

**16 DCCE2006/3355/F - CHANGE OF USE FROM RESIDENTIAL TO COMMERCIAL OFFICE. BROCKINGTON LODGE, OLD EIGN HILL, HEREFORD, HEREFORDSHIRE, HR1 1TX**

**For: Thomas Mawer Ltd, Neil Chapman, 36 Elgar Avenue, Hereford, HR1 1TY**

**Date Received: 17th October, 2006      Ward: Tupsley      Grid Ref: 52577, 39489**

**Expiry Date: 12th December, 2006**

Local Members: Councillors Mrs. M.D. Lloyd-Hayes, Mrs. E.A. Taylor and W.J. Walling

### **1. Site Description and Proposal**

- 1.1 This application seeks permission for the change of use of Brockington Lodge from residential use (C3) to commercial office (B1). The existing dwelling is located in a corner position on the junction between Old Eign Hill and Hafod Road and is an 'Arts and Craft' lodge of architectural interest. The existing property is served by a detached double garage, accessed off Old Eign Hill.
- 1.2 Minor works are proposed to vary the internal arrangements and thereby enable the use of the property for office purposes. The access is also intended to be altered to facilitate the provision of adequate off-street parking facilities. The proposed office accommodation is to be occupied by Thomas Mawer Ltd who buy and sell raw materials used in the production of animal feeds. The property is intended to be occupied by 2/3 persons conducting business via the telephone and computers.
- 1.3 This application represents the second submission for this proposal. The first, DCCE2006/2225/F, was withdrawn following concerns raised by the Traffic Manager over the parking arrangements on site.

### **2. Policies**

- 2.1 Herefordshire Unitary Development Plan (Revised Deposit Draft):

S1	-	Sustainable development
S2	-	Development requirements
S6	-	Transport
DR2	-	Land use and activity
E7	-	Other employment proposals in, within and around Hereford and the market towns

### **3. Planning History**

- 3.1 DCCE2006/2255/F - Change of use of property from residential to a commercial office. Withdrawn 30th August, 2006.

#### 4. Consultation Summary

##### Statutory Consultations

4.1 None.

##### Internal Council Advice

4.2 Traffic Manager: No objection.

4.3 Conservation Manager: No response received.

4.4 Environmental Health and Trading Standards Manager: No objection.

4.5 Economic Development Manager: No response received.

4.6 Forward Planning Manager: No response received.

#### 5. Representations

5.1 Hereford City Council: Hereford City Council requests that this planning application be determined strictly in accordance with the approved development plan applicable to this area of the parish of the City of Hereford. The City Council also makes the following additional representations: Refuse on the grounds of potential detrimental effect on Established Residential Area.

5.2 Local Residents: Seven letter of objection have been received from local residents. The comments can be summarised as follows:

1. The property is located in a residential area and the proposed commercial use is not appropriate in such an area;
2. The property is located within a Conservation Area and the proposed commercial use will detract from the character and appearance of said area;
3. Insufficient justification for locating a commercial use in this area has been provided;
4. The future use/development of the property and site could adversely impact upon the Conservation Area and residential nature of this property;
5. This permission would establish a precedent in this area for non-residential development;
6. The access to the site, and the nearby road junction, offer poor visibility and its use in association with a commercial operation would be detrimental to highway safety;
7. The property will be vacant overnight, causing an increased security risk for neighbouring properties;
8. The proposal will lead to undesirable on-street parking, to the detriment of highway safety;
9. The introduction of a commercial use in this area would devalue the neighbouring residential uses.

5.3 In support of the application the applicant has provided the following information:

- The proposal is for a low key operation with business carried out on the telephone/computer;
- The business will employ 3 people in the long term, 2 at start-up;

- Visitor numbers are anticipated to be approximately 6 per year based upon the operation currently based in Hull;
- Ample parking for 5 cars is available;
- No alternative office accommodation of the tenure and size required are available;
- Detailed searches have been carried out since January;
- The business has links with Sun Valley and is looking to improve these links with the establishment of a small scale presence in Hereford;
- The site provides good walking access and good public transport access;
- No products would be delivered to the property, it would be used for administrative purposes only;
- Parking would be available for any visitors;
- The property will remain unaltered except for minor internal works;
- It is intended that the property will revert to residential use one Thomas Mawer Ltd vacate the property.

5.4 The full text of these letters can be inspected at Central Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

## 6. Officer's Appraisal

6.1 It is considered that the following matters represent the salient issues for consideration in the context of this proposal:

- Principle of Development;
- Highway Safety;
- Residential Amenity;
- Visual Amenity and Conservation Area Impact.

### Principle of Development

6.2 Herefordshire Unitary Development Plan (Revised Deposit Draft) Policy E7 considers employment proposals within and around Hereford and outside of the safeguarded employment locations. This policy advises that such a proposal will be permitted where there are no suitable alternative sites, the scale is appropriate, and within residential areas are for B1 Business Use only. It is of note that the supporting text associated with Policy E7 advises that employment uses can offer a viable use for previously developed buildings.

6.3 In this case the applicant has been searching for an appropriate premise since January 2006. The applicant requires a property for purchase, not rental and has looked for such a premise with the Herefordshire Commercial Property Register, The Hereford Times Property Times, and local Estate Agents. Shortly before the application was submitted, of the 32 properties listed on the Commercial Property Register, 31 were for rent. The property available for sale was an industrial/storage building unsuitable to meet the applicants needs. The applicant has submitted supporting information detailing the property search and, although a response has not been received thus far from the Council's Economic Development Officer, it is significant that he was supportive of the earlier application.

6.4 In respect of the other policy criteria contained within Policy E7 it is confirmed that the proposal involves a B1 Use and is considered appropriate in scale within this predominantly residential environment.

- 6.5 In this case it is therefore considered that the change of use of from residential to office use can be supported.

#### Highway Safety

- 6.6 The scheme as proposed previously (DCCE2006/2225/F) did not secure the support of the Traffic Manager due to concerns over the access and parking area. This re-submission, submitted following extensive pre-application discussions, revises the arrangements to allow easier access and the provision of an appropriate parking facility. It is not considered that this proposal will result in the generation of unacceptable levels of on-street parking. The Traffic Manager, having regard to the scale of operation proposed, is satisfied that the arrangements are acceptable subject to conditions.

#### Residential Amenities

- 6.7 It is assessed that the use of this building for an office would have no greater adverse impact upon residential amenities than an intensive residential use. That said, it is recognised that other B1 uses, such as light industry, R&D, and laboratories, could have a more significant impact. A condition to restrict the use to office purposes only is therefore proposed. Of further consideration are the limited operational activities proposed which are low-key in nature. The applicant has confirmed that a personal condition is acceptable and this is considered appropriate, giving greater control over the future use of this premise. On the basis of the above, it is considered that the impact upon residential amenities will be acceptable.

#### Conclusions

- 6.8 On balance it is considered that the scale of this proposal is such that the impact upon the area will be acceptable. The use of appropriate conditions will ensure that the site is effectively controlled. It is considered that the proposal is in accordance with the provisions of Policy E7 of the Herefordshire Unitary Development Plan and on this basis no issue of precedent exists.

## **RECOMMENDATION**

**That planning permission be granted subject to the following conditions:**

- 1. A01 (Time limit for commencement (full permission)).**

**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**

- 2. E02 (Restriction on hours of delivery).**

**Reason: To safeguard the amenities of the locality.**

- 3. E06 (Restriction on use).**

**Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity.**

4. E27 (Personal condition).

Reason: The nature of the development is such that it is only considered acceptable in this location having regard to the applicant's special circumstances.

5. H13 (Access, turning area and parking).

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

6. H29 (Secure cycle parking provision).

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.

**Informatives:**

- 1. N01 - Access for all.
- 2. N03 - Adjoining property rights.
- 3. N15 - Reason(s) for the Grant of PP/LBC/CAC.
- 4. N19 - Avoidance of doubt.

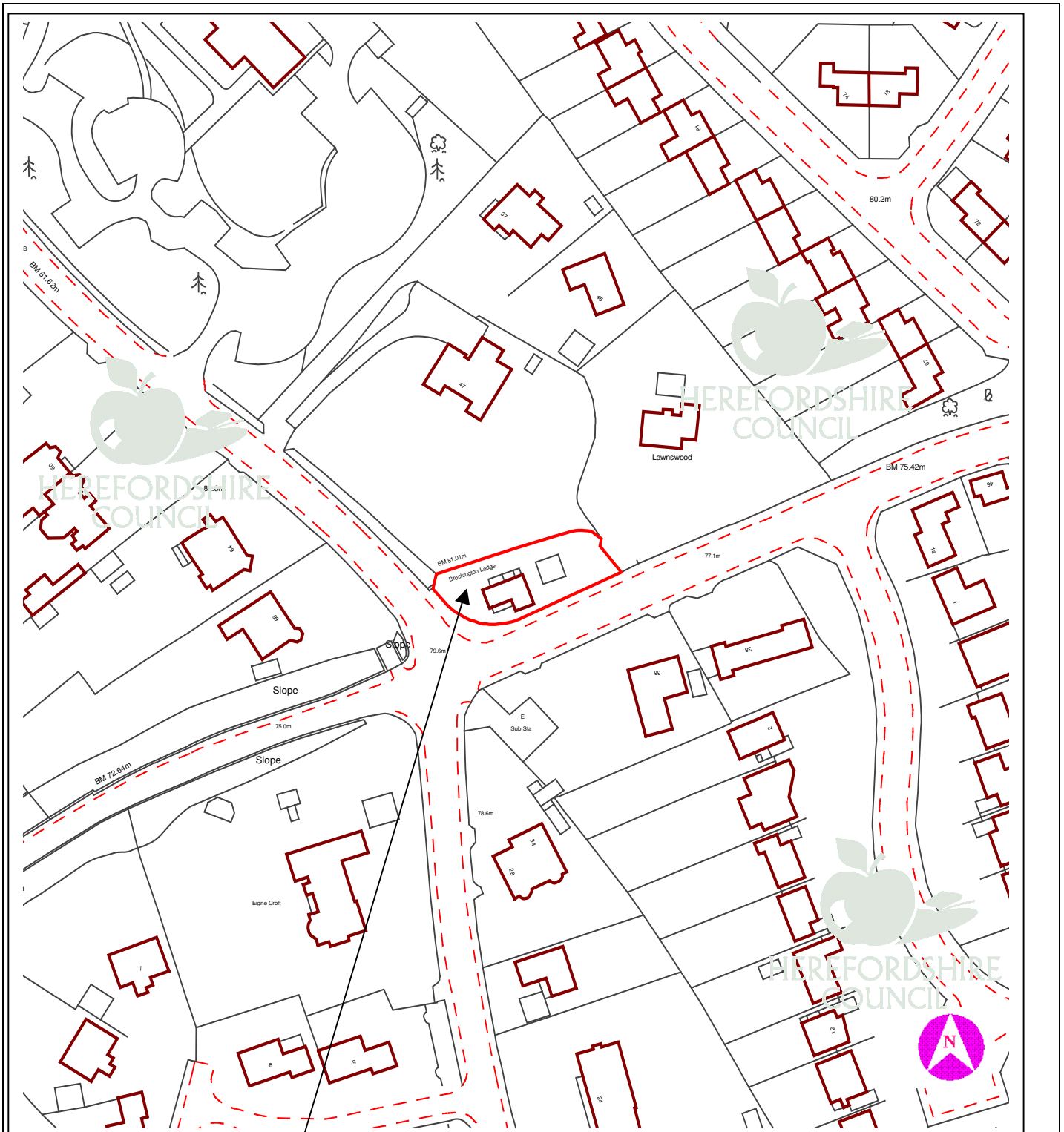
Decision: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCE2006/3355/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Brockington Lodge, Old Eign Hill, Hereford, Herefordshire, HR1 1TX

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