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Item No 13:-

15/02199/FUL (CT.3828/1/N)

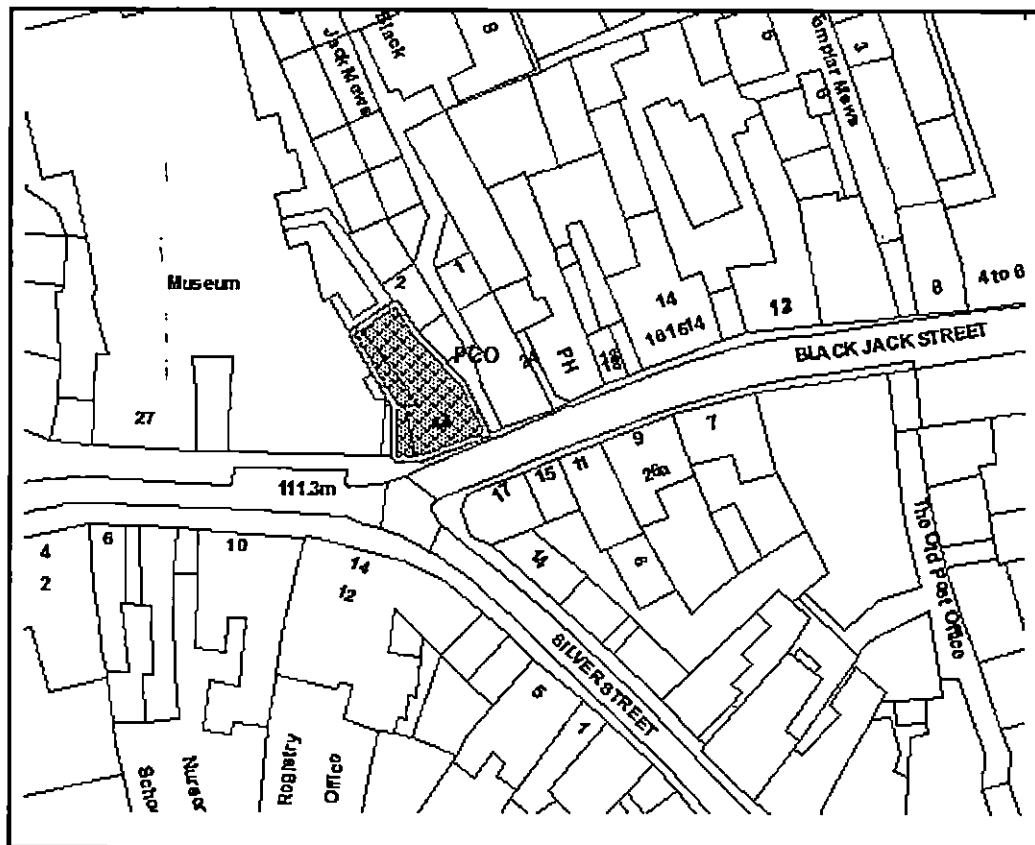
**44 Black Jack Street
Cirencester
Gloucestershire**

Item No 13:-

**Change of use for rooms 2 and 4 - currently listed as B1(a) office use to 'other' sui generis use for a beauty salon and pilates classes/massage (part retrospective) at
44 Black Jack Street
Cirencester**

Full Application 15/02199/FUL (CT.3828/1/N)	
Applicant:	Cotswold District Council
Agent:	N/A
Case Officer:	Helen Donnelly
Ward Member(s):	Councillor Mark Harris
Committee Date:	8th July 2015

Site Plan



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RECOMMENDATION: DELEGATED AUTHORITY TO PERMIT

Main Issues:

(a) Change of Use Within the Commercial Centre of the Town

Reasons for Referral:

The application has been brought to the Planning Committee for determination as the building is owned by Cotswold District Council and the applicant is the Council.

1. Site Description:

No.44 Black Jack Street is a Grade 2 listed building, located towards the western end of Black Jack Street, adjacent to the Corinium Museum. There is a cafe at the ground floor and an entrance adjacent to the cafe which provides access to the first and second floors. There are a total of six rooms on over these two floors that are let out by the Council to individual businesses. Two of the rooms are currently let out as B1(a) offices.

The application site lies within the commercial centre of the town as defined by Local Plan Policy 25.

The application site also lies with the Cirencester Town Centre Conservation Area.

2. Relevant Planning History:

CT.3828/Q and CT.3828/R. Listed Building Consent and Planning Permission for a three storey extension to link Abberley House with 44 Black Jack Street; change of use of Echo offices to shop/café and associated alterations. Permitted 31.10.1994

3. Planning Policies:

NPPF National Planning Policy Framework
LPR18 Development within Development Boundaries
LPR25 Vitality & Viability of Settlements

4. Observations of Consultees:

N/A

5. View of Town/Parish Council:

At the time of writing this report, the comments of the Town Council have not been received.

6. Other Representations:

At the time of writing this report, no Third Party comments have been received.

7. Applicant's Supporting Information:

Supporting Statement.

8. Officer's Assessment:

a) Change of Use within the Commercial Centre of the Town

The application seeks to change the use of room 2 on the first floor and room 4 on the second floor. Both rooms previously had a B1(a) use; this use category includes offices that are not visited by Members of the public.

The change of use of room 2 has already occurred. This room is now occupied by a Pilates instructor who runs small class sizes and also offers therapeutic massage. It is proposed that room 4 would be occupied by a beauty therapist. Both of these uses do not fall within specific use categories, and are described as "sui generis".

The offices have been vacant for a number of months and the Council's Property Services team have been advised by their letting agent that there is a trend towards alternative therapists looking for rooms to rent.

Local Plan Policy 24 refers to employment uses, however this policy relates to larger employment sites rather than individual premises.

Local Plan Policy 25 seeks to protect the vitality and viability of settlements. The policy makes reference to the change of use of ground floor premises but it does not make a specific reference to the change of use of premises at first or second floors. In fact the guidance text to the policy states that "Many floors above shops and other commercial premises in town centres are under-used or empty".

The National Planning Policy Framework promotes a "strong competitive economy" which includes ensuring the vitality of town centres.

There is no objection to the change of use of both rooms from B1(a) to sui generis. It would not harm the vitality and viability of the town centre and four rooms within the building would remain in that use class. There are also other vacant B1(a) spaces available within the town,

There would be an increase in the number of customers visiting the rooms but the size of the rooms is modest and any increase in footfall would be limited. Furthermore, the building is located within the commercial centre, and a modest increase in the level of activity would not be out of keeping with the location. There are no parking spaces available with the rooms, but there is parking available within the nearby car parks at Brewery Court, the Old Station and the Memorial Hospital.

The uses are also considered to be compatible with a listed building.

9. Conclusion:

The change of use would bring empty office space back into use and the application is considered to accord with the NPPF and Local Plan Policy 25.

The consultation period expires on 16th July and Officers are seeking delegated authority to approve the application. Should any objections be received, Officers will refer back to the Ward Member and Chair of Planning Committee.

10. Proposed conditions:

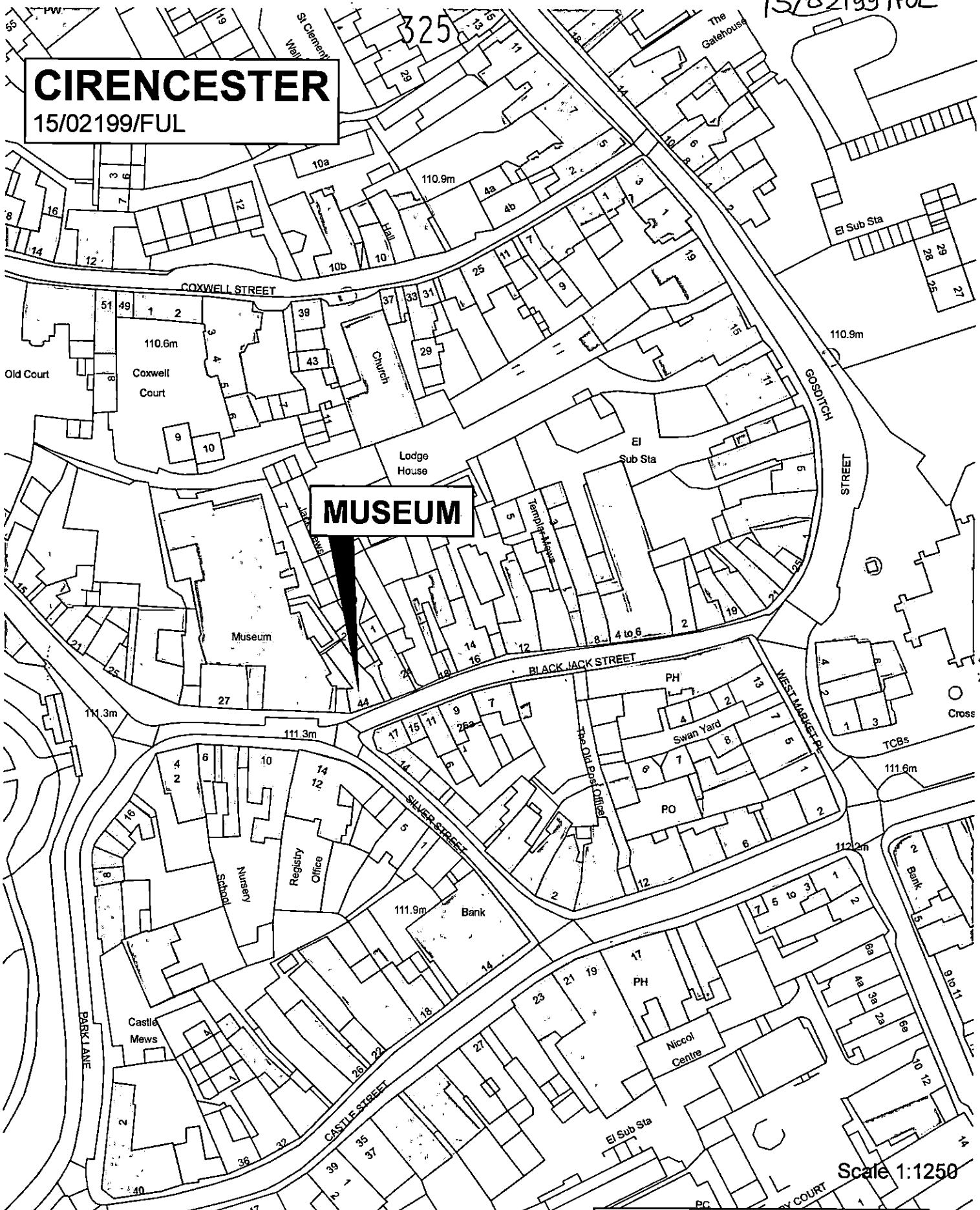
The development shall be started by 3 years from the date of this decision notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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CIRENCESTER

15/02199/FUL



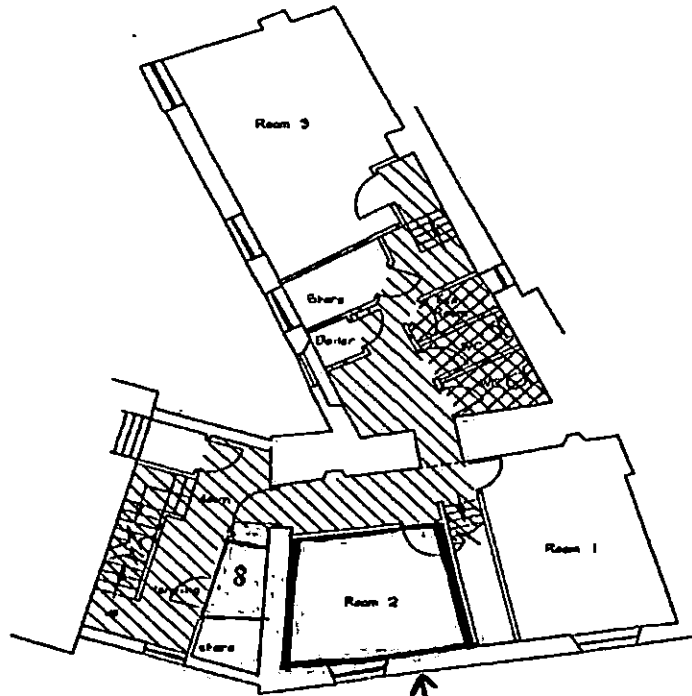
MUSEUM

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Legend

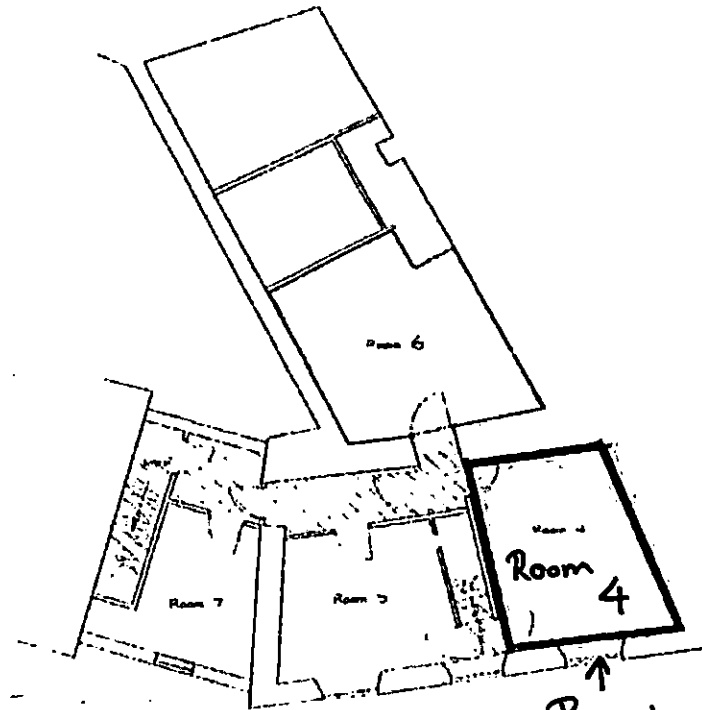
 Listed Buildings

Rooms 2



Pilates / massage

44 BLACK JACK STREET
CIRENCESTER
FIRST FLOOR PLAN
2011/201



Beauty therapist

44 BLACK JACK STREET
CIRENCESTER
SECOND FLOOR PLAN
2011/202

15 / 02199 / FUL