

AGENDA ITEM NO: 8/2(c)

Parish:	Castle Rising	
Proposal:	Retrospective application for change of use from art and craft tuition centre with ancillary sales to fashion (ladies) retail	
Location:	The Old School House Lynn Road Castle Rising King's Lynn	
Applicant:	Mrs Cheryl Daubney	
Case No:	15/00544/CU (Change of Use Application)	
Case Officer:	Miss J Kendal Tel: 01553 616772	Date for Determination: 2 June 2015

Reason for Referral to Planning Committee – The applicant is the spouse of a Councillor.

Case Summary

The application site contains a two storey building which is classified as an important unlisted building situated on the western side of Lynn Road, Castle Rising.

The proposal seeks retrospective consent for a change of use from an Art School to a retail unit (ladies fashion).

The application site lies within Built Environment Type C as depicted within the Local Plan Proposals Maps for Castle Rising.

Key Issues

Principle of Development
Impact upon Amenity
Highway Safety

Recommendation

APPROVE

THE APPLICATION

The site lies within an area designated as Built Environment Type C according to Local Plan Proposals Maps for Castle Rising, as well as the Castle Rising conservation area. The whole of Castle Rising is within the Norfolk Coast Area of Outstanding Natural Beauty (AONB).

Castle Rising is classified as a "Rural Village" according to Policy CS02 of the Local Development Framework Core Strategy. Development within these villages is limited to minor development which meets the needs of the settlements and helps to sustain existing services.

The site comprises part of a former school building located on the western side of Lynn Road, Castle Rising. The building is elevated above the road level. The ground floor area of this part of the school building shown on the submitted plan is the subject of this change use application. The Art studio operated from this part and the adjoining southernmost part of the school building. The remainder of the Art Studio use is also subject to a change of use application, 15/00430/CU for hairdressers, which is also on this agenda. A carpark is located to the west (rear) of the site and vehicular access is shared with other adjacent commercial uses to the south of The Old School House building.

The proposal seeks retrospective change of use from an Art School to ladies fashion retail (A1). There are no external changes proposed as part of the application. There are two part time employees working at the premises and the opening hours are between 10am and 4:30 Monday to Saturday.

SUPPORTING CASE

Due to the scale and nature of the proposal, there is no supporting case submitted with the application.

PLANNING HISTORY

2/93/0415/CU: Application Permitted: 10/05/93 - Change of use to art and craft tuition centre with ancillary sales - Unit 2, The Old School House

15/00430/CU: Pending Consideration: - Change of use from an art school to a hairdressers - The Old School House (South Wing), Lynn Road, Castle Rising

RESPONSE TO CONSULTATION

Parish Council: SUPPORT

Highways Authority: NO OBJECTION subject to conditions:

It is the highway view that a build-out should be provided to the side of the existing access so that visibility can be brought in line with current standards. We would be looking to have such a build-out designed to be as small as practically possible while remaining safe and functional, so that it can remain in keeping with the environment in which it would be located.

I have attached a photograph which was taken during my site visit which demonstrates our concern in respect of the existing access visibility.

In respect of the above I recommend the following conditions:

SHC 39A Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works (build-out to aid visibility to the north of the existing access) have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.

SHC 39B Prior to the commencement of the use hereby permitted the off-site highway improvement works referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure that the highway network is adequate to cater for the development proposed.

In relation to car parking and access mentioned previously for this site, I would welcome your clarification that such could be provided and maintained for the life of the applications.

REPRESENTATIONS

None received.

NATIONAL GUIDANCE

National Planning Policy Framework – sets out the Government's planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

PLANNING POLICIES

The King's Lynn and West Norfolk Local Plan (1998) contains the following saved policies that are relevant to the proposal:

4/21 - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS03 - King's Lynn Area

CS08 - Sustainable Development

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

OTHER GUIDANCE

Castle Rising Conservation Area Character Statement

PLANNING CONSIDERATIONS

The key considerations in the determination of this application are:

- Principle of Development
- Impact upon Amenity
- Highway Safety Issues

Principle of Development:

The site is contained within an area which is designated as Built Environment Type C according to Local Plan Proposals Maps for Castle Rising. Development which has regard for and is in harmony with the building characteristics of the locality will be permitted in Built Environment Type C provided it relates to the older usually pre 1914 development forms.

The site is also within the Castle Rising Conservation Area, where development must preserve or enhance its character or appearance.

Castle Rising is also a "Rural Village" according to Policy CS02 of the Local Development Framework Core Strategy. "Rural Villages" can accommodate limited minor development where it meets the needs of settlement and helps to sustain existing services in accordance with Policy CS06.

Paragraph 28 of the National Planning Policy Framework states that, "in order to promote a strong rural economy, planning should look to promote the retention and development of local services and community facilities in villages."

It is therefore considered that the proposed change of use is acceptable in principle subject to satisfying other material considerations.

Impact upon Amenity:

The proposed retail use is located within a cluster of small businesses operating from Castle Farm barn.

The nearest residential neighbours to the site are no. 38 (south) and 39 (opposite) Lynn Road. These neighbours are not considered to be detrimentally affected from the proposed use.

There are no external changes proposed, and there is no detrimental impact upon the conservation area or indeed the Area of Outstanding Natural Beauty.

Highway Safety:

There is a large shared parking area that serves the commercial uses to the rear of the premises.

The Highways Officer requires a condition to be imposed on this and the other change of use application, to improve the overall access point.

There is concern from the Highways Officer that the overall site is growing to a level where improvements are needed. However, it does seem unreasonable that these applications should be required to improve access, given their small scale, the fact the access point is located on a one-way road, and the fact these uses replace existing traffic generating uses.

In line with paragraph 005 of the National Planning Practice Guidance it is your officer's opinion that the highways officer request would not meet the test of reasonableness, and as such it is recommended that the conditions are not imposed on the proposed uses.

CONCLUSION

Whilst there are no amenity issues that are likely to arise from the proposal Members are being asked to consider whether the highways officer's requirements are reasonable. However it is your Officers opinion that for the reasons set out above this application would not warrant additional access improvements.

In accordance with the NPPF, which has a presumption in favour of sustainable development and seeks to support rural communities and businesses, the proposal is therefore recommended for approval.

RECOMMENDATION:

APPROVE subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted relates to the following approved plans; Ordnance Survey Plan, scale 1:1250; and Ground Floor Plan, both received on the 7th April 2015.
- 1 Reason For the avoidance of doubt and in the interests of proper planning.