

**PLANNING COMMITTEE**

**Wednesday 6<sup>th</sup> August 2008**

This application is reported to Members at the request of a Councillor.

**Case Officer - Mr Matthew Gibson**

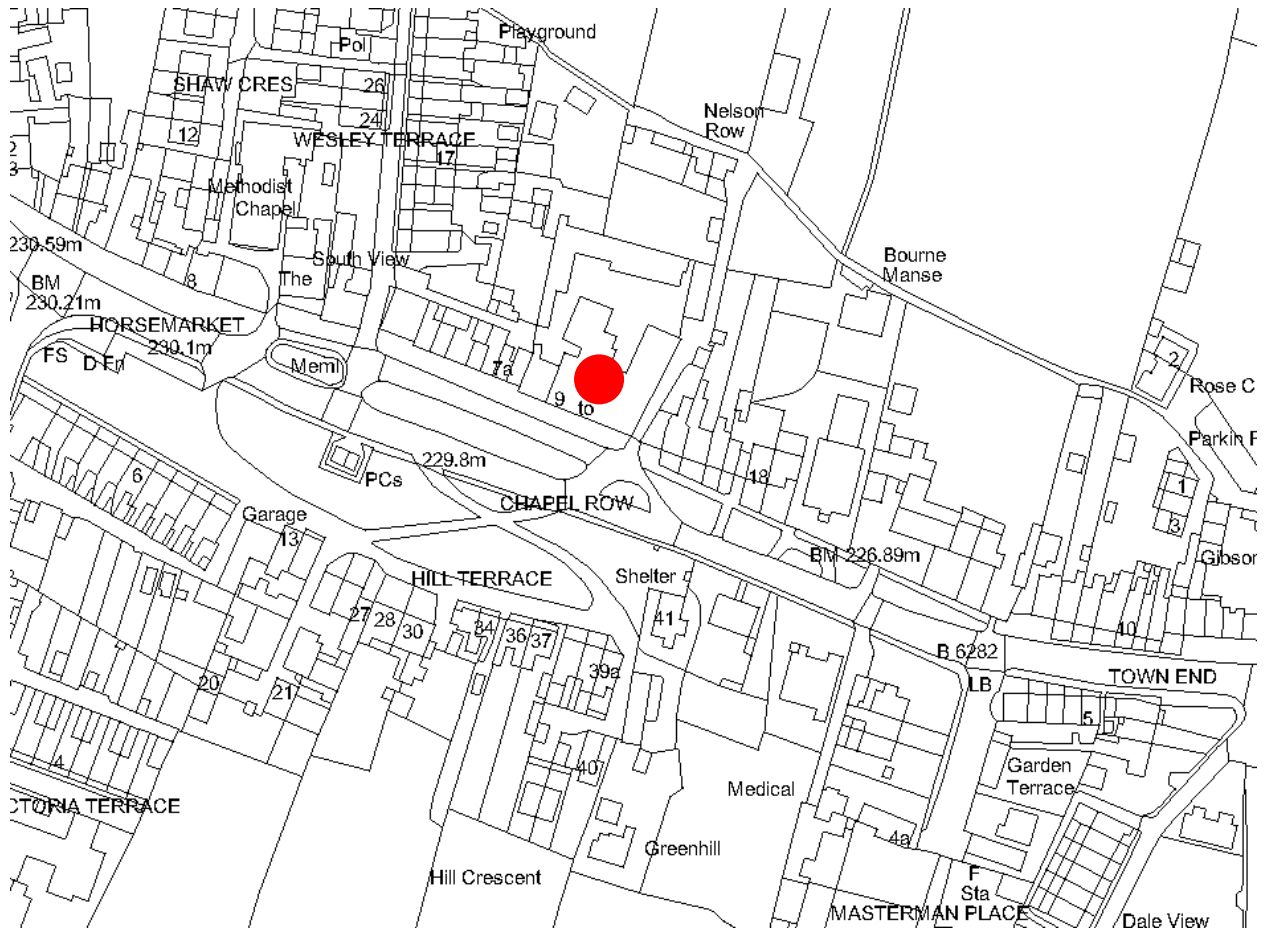
**Middleton in Teesdale - 6/2008/0200/DM**

Members will recall that this application was deferred at their planning committee meeting on the 9<sup>th</sup> July 2008. The officer's recommendation remains the same and Members should now be in a position to determine the application.

Change of use from Visitor Centre/Museum to Rural Community Support Centre including offices, Young People's drop-in, meeting/training facilities and social events. The facilities would be for multi-agency use including CAB, TDC etc. This would include using a shop window for advertising by a sponsor (estate agent) and possibly a future licensing application at 9 - 11 Chapel Row, Middleton-in-Teesdale for Ms Diane Spark on behalf of Upper Teesdale Agricultural Support Services (UTASS) (9 May 2008).

**THE SITE:**

This application relates to an existing premises last used as a museum in the village centre of Middleton in Teesdale. The building fronts onto Chapel Row and adjoins the Co-op food store. The application also relates to a further 2no. storeys of building to the rear and above numbers 9-11 Chapel Row.



**THE PROPOSAL:**

The proposal is a change of use to incorporate elements of the uses A2 Financial & Professional Services, D1 Non-Residential Institutions, D2 Assembly & Leisure. This includes use as a Rural Community Support Centre including offices, young people’s drop-in, meeting and training facilities and social events. This will also include ongoing provision of an advice service from agencies such as the Citizens Advice Bureau, Teesdale Housing Association and the Councils Customer Services Officers.

Due to insufficient information contained in the original application further clarification on a number of points was requested and received which answers a number of the objectors’ points. This is discussed as part of the planning considerations below.

**PLANNING HISTORY:**

- 2001/0203 – Change of use was granted from a café to a reception, lift and stairs
- 1999/0369 – Consent was granted for change of use of first floor from retail to a heritage resource and activities centre.
- 1980/0222 – Change of use from former butchers shop to a tearoom/restaurant

**PLANNING POLICY:**

- GD1 General Development Criteria
- ECON4 Business uses within residential areas
- BENV4 Development within and/or adjoining a conservation area

## **REPRESENTATIONS:**

### **Statutory and Internal Consultants:**

Middleton-in-Teesdale & Newbiggin Parish Council – Recommend approval including the following points:

- Delighted to see a redundant building being used for community purposes.
- Will allow work to provide enhanced youth provision for the district

County Highways – No objection

### **Public Responses:**

A total of 45 letters of support have been submitted and received in respect of this planning application.

A total of 4 letters of objection have been received:

- Middleton in Teesdale WMC
  - Proposal to hold events with proposed future licensing application would have a serious effect on existing licensed premises in the village who are already struggling.
  - Already sufficient licensed premises in the village
- 3 objections from residents making the following points:
  - Insufficient information given in the application relating to opening hours, uses, days.
  - Concerns relating to noise disturbance and the relationship to ventilation and opening of windows.
  - Inconvenience to users of the Co-op
  - Insufficient parking
  - Possibilities of anti-social behaviour in one place

## **PLANNING CONSIDERATIONS:**

Since this application was received use of the building for the uses proposed has commenced. Therefore this planning application is part retrospective.

The application seeks permission for the change of use to accommodate a number of uses associated with a local community support centre. This is reflected in the description and the subsequent uses applied for. These are A2, D1, D2 use classes contained in the Town and Country Planning (Use Classes) Order 1987 cover the following possible intended uses for which the application seeks approval:

- Young peoples drop-in
- Offices
- Meeting/Training facilities
- Social Events
- Facilities to aid multi agencies

- Estate agency sponsor

A number of these uses can already be undertaken as part of the existing use associated with the building including the training and meeting facilities and the drop in centre for young people under use class D1 Non-residential Institutions.

The parish council and letters of support received for this application have highlighted the positive contribution this organisation makes to the village and surrounding areas. The premise is a place for young people to engage in activities in a rural community without many of the services associated with more urban areas. The important consideration as part of this application is the balance between the wider community benefits and protecting the amenity of nearby residents in a quiet village location.

The application site is within the Middleton in Teesdale Conservation Area and is also in close proximity to residential dwellings. Consideration has therefore been given to the impact of the intended uses on local residents. It is accepted that the intensity of use will increase which may lead to a rise in the amount of traffic and pedestrians in and around the area. However, in a village centre location this would not be to an unacceptable level and would not be to the detriment of character and appearance of the conservation area. The County Highways department have been consulted as part of this application process and have raised no objections to the use in this location.

It should be noted that objections were received regarding the issue of competition within the village and the impact this permission will have on the existing premises. This is not a material planning consideration and therefore cannot be considered with regards to this application.

There has been concern raised by local residents in relation to the possible nuisance caused by the users of the building in terms of excessive noise caused by music and people leaving after functions. By inclusion of specific conditions relating to use, acceptable opening hours and noise, the amenity of local residents should not be unreasonable harmed in accordance with policy ECON4 of the TDLP.

There are no permanent physical alterations to be made to the building to accommodate this change of use.

**PLAN Nos AND DATE RECEIVED:** (9 May 2008)

- No9-11-1 – West wing first floor layout (proposed)
- No9-11-2 – East wing first floor layout (proposed)
- No9-11-3 – Ground floor layout (proposed)
- No9-11-4 – Ground floor plan (proposed)
- No9-11-5 – First floor plan (proposed)
- No9-11-6 – Second floor plan (proposed)

**RECOMMENDED: That Full Planning Permission be granted subject to the following conditions**

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

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out wholly in accordance with the details contained in the application as submitted to the Council on the date specified in Part 1 of this decision notice unless otherwise firstly approved in writing with the Local Planning Authority.

To ensure the development is carried out in complete accordance with the approved plans.

3. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 1995 (or any revocation and re-enactment of that Order), the premises shall only be used for uses contained within Use Class A2, D1 and D2 of the Town and Country Planning (Use Classes) Order 1987 (or any revocation or re-enactment of that Order), and for no other use without the prior permission of the Local Planning Authority

In order to define the consent.

4. No loudspeakers or similar electrical equipment shall be installed or used so as to be audible outside the building.

To avoid excessive noise and disturbance to the occupants of nearby properties

5. The use hereby permitted shall not be open to customers or members other than between the hours of 9.00am and 21.30pm Monday to Saturday and 9.00am and 18.00pm Sundays.

In order to protect the residential amenities of the locality and the occupiers of adjoining residential properties

6. The premises can hold up to 10 individual events per year with extended opening hours until 12.00 midnight. A record of each event shall be held and made available to the local authority upon request.

In order to protect the residential amenities of the locality and the occupiers of adjoining residential properties