



Application Number: 2014/1326

Location: 74 Main Street, Lambley, Nottinghamshire



NOTE:

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Report to Planning Committee

Application Number: 2014/1326

Location: 74 Main Street, Lambley, Nottinghamshire

Proposal: Change of Use to Residential (C3) and External Alterations.

Applicant:

Agent:

Case Officer: David Gray

Site Description

Number 74 Main Street Lambley is located to the south side of Main Road in a prominent central location within the Lambley Conservation Area and the infill boundary of Lambley Village.

The application site is a two storey semi-detached dwelling. The ground floor is currently an A1 retail outlet that up until October 2014 was in use as a hairdresser. The first floor level is residential accommodation. The property shares a driveway with both 74 and 76 Main Street.

Relevant History

In May 1977 planning permission was refused for an extension to form a new kitchen, extend lounge, new bedroom, new bathroom and landing (Ref: 77/0069). The reasons for refusal were:

- In the opinion of the Borough Council the proposed extension is of an unsatisfactory design and would be out of character with the existing dwellinghouse;
- The proposed extension would be an obtrusive feature in the street scene and would be detrimental to the visual amenity of this important part of the Lambley Conservation Area.

Proposed Development

The relevant planning history on the site shows that planning permission was refused for the residential extension of the dwelling in May 1977 and there is no further relevant planning history on the site. This indicates that in 1977 the ground floor of the premises was in residential use. The ground floor of the premises was last in use as a hairdresser which falls under Use Class A1 when referring to the Town and Country Planning Use Class Order. I understand that the current use as a

hairdresser has been continuous for a period of over 10 years (18 years) and therefore on this basis it is likely to be in A1 use. The only legal mechanism to establish this is through an application for a Certificate of Lawfulness.

Given that the unit was used as an A1 hairdresser for a continuous period of over 10 years planning permission is now required for the change of use of the ground floor unit from (A1) retail to the previous (C3) use as a dwellinghouse.

The proposal also includes the removal of the shop front window and door at the ground floor and the installation of a first floor window on the gable end.

At ground floor level, off set from the gable end, there is also proposed an additional ground floor window replacement with French Doors and, the replacement of a front door with a new window.

The tiles and external weathered brickwork is to be replaced to match the neighbouring.

The application details that the ground floor retail element of the site is currently 24.5sqm.

Consultations

Neighbours - Local residents have been notified by letter and the application has been advertised on site, and in the local press. I have received two letters of objections.

The comments relate to how the loss of an A1 unit would be detrimental to the village in general.

Prior to the submission of the present application there was a pre application process completed. During this time there was a petition submitted against the proposed change of use.

One letter of objection during the time frame of the present application raised the fact that there was a 500 plus signature petition against the application, however the actual number dated 402. There was also a further 5 letters outlining written opposition to the application prior to the Planning Application.

Following on from the Delegated Members Panel 5 letters of representation have been received in support of the application. The comments relate to the improvements to the external elevations of the property having a positive visual impact on the conservation area.

Lambley Parish Council, object to the proposal for the following reasons:

- The Post Office was refused change of use so this should be treated the same;
- There have been lots of objections from villagers;
- They object to the loss of amenity in the village;

- Loss of a shop.

English Heritage –

The recommendation was that the application should be determined in accordance with national and local policy guidance, on the basis of specialist conservation advice.

Nottinghamshire County Highway – No objection to the proposed application subject to a condition requiring the window that fronts the public highway not to open out over the adopted footway.

Policy – No objections to the proposal.

Planning Considerations

The main planning considerations in the determination of a planning application of this nature would be the impact of the loss of the hairdressers on Lambley Village and the visual impact of the renovations to the property and its relationship to the setting of the Conservation Area.

At the national level the National Planning Policy Framework (NPPF) (March 2012) is relevant. At the heart of the NPPF there is a presumption in favour of sustainable development. The NPPF sees good design as a key element of sustainable development. Paragraphs 126 – 141 are particularly relevant to this application and relate to ‘Conserving and enhancing the historic environment’.

At the local level the following policies of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008) are relevant:

- Policy ENV1 (Development Criteria)
- Policy ENV15 (New Development Within The Conservation Area)
- Policy ENV30 (Development Within Defined Infill Boundaries of Green Belt Wash Villages)
- Policy C4 (Loss of Community Facilities)
- Policy H11 (Conversion and Change of Use to Residential Accommodation)

Policies ENV1 requires development to be of a high standard of design, in keeping with the scale and character of the existing dwelling and wider area, and should not cause unacceptable harm to the amenity of neighbouring residents and allow for the safe and convenient access and circulation of pedestrians and vehicles.

Policy ENV15 states:

Development in a Conservation Area will only be permitted if all the following are met:-

- a. The siting and design of proposals respects the character and appearance of the Conservation Area, taking into account existing features such as important

- open spaces and trees.
- b. Important open areas, as identified on the proposals map are retained;
 - c. The scale, design and proportions of proposals are sympathetic to the characteristic form in area and compatible with adjacent buildings and spaces;
 - d. It does not cause the loss of features of historic or characteristic value such as the street pattern, boundary walls and street furniture unless the contribution of the proposed development would outweigh the contribution of the historic or characteristic features; and
 - e. The use and application of building materials and finishes respects local traditional materials and building techniques

Policy ENV30 states, inter-alia: - extensions (and alterations) to existing buildings will be permitted provided the proposals would not adversely affect the residential amenities of neighbouring properties or the appearance of the village.

I am of the opinion the scale and design of the proposed changes to the building, takes careful consideration to the appearance of the street scene and traditional character of the host building. The architectural style and rhythm of the existing building has been maintained in relation to the proposed alterations, both at ground floor and first floor levels.

In my opinion the renovations are proportionate to the building and would be a welcome improvement to a building which is currently in a state of poor repair in a prominent position within Lambley Conservation Area.

In my view, the appearance of the village and the Conservation Area will not be adversely affected by the proposed changes. The building is in need of renovation and the changes will enhance the visual exterior and subsequently the Conservation Area. I do not consider that the proposal would result in any significant harm to the amenities of the residents of adjoining properties by virtue of any undue overshadowing, overbearing or overlooking impacts.

Policy C4 states, 'Planning permission will not be granted if development would lead to the loss of community facilities resulting in increased car journeys to the next facility.'

The sub-text of the above policy states inter-alia: 'As well as the need to retain those community facilities described under policies C1, C2, and C3, other facilities including public houses, shops and Post Offices in rural locations should also be retained.'

Paragraph 28 of the National Planning Policy Framework (March 2012) states inter-alia that to promote a strong rural economy, local and neighbourhood plans should promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

Whilst I note that a hairdresser is not directly listed as a community facility given its use class is A1 (Retail) I do consider that policy C4 is relevant in this instance.

The applicant has stated that the current hairdresser has moved into the Arnold Area and cites that this is accessible via the subsidised Nottingham City Transport bus service which runs through the village.

Whilst the loss of the A1 unit could potentially generate additional car journeys going to and from the area to next hairdressing facility, in my view, the existing site is far from ideal to host an A1 retail premises. This is based on two main areas of concern one being the limited size of the unit (24.5sqm) and also a lack of off street parking serving the premises. In my opinion the change of use is unlikely to generate a significant increase in car journeys and there are alternative facilities on good public transport routes. I therefore, do not consider the loss of the hairdressers in this instance would warrant the refusal of this application.

Policy H11 relates to the conversions and change of use to residential. It states, that within 'defined village envelopes, planning permission will be granted for the conversion of houses to flats and for changes of use of other buildings to residential provided:

- a. all dwellings are self-contained with independent access arrangements;
- b. the proposal would not cause unacceptable harm to the amenities of nearby residents;
- c. appropriate provision of parking is made.

Careful consideration has been made to the design of the renovations in order to reflect the design of the other properties within the terrace. In my opinion, the renovations would enhance the appearance of the Conservation Area.

I am also satisfied that there would be no undue impact on the residential amenity of neighbouring properties given the existing use of the site and the location within a predominantly residential area.

In my opinion, given the considerations above, the proposed renovations to the property, to maintain the fabric of the building in a prominent location within the Conservation Area would, on balance, outweigh the harm to the Community with the loss of a hairdressing salon.

I consider the proposal to accord with Policies ENV1, ENV15, ENV30, C4 and H11 of the Gedling Borough Council Replacement Local Plan (Certain Saved Policies) 2008 and Government advice contained within the NPPF. I would therefore recommend that Planning Permission be granted.

Recommendation:

Grant Conditional Planning Permission

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.

2. The existing detached outbuilding located to the North of the dwellinghouse, shall only be used for purposes ancillary to the main dwellinghouse.
3. The window fronting onto the public highway shall not open out over the adopted footway.
4. The development hereby permitted shall be carried out in accordance with the submitted plans, named 'Proposed plans and elevations', drawing no. 0002 deposited on the 20th January 2015.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. No opening windows/structures should open over the adopted highway/footway.
4. For the avoidance of doubt.

Reasons for Decision

In the opinion of the Borough Council the change of use to residential would not have a significant impact on community facilities in the area. The proposed renovations to the property, to maintain the fabric of the building in a prominent location within the Conservation Area would, on balance, outweigh the harm to the Community with the loss of a hairdressing salon. The proposal therefore accords with Policy ENV1, ENV15, ENV30, C4 and H11 (Development Criteria) of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

Notes to Applicant

The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework. Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers and/or address concerns raised in letters of representation submitted in connection with the proposal. Amendments have been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.