

3/09/0519/FP - Change of use from residential to office use at first floor of 13/13a Bridge Street, Bishops Stortford for Mr Neil Cooper of Coopers of Bishops Stortford

Date of Receipt: 23.04.2009

Type: Full

Parish: BISHOPS STORTFORD

Ward: BISHOPS STORTFORD - MEADS

RECOMMENDATION

That planning permission be **GRANTED** subject to the following conditions:-

1. Three year time limit (1T12)
2. Restriction of Use (buildings) (5U021)
Insert 'offices' and 'B1'

Summary of Reasons for Decision:

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular policies EDE3, STC5 and ENV1. The balance of the considerations having regard to those policies is that permission should be granted.

_____ (051909FP.MP)

1.0 Background

- 1.1 The application site is shown on the attached OS extract. It comprises the upper floor of the premises which is currently divided into two residential flats. The premises are located adjacent to the building currently occupied by Coopers, a large retail business, located towards the edge of the main shopping and commercial centre of Bishops Stortford.
- 1.2 The current application seeks planning permission to change the use of the two first floor flats into offices in connection with Coopers.
- 1.3 The applicant has submitted a supporting statement in respect of the proposal which states that:

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“At present we occupy 11 Bridge Street, with approximately 50 members of staff at any one given time. When we purchased the building 5 years ago, hardly any of the office space was in active use. Over the past 5 years we have sympathetically refurbished all of the office areas. We have now run out of space having even turned all stock rooms into offices. Currently we have five members of staff with desks sitting in unsuitable corridors/ locations.....

.....our very limited office space is now hampering our effectiveness as an organisation to operate to our potential and our future growth plans are stifled. In order for our company to move forward we are at a very important crossroads and we will be making a number of important decisions over the next couple of months based around having all our departments in one place so that they can effectively work together as one cohesive team.

When 13/13a Bridge Street came on to the property market, due to its proximity, we thought that we had found the perfect answer to our increasing office needs. As I am sure you are aware, 12 years ago, the upper floors were contained offices.

The upper floors of 13/13a Bridge Street have been grossly neglected and are in a very poor state of repair as is the whole of 13/13a Bridge Street. We propose to sympathetically repair the whole building, taking it back to a fully working building appropriate of a historical market town like Bishops Stortford and help bring back some of the bustling life to our High Street.”

- 1.4 The application is being reported to the Development Control Committee as the proposal would be contrary to policies EDE3 and STC5 of the Local Plan.

2.0 Site History

- 2.1 E/56/448, Conversion of store room into showroom (Approved)
- 2.2 3/83/0937/FP, 3/83/0936/LB, Conversion of single shop premises into 2 units and formation of office over (Approved with conditions)
- 2.3 3/89/1560/FP, Removal of door and window and replace with roller shutter (Refused)
- 2.4 3/96/0934/AD, Non illuminated projecting sign (Approved with conditions)

3.0 Consultation Responses

3.1 No consultation responses have been received

4.0 Town Council Representations

4.1 At the time of writing this report, no representation has been received from Bishops Stortford Town Council.

5.0 Other Representations

5.1 The applications have been advertised by way of press notice, site notice and neighbour notification.

5.2 No letters of representation have been received at the time of writing this report.

6.0 Policy

6.1 The relevant policies in this application include the following:-

SD2	Settlement Hierarchy
EDE3	Employment Uses Outside Employment Areas
ENV1	Design and Environmental Quality
STC5	Conversion of Dwellings to Commercial Uses

6.2 In addition to the above it is considered that Planning Policy Statement 1 (PPS1): Delivering Sustainable Development, and the consultation draft of new Planning Policy Statement 4: Planning for Prosperous Economics (PPS4) are relevant to the considerations within this application.

7.0 Considerations

7.1 The premises are located within the built up area of Bishops Stortford, wherein there is no objection in principle to development. However, the main planning considerations in this case relate to policy and the potential impact that would arise from the loss of these two residential units from the town centre.

7.2 Policy STC5 states that planning permission for the conversion of existing vacant or occupied dwellings into commercial uses “will be refused where such premises are suitable for continued or renewed residential use”.

- 7.3 The reasoning behind such a policy is outlined within the preface to that policy. This indicates that the provision and maintenance of residential uses above retail uses within the town centre is beneficial in terms of environmental sustainability, economic regeneration, security and the conservation of the Districts Heritage. Furthermore, the retention of these units would of course generally be in accordance with PPS 3: Housing, which seeks the retention of existing dwellings.
- 7.4 The proposed change of use of these two units from residential to office use would reduce the mix of uses in the area and would thereby be contrary to policy STC5 of the Local Plan. However, this potentially negative impact on the town centre should be weighed against other aims and policies of the Local Plan which acknowledge the importance of supporting and encouraging businesses that provide local employment opportunities and broaden the base of the local economy.
- 7.5 Policy EDE3 of the Local Plan outlines that within the built up area of Bishops Stortford, proposals for employment use may be permitted subject to a number of criteria. Criterion a) of that policy however, again states that an employment use will not be permitted where it would result in the loss of satisfactory residential accommodation. In this instance Officers consider that the residential use of the premises would be able to be continued (although it is acknowledged that some repair/refurbishment may be required). The proposal therefore also fails to meet the requirements of that policy.
- 7.6 Notwithstanding that, Officers consider that the benefits of supporting this local employer are an important material planning consideration in this case and members should consider whether this consideration is sufficient to outweigh the policy presumption against the development as expressed in policies STC5 and EDE3.
- 7.7 Officers consider that the recently issued consultation draft of Planning Policy Statement 4 is of assistance in this consideration. It highlights that, in determining applications for economic development, local planning authorities should consider such proposals favourably unless there is good reason to believe that the social, economic and/or environmental costs of development are likely to outweigh the benefits and that they should take a constructive approach to changes of use where there is no likelihood of demonstrable harm.

- 7.8 Although this is of course only draft guidance at this stage and it could be argued that limited weight should be attached to it, officers are of the view that it nevertheless represents a material planning consideration in this case and highlights the need for the benefits of economic development to weighed carefully against any harm that would result from such a proposal.
- 7.9 In this case, the applicant has submitted a supporting statement that clearly identifies the need for additional office space to support the existing business. Indeed, the applicant indicates that without such additional office space, the efficiency of the business is threatened. This is also clearly a material planning consideration of some significance to employment in the area.
- 7.10 In contrast, the loss of two small residential units within the town centre is, in the view of officers, unlikely to have a significant detrimental impact on the provision of such accommodation in the town centre or the vitality or security of the centre. There has, for example, been significant provision of residential accommodation within the town centre over recent years with the major development at Jackson Square for example and officers consider that the mix of uses in the town centre as a whole ensures that it protects and enhances the vitality of the area at times when the shops and businesses are closed.

8.0 Conclusion

- 8.1 The proposed change of use of these two residential flats to offices would be contrary to policies STC5 and EDE3 of the Local Plan. However, officers consider that the impact resulting from the loss of the two units would not be significant in terms of the overall provision or mix of housing in the town or in terms of the vitality of the area. It is also considered that there are other material planning considerations in this case which outweigh the policy objections to the development in any event. These considerations relate to the need to support an existing local business which provides valuable local employment and Officers consider that emerging government guidance supports this objective where a proposal does not result in significant harm to an area.
- 8.2 It is therefore recommended that planning permission be granted subject to the conditions stated at the head of this report.