

Item No 04:-

16/01144/FUL (CT.4672/G)

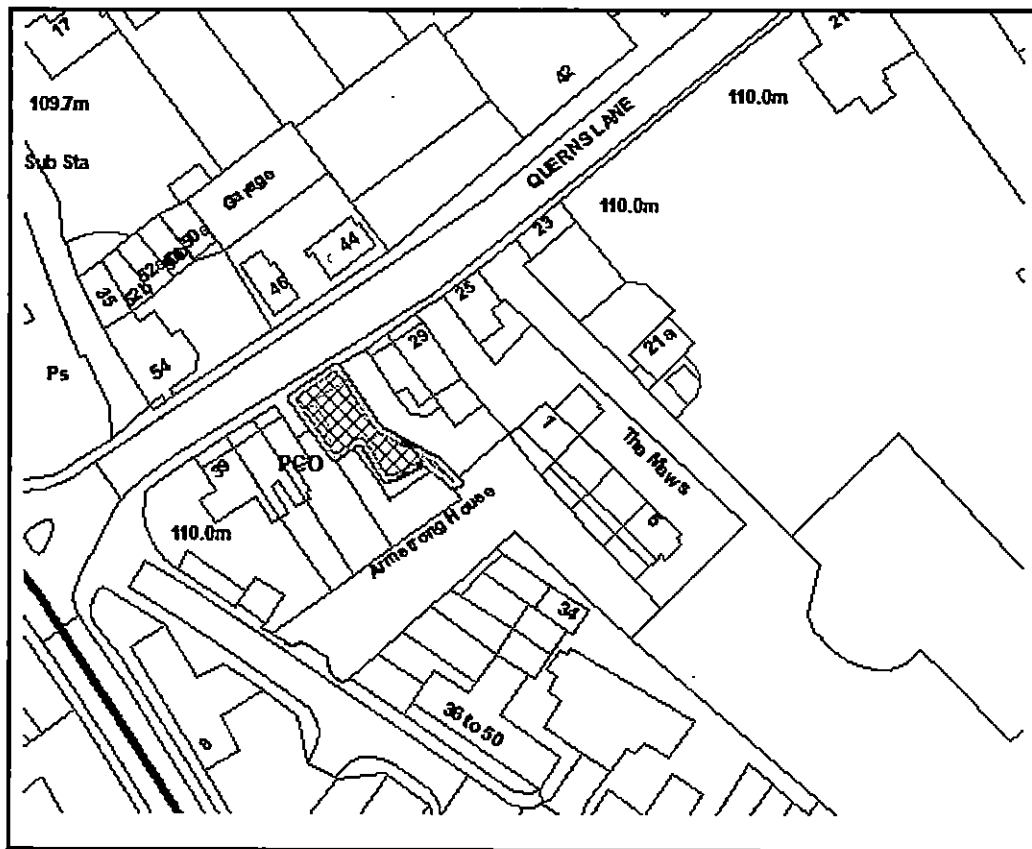
**33 Querns Lane
Cirencester
Gloucestershire
GL7 1RL**

Item No 04:-

**Change of use from Day Care Centre (D1) to single residential dwelling (C3)
at 33 Querns Lane
Cirencester**

Full Application 16/01144/FUL (CT.4672/G)	
Applicant:	Cotswold District Council
Agent:	N/A
Case Officer:	Katherine Brommage
Ward Member(s):	Councillor Jenny Hincks
Committee Date:	11th May 2016

Site Plan



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RECOMMENDATION: PERMIT

Main Issues:

- (a) Principle of Development
- (b) Impact on character and appearance of the Conservation Area
- (c) Vehicular Access and Parking
- (d) Residential Amenity

Reasons for Referral:

Cotswold District Council is the owner of the application site. The application has therefore been referred to Planning Committee in accordance with the Council's adopted Scheme of Delegation.

Members should note that at the time of writing this report the public consultation period had not expired. The public consultation period expires on 5th May 2016. Any comments received will therefore be attached to Additional Pages, for consideration, prior to Planning Committee.

1. Site Description:

The application site is located within Central Cirencester and the development boundary for Cirencester as adopted in the Cotswold District Local Plan 2001-2011. The application site is not located within the Cotswold Area of Outstanding Natural Beauty (AONB) but is located within the Cirencester South Conservation Area.

The application relates to No.33 Querns Lane. The property is pre-1945 and was originally built as a residential dwelling. In 1972 the property was converted to offices and various proposals between 1975 and 1998 were granted planning permission to extend the building to provide additional office accommodation. In 2000 an application was permitted to change the use of the building to a day centre and to convert/extend the rest of the building to form 4 no self contained flats to the rear. The flats were sold but the Council retained ownership of No.33 which, up until recently, remained in use as a day centre but is now vacant.

The property is located within a frontage of existing residential properties along Querns Lane. However, the site's context comprise a range of uses including retail and employment with Laura Ashley, Majestic Wines, Waitrose, Phoenix Way, Querns Business Centre and Cotswold District Council's offices all located within 200m.

The property has no parking and no dedicated vehicular access. Pedestrian access is obtained from Querns Lane to the front and from Querns Road to the rear via the Council's overflow car park entrance. There is a small garden to the front of the property that provides separation from the road. There is also a small courtyard garden to the rear, bounded by close board fencing.

2. Relevant Planning History:

CT.4672/F Change of use to day centre for people with special needs and conversion and extension to form 4 no. self contained flats. Permitted 07.03.2000.

CT.4672/E Extension to existing offices. Permitted 20.11.1998.

CT.4672/D Extensions to provide additional office accommodation. Permitted 07.04.1993.

CT.4672/C Extension to existing building to provide further office accommodation. Permitted 18.10.1984.

CT.4672/B Erection of extra office accommodation. Permitted 07.01.1980.

CT.4672/A Alterations and extensions to existing building contractors premises to form additional office accommodation. Permitted 18.12.1975.

CT.4672 Use of existing dwelling as offices. Permitted 26.07.1972.

3. Planning Policies:

LPR15 Conservation Areas
 LPR18 Development within Development Boundaries
 LPR38 Accessibility to & within New Development
 LPR39 Parking Provision
 LPR42 Cotswold Design Code
 LPR45 Landscaping in New Development
 LPR46 Privacy & Gardens in Residential Development
 LPR49 Planning Obligations & Conditions
 NPPF National Planning Policy Framework

4. Observations of Consultees:

None received at the time of writing (but none consulted).

5. View of Town/Parish Council:

None received at the time of writing.

6. Other Representations:

None received at the time of writing.

7. Applicant's Supporting Information:

None.

8. Officer's Assessment:

The proposal is a full planning application for the change of use of No.33 Querns Lane from a day care centre (D1) to a single residential dwelling (C3). The intention is to convert the property to use as a single residential dwelling to be retained in the ownership of the Council and used to house persons in housing need.

The property does not benefit from designated vehicular access and no designated parking is proposed.

No external or internal alterations are proposed to the property at this stage.

Note: The property is not listed therefore planning permission is not required for internal alterations and some external alterations, subject to permitted development rights.

(a) Principle of Development

The application site is located within the development boundary of Cirencester where Local Plan Policy 18 (Development within Development Boundaries) of the adopted Local Plan 2001 - 2011 applies (referred to herein as the 'Local Plan'). Local Plan Policy 18 states that within development boundaries applications for development will be permitted provided that it meets the criteria set out. In accordance with Local Plan Policy 18 there is no objection in principle to the change of use of buildings to residential use.

The proposed use is clearly appropriate given that the property was originally built as a dwelling. However, the property was formally used as a day care centre, the loss of which does fall to be considered. Local Plan Policy 32 (Community Facilities) relates specifically to the provision and retention of community facilities. Local Plan Policy 32 supports the development, enhancement

and improvement of community facilities but states that proposals for development which would result in the loss of existing facilities, where there remains a recognised need, will not be permitted unless suitable replacement facilities are provided in an appropriate alternative location. The last tenant of the property (the Independence Trust) vacated the building in September 2014, after giving notice, in favour of suitable alternative premises. Accordingly, there is no need to retain the property in a D1 use. The service has already found alternative premises and as such does not require replacement facilities.

The proposals are therefore considered to be acceptable in principle and accord with the provisions of Local Plan Policy 18, 32 and the provisions of the National Planning Policy Framework (NPPF).

(b) Impact on character and appearance of the Conservation Area

No.33 Querns Lane lies within the Cirencester South Conservation Area, wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990; statutory requirements which are reflected in Local Plan Policy 15 (Conservation Areas).

Conservation Areas are designated heritage asset in the context of the NPPF. Section 12 of the NPPF asks that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 132 states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It also states that significance can be harmed through alteration or development within the setting. Paragraph 134 states that where proposals will cause harm to the significance of a designated heritage asset that is less than substantial harm, that harm is weighed against the public benefits of those works.

Since no external alterations are proposed it is considered by officers that the proposals will result in no harm to the significance, character or appearance of the Conservation Area and are therefore compliant with Local Plan Policy 15, the NPPF and the Planning (Listed Building and Conservation Areas) Act 1990.

(c) Vehicular Access and Parking

There is no designated vehicular access to the property and no parking is proposed.

The proposed dwelling is intended to provide a family home to persons in housing need. Given the property's location within Cirencester and the proximity of the extensive range of services and facilities including shops, schools and employment that Cirencester offers, all of which are within walking distance of the application site, it is not considered that lack of vehicular access/parking in this case is an issue that would warrant a refusal.

It is also noted by Officers that a D1 use would give rise to a much higher trip generation, and therefore a higher parking need, than a single residential dwelling. It is therefore considered by Officers that the proposals would result in an improvement above the existing use in this regard.

The proposals are therefore considered to be acceptable having regard to Local Plan Policy 38 and 39 and the relevant provisions of the NPPF, including paragraph 32.

(d) Residential Amenity

Local Plan Policy 46 states that the design and layout of new residential development, including changes of use, should provide adequate areas of open space around dwellings, so as to ensure reasonable privacy, daylight and adequate private outdoor living space. The sub-text to the policy explains that the size of private gardens should relate to the size and nature of the property.

It was apparent upon visiting the application site that the outdoor amenity space connected with the property is relatively small, particularly having regard to the fact that the proposals are intended to house a family. Nonetheless, taking account of the size of the front garden and rear courtyard combined it is evident that there is adequate space to hang out washing, sit out and for some limited off-road bin/general storage which is considered to be a minimum requirement.

Officers were initially concerned that the proposals may cause, or be subject to, an unacceptable level of overlooking since having visited the application site it was apparent that the existing flatted development is predominately inward facing, with flats arranged so that they in part look out over the communal entrance area.

No.33 has an upper floor window that overlooks the adjacent communal area and is at the same level as other windows within the flat(s) opposite. The placement of this window and its distance from windows within the flats (min 6.8m) means that it would be possible for occupiers to obtain views of each other. Nonetheless, since the proposals relate to an existing building in a use that would have experienced daily activity, the impact of the proposals, as a result of overlooking, is considered to be no worse than what would be experienced if the property were to remain in a D1 use class. Whilst this relationship would perhaps not be desirable/acceptable in a new build scheme, regard must be had to the fact that the building already exists in this form. Therefore some flexibility does need to be afforded in this regard.

It was noted upon visiting the application site that the existing close boarded fence affords an adequate level of privacy. Overall, therefore the proposals accord with Local Plan Policy 46 and the relevant provisions of the NPPF, including Section 7.

9. Conclusion:

The proposals relate to the change of use of an existing property back to its original use as a residential dwelling. Whilst the proposals would result in the loss of a day care centre which would constitute an existing community facility in the context of Local Plan Policy 32, it is apparent that the facility is no longer required.

The proposals have been assessed in respect of their potential impact in access, parking and residential amenity terms and it is concluded that the proposed development would be an appropriate use of the building and that it will not give rise to any material adverse impacts above those that already exist.

The proposals are therefore considered to accord with Local Plan Policies 15, 18, 32, 38, 39 of the adopted Local Plan and the relevant provisions of the NPPF.

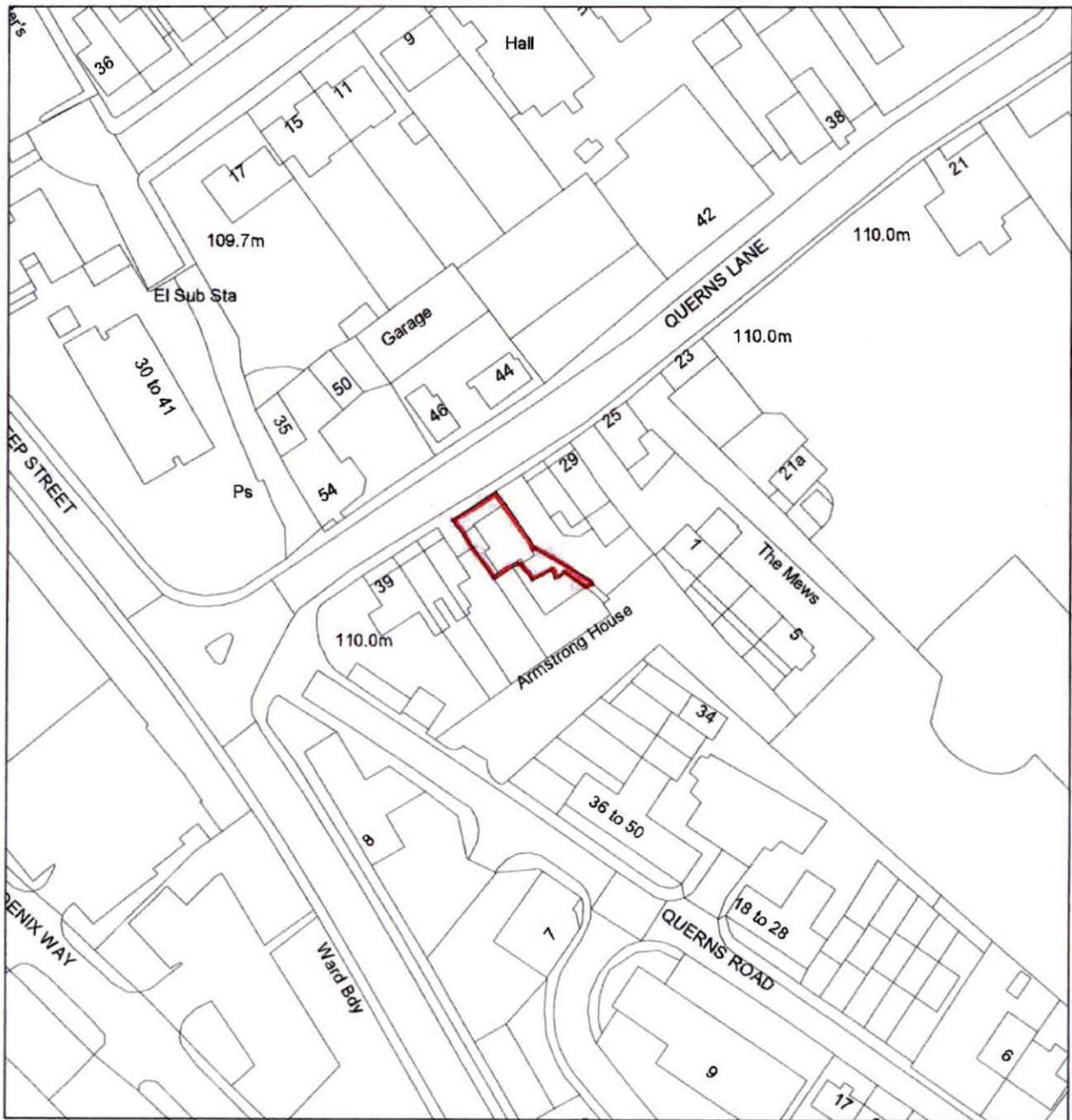
10. Proposed conditions:

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.

The development hereby approved shall be implemented in accordance with the following drawing number(s): Site Location Plan, Plan No.2 and Plan No.3.

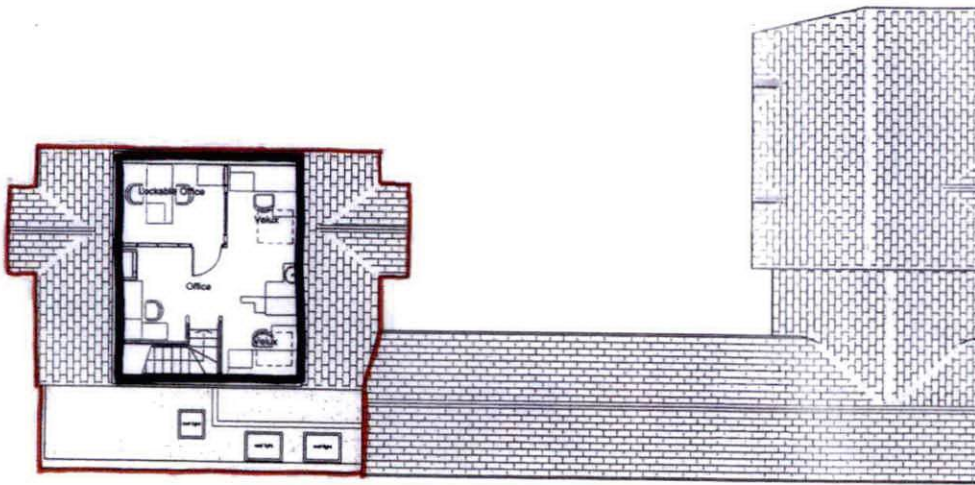
Reason: For purposes of clarity and for the avoidance of doubt, in accordance with paragraphs 203 and 206 of the National Planning Policy Framework.



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Organisation	Cotswold District Council
Department	Property Services
Comments	
Date	21 February 2011



SECOND FLOOR PLAN

Contractors must check all dimensions on site.
Only figured dimensions are to be marked out.
Discrepancies must be reported to the Architect before
proceeding.
THIS DRAWING IS COPYRIGHT ©

- REVISIONS
- A 12-01-20000 Seek to office added
 - B 26-07-20000 Lockable office created
 - C 03-08-20000 Lockable office enlarged
 - D 04-10-20000 Gable end of new building attended

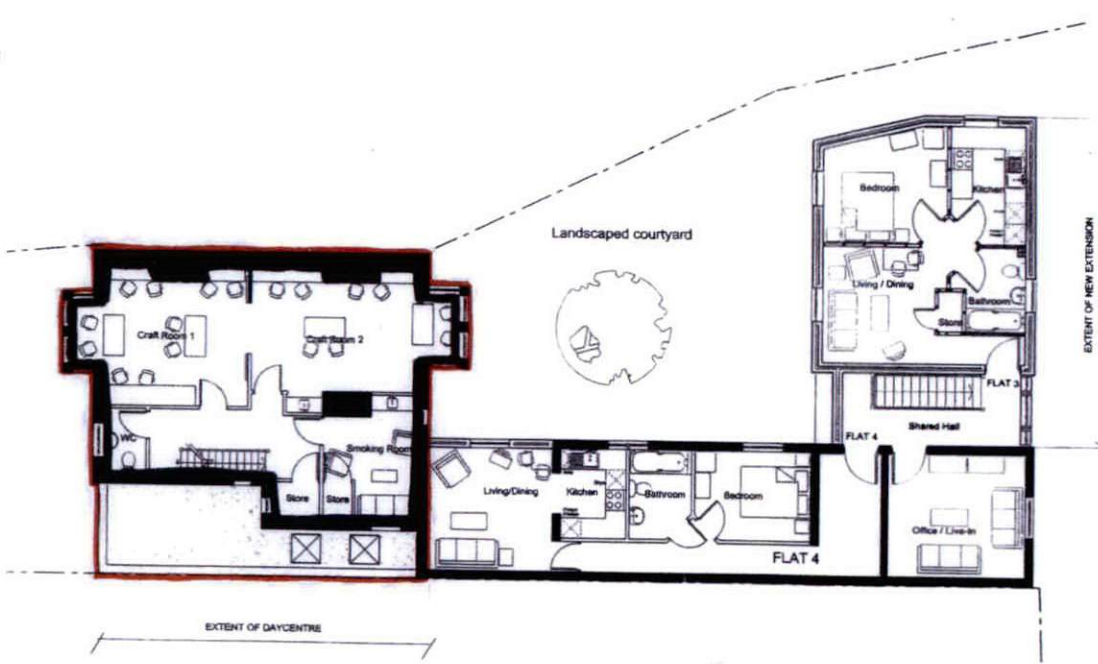
PLAN NO. 3



33 Queens Lane
Cirencester

Proposed
Second Floor Plan

drawing no. 1763/FP-03	revision D	<input type="radio"/>
scale 1:100	date Nov 1999	checked by VK
original drawing in Architect's possession	FILED IN	1763/FP-03



FIRST FLOOR PLAN

Contractors must check all dimensions on site. Only signed dimensions are to be worked from. Discrepancies must be reported to the Architect before proceeding. **NO SKETCHES TO CONTRACTOR**

REVISIONS

- A 12-01-20000 Office/in-let re-located and flat 4 internal arrangement altered.
- B 28-07-20000 Minor internal alterations, Kitchen in day centre altered to a smoking room.
- C 03-08-20000 Stair windows replaced with straight Right. Store added to smoking room.
- D 04-10-20000 Gates and of new building amended.

PLAN NO. 2

BBA ARCHITECTS
ARCHITECTS

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33 Queens Lane
Cirencester

Proposed
First Floor Plan

PROJECT NO: 1763/FP-02 DRAWN BY: D

SCALE: 1:100

DATE: Nov 1999 CHECKED BY: VK DESIGNED BY: VK

Original drawing in Architect's File: 1763/FP-02