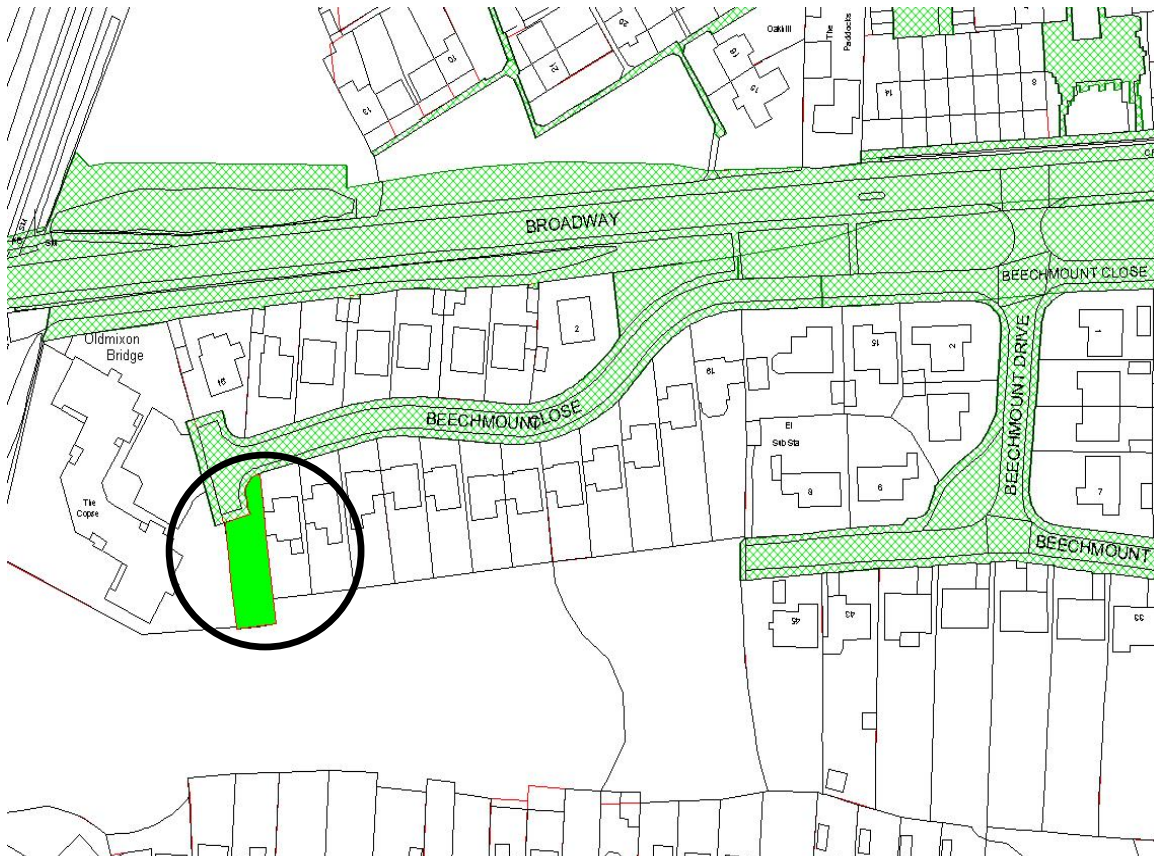


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|---|--|
| <b>APPLICATION NO: 16/P/1768/F</b>  | <b>CASE OFFICER: Owen Gore</b>                     |
| <b>APPLICANT: Partnership in Care (2016)<br/>Limited 04063391</b>   | <b>Extended expiry date: 20<br/>September 2016</b> |
| <b>PARISH/WARD: Weston-super-<br/>Mare/Weston-super-Mare Uphill<br/>WARD COUNCILLOR(S):<br/>Cllr A P Bryant<br/>Cllr J Ley-Morgan</b> | <b>TARGET DATE: 29 August 2016</b>                 |
| <b>SITE ADDRESS: 43 Beechmount Close, Weston-super-Mare, BS24 9EX</b>   |  |

**LOCATION PLAN:** The following plan shows the general location of the site only and is for illustrative purposes. The circle identifies the location of the site and is not a representation of the site boundaries. The site boundaries and other details submitted with the application can be viewed on the council's website at [www.n-somerset.gov.uk](http://www.n-somerset.gov.uk). This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationery Office © Crown copyright and database rights 2016 Ordnance Survey 100023397. You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form



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10. **Section 2: 16/P/1768/F Change of use from residential dwelling (C3) to office and storage (B1) associated with the use of the adjacent rehabilitation facility at 43 Beechmount Close, Weston-super-Mare, BS24 9EX**

**REFERRED BY COUNCILLOR BRYANT**

**Summary of recommendation**

It is recommended that the application be **APPROVED** subject to conditions. The full recommendation is set out at the end of this report.

**The Site**

The site is located on the south side of Beechmount Close, to the south of Weston-super-Mare, in a predominantly residential area and immediately adjacent to the Copse which is also in the ownership of the applicant. The site comprises a two storey, three bedroom detached dwelling with integral garage and front and rear gardens and front driveway. To the rear of the site is a wooded area which is subject to a Tree Preservation Order.

**The Application**

Full permission is sought for the change of use of the existing residential dwelling (C3) at 43 Beechmount to offices and meeting/training rooms (B1) associated with the use of the adjacent facility.

No external alterations have been proposed.

**Relevant Planning History**

**No.43 Beechmount**

| <b>Reference</b> | <b>Proposal</b>                                  | <b>Decision</b>         |
|------------------|--|-------------------------|
| 1237/85          | Erection of twelve detached houses with garages. | Approve with Conditions |

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The Copse

| <b>Reference</b> | <b>Proposal</b>  | <b>Reference</b>           |
|------------------|--|----------------------------|
| 15/P/2872/F      | Construction of a single storey extension to create a reception area, within an existing brick feature | Approve with Conditions    |
| 14/P/1954/LUP    | Certificate of lawful use proposed for the use as an inpatient rehabilitation unit Class C2            | Approve without conditions |

**Policy Framework**

The site is affected by the following constraints:

- Within the settlement boundary for Weston-super-Mare

**The Development Plan**

**North Somerset Core Strategy (NSCS) (adopted April 2012)\***

The following policies are particularly relevant to this proposal:

| Policy Ref | Policy heading  |
|------------|---|
| CS10       | Transport and movement  |
| CS11       | Parking   |
| CS12       | Achieving high quality design and place making                        |
| CS26       | Supporting healthy living and the provision of health care facilities |
| CS28       | Weston super Mare   |

**\* Core Strategy - High Court Challenge**

Following a legal challenge to the adopted Core Strategy, Policy CS13 (housing requirement) was remitted back to the Planning Inspectorate for re-examination. In addition, Policies CS6, CS14, CS19, CS28, CS30, CS31, CS32, CS33 were also remitted on the grounds that should the housing requirement be increased, then this may have consequences for one or more of these policies. All other policies remain adopted. Policy CS13 was approved by the Secretary of State on 18 September 2015 and forms part of the development plan. The examination of the other remitted policies is currently taking place.

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**The Sites and Policies Plan Part 1: Development Management Policies (adopted 19 July 2016)**

The following policies are particularly relevant to this proposal:

| Policy | Policy heading   |
|--------|--|
| DM24   | Safety, traffic and provision of infrastructure etc. associated with development |
| DM28   | Parking standards  |
| DM41   | Nursing and care homes for older people and other vulnerable people              |
| DM47   | Proposals for economic development within towns and defined settlements          |

**Other material policy guidance**

**National Planning Policy Framework (NPPF) (March 2012)**

The following is particularly relevant to this proposal:

| Section No | Section heading                        |
|------------|--|
| 1          | Building a strong, competitive economy |
| 7          | Requiring good design                  |

**Supplementary Planning Documents (SPD) and Development Plan Documents (DPD)**

- Residential Design Guide (RDG1) Section 1: Protecting living conditions of neighbours SPD (adopted January 2013)
- North Somerset Parking Standards SPD (adopted November 2013)

**Consultations**

Copies of representations received can be viewed on the council's website. This report contains summaries only.

Third Parties: 6 letters of objection have been received. The principal planning points made are as follows:

- Parking on the pavement, making wheelchair use of the pavement impossible
- Residential home has had a detrimental effect on residents lives due to the amount of traffic and staff members speeding,

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- Large delivery lorry using private residential driveways to turn around in as its driver is not able to reverse down a residential street, object to potential speed bumps
- Noise and anti-social behaviour and constant visits from the police

**Weston-super-Mare Town Council:** No comments received at time of writing report.

### Principal Planning Issues

The principal planning issues in this case are (1) the principle of the change of use, (2) parking and highway safety, (3) character and appearance, (4) setting of a listed building and (5) other matters raised by neighbours.

#### **Issue 1: The principle of the change of use**

The proposal is for the change of use of a 3 bedroom property from a residential dwelling (C3) to office and storage (B1) associated with the use of the adjacent rehabilitation facility. The property sits outside the boundary of the facility, but is adjacent to it, south of the main gate.

The application is to change of use of the building to provide additional office space to support the administration of the Copse. The applicant indicated that currently the existing staff are operating in cramped conditions within the facility, with one office which is approx. 12sqm that is shared between 2 admin staff and a second general office which is approx. 16sqm that is used by the remaining 8 office based staff. This proposal will allow them to move part of the administration team and improve the working environment. The proposal is not intended to support an expansion or an increase in staff numbers and the applicant has confirmed that the current offices will remain as offices and will not be used for any additional bed spaces.

The principle of creating B1 office space in a residential area is acceptable under policy DM47, as is development to provide improvements to the existing rehabilitation facilities under policy DM41, so long as the proposal meets the criteria within these policies.

The proposal is not considered have an unacceptable environmental effect or harm the character or amenity of the area; or lead to unacceptable adverse harm on the living conditions of existing and proposed residents. The proposal will provide improved facilities for existing staff and is not intended to increase staff numbers, therefore the development is not considered to give rise to increased levels of vehicular traffic, or on-street parking, to the detriment of highway safety. The proposal is therefore in line with policy DM47.

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Policy DM41 is also relevant despite the fact that extra capacity for residents has not been proposed. This policy states that planning permission will be granted for extensions provided 'the proposal is within a defined settlement boundary or is a conversion of an existing property or on previously developed land; and the proposals itself or in conjunction with other similar uses or proposals nearby, will not harm the overall environmental, social or economic character of the surrounding area and/or character and amenities of adjacent properties.

In this respect, the proposal will not alter the look of the building and will not be amalgamated into the wider site that forms The Copse. It is considered that this change of use will not detrimentally impact the character of the surrounding area and/or character and amenities of adjacent properties and will comply with policies DM47 and DM41.

**Issue 2: Parking and highway safety**

This proposal is not intended to support the expansion of the facility or increase the number of staff, therefore it is considered that this proposal will not have any measureable effect upon the existing traffic volume and road safety. The proposal will increase the current level of parking, therefore will not lead to a significant or detrimental increase in on-street parking.

**Issue 3: Character and appearance**

No external alterations have been proposed in this application, therefore the proposal would not unacceptably harm the characteristics of the existing building or the character of its surroundings. The proposal will not alter the look of the building and will not cause the building to be amalgamated into the wider site that forms The Copse. In this respect, the proposal complies with policy CS12 of the Core Strategy policies DM32, DM41 and DM47 of the Sites and Policies Plan (Part 1).

**Issue 4: Setting of Listed Building**

The proposal does not affect the setting of any listed buildings.

**Issue 5: Other matters – Comments made by the neighbours**

The comments made by the neighbours have been considered and the principle of the change of use, parking and highway safety, and the character and appearance are dealt with under sections 1, 2 and 3 above.

Other matters raised relate to the existing use of The Copse facility, namely noise, anti-social behavior, visits from the police and potential use of speed

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bumps; however each application must be decided on its own merits and these matters do not relate to this proposal.

Similarly, the future purchase of further properties in this road by this company carries no weight in the consideration and determination of this planning application.

### **Natural Environment and Rural Communities (NERC) Act 2006**

The proposed development will not have a material detrimental impact upon biodiversity.

### **The Crime and Disorder Act 1998**

The proposed development will not have a material detrimental impact upon crime and disorder.

### **Conclusion**

**RECOMMENDATION: APPROVE** (for the reasons stated in the report above) subject to the following conditions:-

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the approved plans and documents to be listed on the decision notice.

Reason: For the avoidance of doubt and in the interest of proper planning.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order revoking and re-enacting that Order, with or without modification), and the Schedule to 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 with or without modification, the use hereby approved shall be restricted to a B1 office and storage use associated with the adjacent The Copse use and it

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shall not be used as an independent office and storage use or by another company.

Reason: The Local Planning Authority wishes to retain control over the use of the premises as an independent office and storage use (B1) would not normally be allowed in this area and in accordance with policies DM41 and DM47 of the North Somerset Sites and Policies Plan Part 1.