

Application 11/01304/F	No:	Ward: Bicester Town	Date 22/08/2011	Valid:
Applicant:	Mr & Mrs R Wilson			
Site Address:	50 Market Square, Bicester, OX26 6AJ			

Proposal: Change of use to Class A2 (financial and professional services)

1. Site Description and Proposal

- 1.1 The application seeks consent to change the use of 50 Market Square from Class B1 (business) to Class A2 (financial and professional services). This unit was previously occupied by Bicester Advertiser although it now lies vacant. The site is in Bicester town centre, on the island site in the Market Square. The building is Grade II listed and all immediate neighbouring buildings are also Grade II listed. The site is within the Bicester Conservation Area.
- 1.2 The proposed development would consist of a change of use only with no internal or external alterations.

2. Application Publicity

- 2.1 The application has been advertised by way of site notice and press notice. The final date for comment was 06 October 2011.
- 2.2 No letters were received.

3. Consultations

- 3.1 Bicester Town Council has **no objection** to the application and welcomes this change of use.
- 3.2 Oxfordshire County Council has **no objection** to the application.
- 3.3 Cherwell District Council's Design and Conservation Officer has **no objection** to the change of use.

4. Relevant Planning Policies

- 4.1 Planning Policy Statement 1: Delivering Sustainable Development
 Planning Policy Statement 4: Planning for Sustainable Economic Development
 Planning Policy Statement 5: Planning for the Historic Environment
 Planning Policy Guidance 13: Transport
 South East Plan 2009 – Policies T1, RE1, BE1 and BE6
 Adopted Cherwell Local Plan – Saved Policies S13, C21 and C28

5. Appraisal

- 5.1 The key issues to consider are the principle of the change of use, the impact upon the listed buildings and Conservation Area, and the impact upon highway safety.

Principle

- 5.2 The acceptability of the principle of the change of use of this town centre unit should be determined in accordance with Government guidance contained within PPS 4, Policy RE1 of the South East Plan 2009 and saved Policy S13 of the adopted Cherwell Local Plan.
- 5.3 Policy RE1 of the South East Plan 2009 requires Local Planning Authorities to enable flexibility via their local development documents to respond positively to changes in the global economy and the changing economic needs of the region.
- 5.4 Government guidance contained within PPS 4 seeks an overarching objective of sustainable economic growth. Policy EC 10.1 states that *“Local planning authorities should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably.”* All planning applications should be assessed against the impact upon climate change, accessibility by a choice of means of transport, whether it secures high quality design, the impact upon economic and physical regeneration of the area and local employment.
- 5.5 The unit lies within the Primary Shopping Frontage of the town centre as designated in the adopted Cherwell Local Plan and saved Policy S13 that states, *“...changes of use at ground-floor level to non-retail uses will not normally be permitted.”* A ‘non-retail use’ means a use not included in Class A1 or A3 of the Town and Country Planning (Use Classes) Order 1987 (as amended). The Policy is intended to apply to the whole of the ground floor of any premises, any part of which is in or abuts the defined area.
- 5.6 The proposed development would involve the change of use of the ground-floor of 50 Market Square from one non-retail use to another, in this case to Class A2, and would theoretically be contrary to saved Policy S13 of the adopted Cherwell Local Plan.
- 5.7 The supporting text to Policy S13 states that *“The Council’s concern is that in primary shopping frontages there should not be a reduction in the overall length of shop frontage. Policy S13 is not intended to prevent the relocation of existing non-retail uses within the primary frontages where no net loss of shopping frontage would result.”*
- 5.8 Whilst the proposed use would not involve the relocation of an existing use within the primary frontage, it would replace an existing non-retail use. The development would not, therefore, result in a loss of existing shopping frontage.
- 5.9 The proposed development would involve the re-use of an existing unit in a sustainable town centre location that is easily accessed by a variety of modes of transport. The existing unit is not Class A1 or A3 and the development would not result in the loss of primary shopping frontage.

- 5.10 With the positive and flexible approach to development encouraged by Policy RE1 of the South East Plan and Government guidance contained within PPS 4 borne in mind, the HOS for DC&MD considers that the development would represent sustainable economic development in this town centre location, and that the change of use should be permitted, as even though it would not strictly accord with saved Policy S13 of the adopted Cherwell Local Plan, it would not conflict with the overall objective of the Policy that seeks to retain the existing shopping frontage.

Listed Buildings and Conservation Area

- 5.11 The proposed development would involve only the change of use of this vacant listed building with no internal or external alterations. Saved Policy C21 of the adopted Cherwell Local Plan states that sympathetic consideration will be given to proposals for the re-use of an unused listed building, provided the use is compatible with its character, architectural integrity and setting. The HOS for DC&MD considers that the development would not cause harm to the historic character or appearance of the listed building, the setting of the adjacent listed buildings or the significance of the Conservation Area. The proposal accords with Government guidance contained within PPS 5, Policy BE6 of the South East Plan 2009 and saved Policy C21 of the adopted Cherwell Local Plan.

Highway Safety

- 5.12 Oxfordshire County Council Highway Authority have assessed the proposal and do not consider that harm would be caused to the safety or convenience of highway users. Due to the town centre location of the site the HOS for DC&MD sees no reason to disagree with this assessment. The proposal accords with Government guidance contained within PPG 13 and Policy T1 of the South East Plan 2009.

6. Recommendation

The application is **approved**, with no conditions.

SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION AND RELEVANT DEVELOPMENT PLAN POLICIES

The Council, as local planning authority, has determined this application in accordance with the development plan, unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as the proposed change of use would meet the overall objectives of saved Policy S13 of the adopted Cherwell Local Plan whilst not strictly according with the wording of the Policy itself. Further, the proposed use would be appropriate in its context and would not cause detriment to highway safety, the listed building, the setting of nearby listed buildings or the significance of the Conservation Area. As such the proposal is in accordance with Government guidance contained within PPS 1, PPS 4, PPS 5 and PPG 13, Policies T1, RE1, BE1 and BE6 of the South East Plan 2009 and saved Policies S13, C21 and C28 of the adopted Cherwell Local Plan 1996, and for the reasons given above and having regard to all other matters raised including third party representations, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions as set out above.

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