

Formal response of:	Planning Policy
Application ref. DMPA/2019/0865	
CHANGE OF USE FROM OFFICES (USE CLASS B1) TO FOUR RESIDENTIAL UNITS (USE CLASS C3) at WESTON HILL CHALET PARK, WESTON ON TRENT, DERBY	
Recommendation: ☐ No objection ☐ No objection subject to conditions ☐ No objection subject to conditions and/or a planning obligation ☐ Objection	
Reasons for recommendation: The site in question is located outside of Weston on Trent settlement boundary. Policy SDT1 Settlement Boundaries and Development states “Outside of settlement boundaries and allocated sites, within the Rural Areas as defined in Policy H1, development will be limited to that considered acceptable inter alia by Policy BNE5. Policy BNE5 ‘Development in Rural Areas’ states “Outside of settlement boundaries (as defined in policy SDT1) within the Rural Areas of the district planning permission will be granted where the development is: i) allowed for by policies H1, H22, E7, INF10, H24, H25, H26, H27 or H28; or ii) otherwise essential to a rural based activity; or iii) unavoidable outside settlement boundaries; or iv) considered to be infill that is in keeping with the character of the locality and represents the infilling of a small gap for not normally more than two dwellings, within small groups of housing; and i) will not unduly impact on: landscape character and quality, biodiversity, best and most versatile agricultural land, and heritage assets.” Policy H1 ‘Settlement Hierarchy’ states that in Rural Areas “ Due to the lack of services and facilities and defined settlement boundaries, only development of limited infill and conversions of existing buildings will be acceptable” Policy H28 ‘Residential Conversions’ states “Outside settlement boundaries the conversion of a building to provide residential accommodation will be permitted provided the building: i) is of permanent and substantial construction; and ii) is suitable for conversion without extensive alteration, rebuilding and/or extension; or iii) constitutes the re-use of a suitable redundant or disused building or would secure the future use of a heritage asset” The <i>elevations floor plan and site plan</i> indicate that the proposal would entail essentially a conversion of the existing building and therefore this would need to meet the requirements set out in Policy H28. Policy E3 ‘Existing Employment Areas’ states “Redevelopment or changes of use of existing industrial and business land and premises for uses other than those falling	

within classes B1 (b), B1(c), B2 and B8 of the Use Classes Order will only be permitted where:

- i) the existing use is significantly harmful to the amenity of neighbouring land uses in terms of noise, vibration, visual qualities, air quality or traffic generation, and this cannot be satisfactorily overcome by other means; or
- ii) it can be demonstrated that there is no demand for the use of the site or premises for Use Class B1, B2 and B8 purposes and that the development proposals would not unduly inhibit existing or planned neighbouring land uses.”

The intention of this policy is to protect *existing* occupied or vacant industrial and business land and premises, including B1(a) offices, recognising their importance to the community and the local economy, whilst ensuring that the development of *new* B1a offices would be subject to the sequential test, as set out in NPPF para 86. Where the employment impact of the loss of existing premises is deemed to be de minimis, the marketing requirement under part ii) may be waived.

Comments from County Highways should be received in regards to Policy INF2 ‘Sustainable Transport’, which seeks to ensure (among other things) that adequate car parking provision and safe access, is provided.

Requested conditions (if relevant):

Reason(s) for any requested conditions being pre-commencement conditions:

Recommended advisories (if relevant, including how to overcome any objection):

Date of response:

09/10/19

Contact name/details:

Beth Holmes