES FOR CONSIDERATION

- Principle
- Design
- Amenity
- Highways
- Heritage

APPRAISAL

Site Location and Description

The application site is located on the west side of Mundesley Road within the designated settlement boundary and designated Town Centre. The site contains a two-storey building finished in render and brick and contains a ground and first floor retail unit and a first floor flat. The area is characterised by two storey buildings in a range of architectural styles with a mix of commercial and residential uses evident. Ground floor retail uses are a particular characteristic of the area.

Principle of development

The application site lies within the settlement boundary and designated Town Centre policy area of North Walsham, as defined under Policy SS 5 of the adopted North Norfolk Core Strategy. Within this area, proposals to change the use of existing buildings to other appropriate town centre uses are considered to be acceptable in principle, subject to compliance with other relevant Core Strategy policies. The proposed development requires planning permission due to the existing mixed use of the first floor of the building.

Whilst the proposal would result in the loss of a retail unit, the building is within the Primary Shopping Area or within a Primary Retail Frontage. Furthermore, the proposed use is considered to closely align with the financial and professional services use class (A2) as the offices would be accessible by, and provide services to visiting members of the public, which is a use compatible with a town centre location. Therefore, the proposal is considered less harmful to the town centre than the conversion of the building to form private offices would be. As such, given the proposal replaces one town centre use with another, and while noting the Town Council's objection to the loss of a retail unit, subject to a condition restricting permitted development rights for the change of use of the entire building to residential use, the proposed development is not considered sufficiently harmful to justify the refusal of planning permission. Having regard to the above the proposal is considered acceptable in principle and policies SS 1, SS 5 and EC 5, subject to compliance with all other relevant Core Strategy policies.

Design

The application is for a change of use only with no changes being proposed externally or internally to the building. Any external advertisements would be dealt with under a separate application for advertisement consent if required. The proposed development complies with the requirements of Policy EN 4.

Amenity

As no alterations are proposed to the building, the proposed use should have no impact upon any nearby properties. As such, the proposed development complies with the requirements of Policy EN 4.

Heritage

Again, as no external alterations are proposed, the proposed change of use will not have a detrimental impact upon the character or appearance of the Conservation Area. As such, the proposed development would not have any adverse heritage impacts and complies with Policy EN 8 of the North Norfolk Core Strategy and Section 16 of the NPPF.

Highways, Access & Parking

The proposed change of use should not result in any increased use of the building. As such, there are no concerns regarding highway impact or parking provision, noting further the town centre location with public car parking and public transport options available. As such, the proposed development complies with Policies CT 5 and CT 6.

RECOMMENDATION:

It is recommended that the application be APPROVED subject to conditions relating to the matters listed below and any other considered necessary by the Head of Planning:

- Time limit for implementation
- Approved plans
- Restrict permitted development rights for change of use to residential.

Final wording of conditions to be delegated to the Head of Planning.