



St Edmundsbury
BOROUGH COUNCIL

DEV/SE/16/034

Development Control Committee

4 May 2016

Planning Application DC/15/2332/FUL

Solstice House, Felsham Road, Bradfield St. George

Date	17 December	Expiry Date:	Extension of time
Registered:	2016		agreed until 11 May
			2016
Case	Charlotte	Recommendation:	Approve
Officer:	Waugh		
Parish:	Bradfield St. George	Ward:	Rougham
Proposal:	Planning Application – Change of use from retail to a wellness centre with private living accommodation above and change of use of former letting rooms (outbuilding) to beauticians/hairdressers/therapists		
Site:	Solstice House, Felsham Road, Bradfield St. George, IP30 0AB		
Applicant:	Mrs Jefferys-Emrys		

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

Recommendation:

It is recommended that the Committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

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Background

This application is presented to the Committee following consideration by the Delegation Panel. The Parish Council has objected to the scheme which is contrary to the Officers recommendation.

Proposal:

1. Planning permission is sought for the change of use of Solstice House from A1 retail to a wellness centre. This would provide a psychotherapy clinic (mostly associated with autism spectrum disorder, post traumatic stress as well as depression, obsessive compulsive disorders etc). In addition to a studio for group use such as exercise classes, dance and yoga, which could also be made available for community hire and NHS therapists.
2. Private residential accommodation would be provided, predominantly at first floor level. Furthermore, a change of use is sought for the outbuilding from letting rooms to beauticians/hairdressers/therapists.

Application Supporting Material:

3. Information submitted with the application as follows:
 - Existing and Proposed plans
 - Planning Statement
 - Supporting Statement

Site Details:

4. The site is situated outside of any housing settlement boundary but within a cluster of houses in Bradfield St. George. The property is attached to a terrace of houses to the west and benefits from a large parking area to the front. A garden surrounds the north and eastern side of the building with a detached outbuilding to the rear.
5. The building is listed as an asset of community value (ACV).

Planning History:

6. None relevant.

Consultations:

7. Highway Authority: No objection subject to condition.
8. SCC Water Officer: No comment.

Representations:

9. Bradfield St. George Parish Council: Objects to the application. The Parish Council has submitted detailed comments, largely those referred to below by local residents but in particular how valuable the public house is to the village and concern over its loss, as well as questioning the need for the proposed uses in the village.

10. Neighbours: Letters of representation have been received from 10 local residents making the following summarised comments:

- Current retail use is disputed
- Property purchased for £265,000 with public house use and never reopened as pub
- Community not given opportunity to buy it
- Change from A4 does not support Governments policy of retaining public houses
- Viability of pub has not been tested
- Village hall already offers these facilities
- Errors in application
- Building has ACV status
- Premises too small to offer services proposed
- Studio is small with no windows – not suitable
- Better suited to industrial unit in Bury
- Queries over proposed use
- Businesses will not be used by villagers
- Employees likely to need specialist skills and therefore, not be local
- Concerns about long term viability of business
- Increase in traffic, noise and congestion
- No public transport
- Will not make a positive contribution to local economy
- The pub is/was the last community facility
- When did internal alterations take place?
- How much waste will be created? Toxic substances?
- Where is soakaway?
- Queries over customer numbers existing and proposed
- Other Givens practitioners in area
- Increase in residential floor space
- Adverse impact on community
- Submission of CAMRA viability test
- No marketing submitted to demonstrate viability of public house therefore, contrary to policy

Policy: The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy December 2010 have been taken into account in the consideration of this application:

1. Joint Development Management Policies Document:

- DM1 Presumption in favour of sustainable development
- DM2 Creating Places – Development Principles and Local Distinctiveness
- DM5 Development in the Countryside
- DM33 Re-use or replacement of buildings in the Countryside
- DM41 Community facilities and services

- DM46 Parking Standards
2. St Edmundsbury Core Strategy December 2010
 - CS1 St Edmundsbury Spatial Strategy
 - CS3 Design and Local Distinctiveness
 - CS13 Rural Area
 3. Rural Vision 2031
 - RV1 Presumption in favour of sustainable development

Other Planning Policy:

4. National Planning Policy Framework (2012)

Officer Comment:

5. The issues to be considered in the determination of the application are:
 - Principle of Development
 - Impact on Residential Amenity
 - Impact on Highway Safety
 - Other Issues
6. The building was previously used as a public House (The Fox and Hounds) which ceased trading in October 2012. The building was subsequently bought by the applicants and converted to a shop. An enforcement investigation has since confirmed that the building has an established Class A1 (retail) use which was a permitted change from a public house (Class A4). Whilst this has been queried by residents due to the ACV listing, the legislation which removed permitted development rights for changes of use of assets of community value was not introduced until 6th April 2015. The legislation in force when the change of use occurred in June 2014 allowed the permitted use from A4 – A1 without notification to the Local Authority.
7. Accordingly, Officers are satisfied that no breaches of planning control have occurred as no planning permission was required for this permitted change of use. Furthermore, internal alterations which have occurred to the building do not require planning permission. The assets of community value listing does not apply to properties with an A1 retail use and as such, the Local Authority is investigating whether the building needs to be de-listed.
8. Generally changes of use from a public house to an alternative use need to comply with a variety of policy criteria, including the requirement to market the business for a period of 12 months to demonstrate it is no longer a viable business. Whilst this has been raised by local residents the building is no longer a public house and as such, it is not possible to apply those criteria. This application therefore, needs to consider the change of use from A1 to D2.
9. Policy DM33 supports the re-use of buildings in the countryside for employment, recreation and community facilities where; the building is

structurally sound and able to be converted, the use would not harm its appearance or the rural setting, the nature and intensity of use would be compatible with the rural location and it would not lead to traffic or road safety issues. Policy DM5 permits proposals for economic growth and expansion of all types of business and enterprise where it would have no significant detrimental impact on the historic environment, character and visual amenity of the landscape, nature or biodiversity or the local highway network. Furthermore, Policy DM41 supports the principle of community facilities and services, of which this is considered to be a modest and appropriately scaled example.

10. In this case, the building is able to be converted to the proposed use without significant change or extension. No external alterations are proposed to the building and as such, its appearance in the street scene will remain as at present. Whilst locating a business as proposed within the rural area will mean patients and customers may need to travel to the site, the modest scale of the business will not result in significant traffic movements and noting that it would serve the rural area at an appropriate scale might reasonably be considered to improve sustainability.
11. Counselling sessions will generally last for 2 hours and whilst group activities are planned, the size of the space will limit visitor numbers. Similarly with the outbuilding, the minimal size of the units will limit employee numbers and consequently numbers of customers. The first floor and part of the ground floor is to be used as residential accommodation to house the applicants. This is not unusual and is considered acceptable. The applicants have provided some background to their business in terms of the types of therapy they offer. However, it is not a planning requirement for them to demonstrate the viability of the business through submission of a business plan. Whilst this may be a concern to local residents it is not a material planning consideration in this case.
12. In terms of residential amenity, the nature of the proposed use means it is unlikely to cause any disturbance from noise. There will be a degree of activity within the site but this will likely be less than previously experienced as a public house and is not considered to result in a significant loss of amenity. Sufficient parking spaces are provided on site and the Highway Authority has raised no objections.
13. The building was listed as an asset of community value in May 2014. This means that if the building is to be sold, the community have an opportunity to purchase the building before other buyers. In this case, when the building was sold to the current owner/applicant, no offer was made by the community to purchase the building. It is understood that this was because the community were under the impression (from the previous owner) that the new owner would be operating the building as a public house. Whilst this is regrettable and clearly frustrating to local residents it cannot be considered material when determining the planning application.

Conclusion:

14. In conclusion, the proposed change of use complies with policies DM2, DM5, DM33 and DM41 of the Development Management Policies Document which support the re-use of rural buildings for employment, community and recreation purposes, and the wider principles of the NPPF which encourage rural enterprise. It is not considered that the proposal will give rise to a significant loss of residential amenity or be detrimental to highway safety. Consequently, the application is recommended for approval.

Recommendation:

It is **RECOMMENDED** that planning permission be **APPROVED** with the following conditions:

1. Development to commence within 3 years
2. The areas shown on the submitted drawing labelled "Existing parking" and Existing Overflow Car Park" for the purposes of manoeuvring and parking of vehicles shall be retained and used for no other purposes.
3. The wellbeing centre shall not be open to the public outside of the hours of 09:00-21.30 Monday – Sunday.
4. Development to be carried out in accordance with approved plans

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online.

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NY1Z68PDLK100>