

**REPORT TO THE DEVELOPMENT CONTROL
COMMITTEE**

Report No.

Date of Meeting	14th May 2008
Application Number	08/00635/S73A
Site Address	48 Pavenhill, Purton
Proposal	Change of use of certain rooms to office use
Applicant	Mrs Tatara-Mills
Town/Parish Council	Purton
Grid Ref	407985 187566
Type of applications	S73A (Retrospective)

Reason for the application being considered by Committee

This application has been submitted to the Committee for decision under the scheme of delegation in force after the 8th April 2002 because more than five letters of objection have been received

Summary of Report

This report is prepared to enable consideration of the acceptability of a change of use application for part of a residential property to office use. Key points to consider are as follows:

- Implications on DC Core Policy C3 and Policy CF1
- Principle of development
- Parking and access
- Residential amenity

Officer Recommendations

Planning Permission be GRANTED subject to conditions.

Contact Officer	Simon T. Smith	01249 706633	ssmith@northwiltshire.gov.uk
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Proposal and Site Description

Large detached red-brick residential property on elevated ground (in common with neighbouring properties) fronting Pavenhill, but with access to rear from Restrop View, Purton. The Proposal is to use certain rooms within the house for the applicants financial consultancy business. Three part-time staff are employed on the site.

Rooms to be used as offices are lounge and garage at ground floor and two bedrooms at first floor level. The split between office and residential use would be similar. It is understood that the applicant would continue to reside on the site.

The commercial use is understood to have been carried out on the site for some years.

Planning History		
Application number	Proposal	Decision
None of relevance		

Consultations

The Parish Council - Comments not yet received

Wiltshire County Council Highways - *"The office use is low key and related to the occupants of the dwelling. Provided this link continues there is no highway objection."*

Representations

Five letters of objection received. Issues raised :

- Roads in area are narrow
- Vehicles parking at this address are forcing other residents to park in narrow roads opposite
- Double garage has been converted thus reducing off-street parking provision
- Volume of traffic has increased because of business uses in the area
- One-way system should be introduced
- Employees do not walk to work and visitors to the business also park cars in vicinity

Planning Considerations

Principle of development

This proposal goes beyond a simple "work from home" type arrangement since the business supports employees, who travel to the site. The change of use therefore constitutes "development" and requires planning permission.

The principle of the creation of small-scale business development within the Settlement Framework Boundaries of villages is supported by Policy BD4 of the adopted North Wiltshire Local Plan 2011.

Clearly, the acceptability of the detail of any such proposal must also be assessed against the provisions of the general development control core Policy C3.

Parking and access

The application site is and would remain part of a residential property, which retains vehicular access and limited space to park cars off the road from Restrop View. The double garage on the site has been converted to office accommodation and is therefore unavailable for the parking of cars. However, this is common to many conventional residential properties.

Although supporting documentation with the application states that employees walk to work, representations received state otherwise and that visitors to the business also arrive by car. Given the relatively small scale of the proposal and the continued residential occupation of No.48 by the applicant, it is not thought necessary for the local planning authority to determine which is true.

The concerns of local residents over the difficulties in parking are understood. However, in the absence of any support from WCC Highways for this view, it is not thought reasonable to refuse planning permission on highway safety alone.

Residential amenity

Office space would fall within the B1 Business use class, which is generally regarded as a range of activities that could be carried out within residential areas without impacting upon the amenities of neighbouring residents. Nevertheless, it is considered reasonable to impose a condition that would specifically limit the type of commercial activity to office use only.

There is no suggestion that the applicant has any intention other than to continue to occupy the remainder of the building as their residence. Nevertheless, for the avoidance of doubt, and to address any potential for future disturbance to occupiers, it is suggested that a condition is also imposed that would ensure that the commercial floorspace is only owned or leased by those residing at No.48. This would also have the effect of restricting the use of the commercial floorspace by a third party, which would potentially increase the demand for parking in the locality.

Recommendation

Planning Permission be GRANTED subject to the following conditions:

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out strictly in accordance with the approved plans subject to such minor amendments to the development as may be approved in writing under this condition by the local planning authority.

Reason: To ensure that the development is implemented in accordance with this decision in the interests of public amenity, but also to allow for the approval of minor variations which do not materially affect the permission.

3. The office use hereby permitted shall only be operated and occupied by the residential occupiers of the dwelling known as No.48 Pavenhill, and by those persons directly employed by the residential occupiers. Other than those rooms specifically identified by the submitted plans, no other rooms within the property shall be used for commercial purposes unless otherwise agreed in writing in the form of a separate planning permission in that behalf.

Reason: For the avoidance of doubt, in light of limited off-street parking, and to prevent any potential impact upon the amenities of neighbouring residents.

4. The rooms identified by the submitted plans shall be used only for office type accommodation only and for no other purpose, including any other use that may be permitted within Class B1 of the Town and Country Planning (Use Classes) Order 1987, as amended.

Reason: In the interests of residential amenity.

Informatives

1. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan References

Site location plan
C02908 01 rev.0

Both dated 14th March 2008

Reason for Decision

The proposed development will have no adverse impact upon interests of residential amenity or highway safety and is considered to accord with the provisions of Policies C3 and BD4 of the adopted North Wiltshire Local Plan 2011.

Appendices:	NONE
Background Documents Used in the Preparation of this Report:	1.20; 2.02; 4.02