

Application No: 19/00880/FULL Application

Site: Forest Heath House, 6 Station Road, Sway, SO41 6BA

Proposal: Change of use to financial professional (use class A2)

Applicant: Mr D Stevenson

Case Officer: Liz Young

Parish: SWAY

1. REASON FOR COMMITTEE CONSIDERATION

For applications which are contrary to plan policy but are recommended for approval.

2. DEVELOPMENT PLAN DESIGNATION

Defined New Forest Village
Tree Preservation Order

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP2 General development principles
DP40 Change of use from retail in the Defined Villages
SP17 Local distinctiveness
SP16 The historic and built environment

4. SUPPLEMENTARY PLANNING GUIDANCE

Sway Village Design Statement

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 6 - Building a strong, competitive economy
Sec 16 - Conserving and enhancing the historic environment
Sec 15 - Conserving and enhancing the natural environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Sway Parish Council: No comments received to date. Comments to be reported at the meeting.

8. CONSULTEEES

- 8.1 Building Design & Conservation Area Officer: No objections raised.

9. REPRESENTATIONS

- 9.1 No comments received.

10. RELEVANT HISTORY

- 10.1 External alterations to former hotel building and store; Landscape works (12/97331) approved on 6 June 2012
- 10.2 Internal and External alterations former hotel building and store (application for listed building consent) (12/97332) approved on 31 May 2012
- 10.3 Display of non-illuminated hanging sign (Application for Listed Building Consent) (97317) approved on 25 May 2012
- 10.4 Change of Use and Internal alterations to form 5 flats; cafe (Application for Listed Building Consent) (10/95753) approved on 18 November 2011
- 10.5 Change of Use and internal alterations to form 5 flats; cafe; pair of semi-detached dwellings; bin store; cycle stores and store; associated parking (10/95752) approved on 18 November 2011
- 10.6 Display non-illuminated post mounted sign (06/90516) approved on 05 October 2006

11. ASSESSMENT

- 11.1 The Forest Heath Hotel, a Grade II Listed former hotel and public house, lies within the defined settlement boundary of Sway and also within the primary shopping frontage. The building is a prominent feature in the area, being slightly elevated above street level, and comprises three storeys. The building was previously restored in association with the change of use to residential approved in 2012 (which also permitted the construction of two semi-detached cottages to the rear). This permission included a ground floor A3 use (65 square metres) within the main building to ensure an element of community use was retained on the site. Off road parking lies to the side of the main building.
- 11.2 In terms of background Condition 7 of Planning Consent 95752 for the original change of use of the building reads as follows:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any re-enactment of that Order) this permission shall authorise the

use of part of the premises (as defined on drawing 2910 PL 11 Rev C) for the serving of hot and cold drinks and snacks and no other use within Class A3 of the Town and Country Planning (Use Classes) Order 2005.

This condition was imposed primarily to preserve the amenities of neighbouring residents. More recently, however the premises have been used as a florist (although this has not since been regularised by any formal application to vary the above condition). Planning permission is now sought to change the use of the ground floor premises to A2 use (Financial and Professional). No alterations are proposed to the historic fabric of the building or its external appearance and the site layout would also remain unchanged. The size of the unit would remain at 65 square metres.

- 11.3 The proposed change of use would not have any direct or harmful implications for the historic fabric and external appearance of the listed building and the main issues under consideration would be:
- The requirements of Policy DP40 in relation to the change of use from retail within defined villages.
 - Any implications with regards to the amenities of neighbouring residents.
- 11.4 Policy DP40 of the New Forest National Park Local Plan seeks to ensure development meets the retail needs of the defined villages. Specifically, the policy supports the change of use of ground floor premises from retail provided that it will not result in the proportion of retail units within the defined shopping frontage being reduced to less than 40%. The aim of the policy is to ensure that there is provision for a range of services for local communities, including specifically retail uses, in the defined villages.
- 11.5 The latest retail survey for Sway (January 2020) shows that the percentage of A1 use currently stands at 42%, thus 2% above that required by Policy DP40. On the basis of this proposal, the conversion of the A1 unit located within the Forest Heath House, currently standing vacant, to a non-A1 use, would result in a decrease in the proportion of A1 uses in Sway to 33%, thus 7% below the defined percentage threshold of 40%. The proposal would therefore be contrary to the requirements of Policy DP40.
- 11.6 The applicant is aware of the policy requirements set out under Policy DP40 and has been advised of concerns over the impact upon the proportion of retail versus non-retail uses within the defined shopping frontage. In response, the applicant has enclosed correspondence from the local Lettings Agency which states that since summer 2018 there have been several viewings but that interest in using the building for retail purposes has been limited. Most interest has been forthcoming from architects,

beauty salons or chiropractic clinics - all non-A1 uses. There had been interest from one individual to use the premises as a bike shop, but this was never followed up. The restrictions on using the building for A3 use providing hot food has also resulted in limited interest. It would therefore be necessary to assess whether this additional information provides sufficient justification for the policy conflict identified above (having regard also to National Planning Policy).

- 11.7 It has become apparent through the pre-application process that the site has now been vacant for a significant length of time. It is also the case that the lawful use of the premises should (based upon the planning history referenced above) be A3. For both these reasons it is considered that, although the proposal to now use the premises as an A2 use would result in the loss of retail usage within the shopping frontage, this would be acceptable in this location. There would appear to be significant demand for an A2 use to be introduced at the site and this could then increase the potential for the unit to become occupied, bringing about a significant benefit having regard to the length of time the building has been vacant. Of further relevance is the recent planning permission for the nearby Hatch Motors site, which whilst located outside of the primary shopping frontage, nonetheless will provide a further 200 square metres of retail floorspace. It is therefore considered that this change of use would not harm the overall viability of the Sway shopping frontage.
- 11.8 In terms of local policy, the Sway Village Design Statement Supplementary Planning Document recognises the value of the mix of commercial premises across the wider village, noting the existence of *"approximately fifty such enterprises which vary considerably in size from single proprietors to those that employ dozens of people"*. The document also considers that *"they provide much needed employment in the parish and are considered to be a vital element in keeping the village vibrant and working"*. The introduction of an alternative commercial use at the application site is considered to meet these aspirations along with Paragraph 83 of the NPPF which seeks to retain and develop local services and community facilities.
- 11.9 The proposed introduction of an A2 use in place of the A3 use which was originally consented, would have a reduced impact in terms of the noise levels, the likely number of deliveries and other vehicular movements. It is therefore recommended that planning permission should be granted.

12. RECOMMENDATION

Grant Subject to Conditions

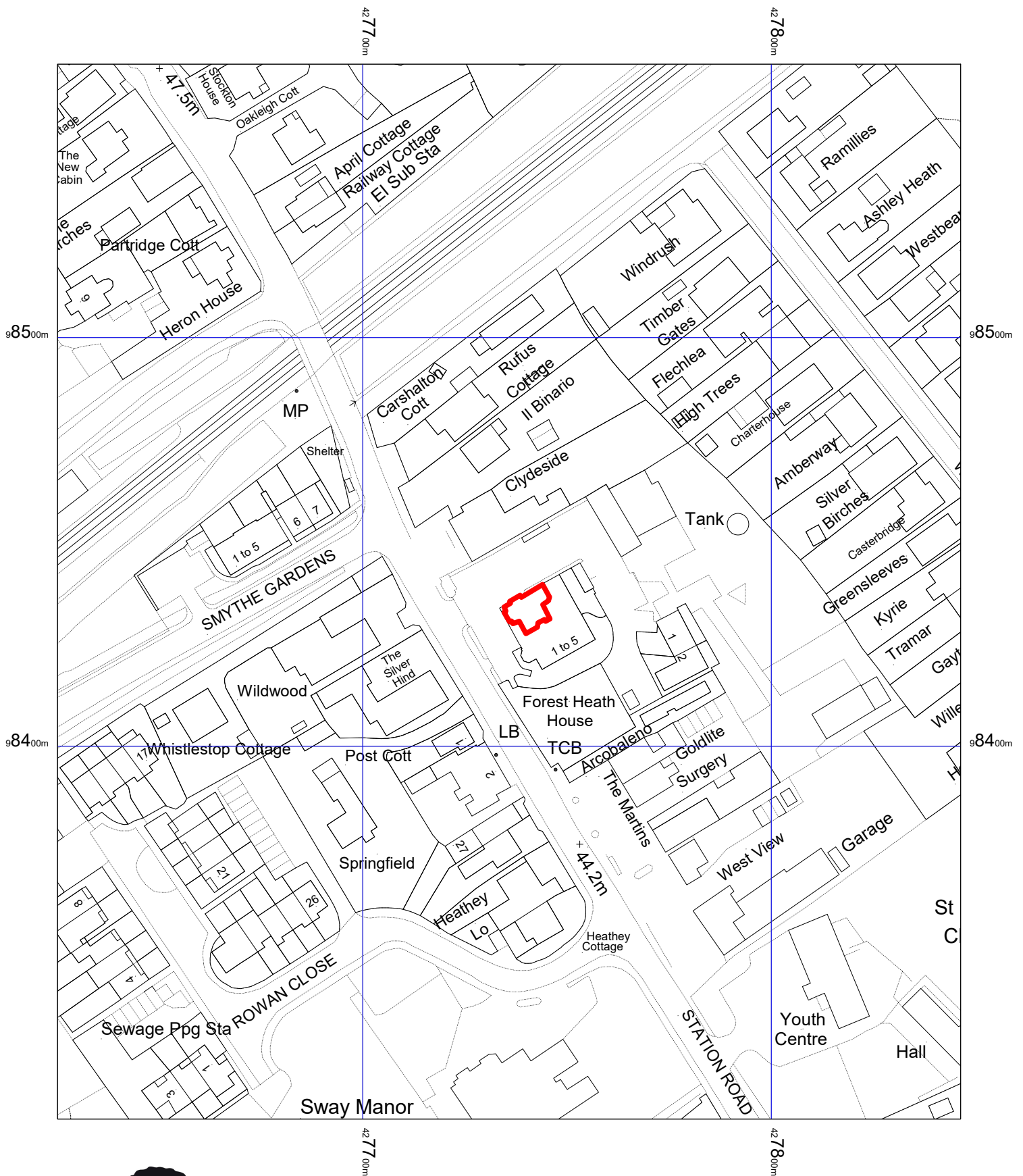
Condition(s)

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

- 2 Development shall only be carried out in accordance with Drawing Numbers: 2910 PL 01 Rev B and 2910 FHH 06 Rev B. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with Policies SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).



NEW FOREST
NATIONAL PARK

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