

East Area Planning Committee

-6th August 2014

**Application Number:** 14/01600/CT3

**Decision Due by:** 7th August 2014

**Proposal:** Change of use from Use Class D1 (IT information and training centre) to mixed use D1/A1 (Non-residential Institutions/ Shops).

**Site Address:** 8 Underhill Circus, **Appendix 1**

**Ward:** Barton And Sandhills Ward

**Agent:** N/A

**Applicant:** Oxford City Council

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**Recommendation:**

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed change of use to a mixed Class D1/ Class A1 use will bring a vacant building into use, increasing the vitality and viability of the Underhill Circus Neighbourhood Centre. The retention of the D1 use will also enable training facilities to be provided in the future. The proposal is therefore in accordance with the Policies of the Oxford Local Plan 2001-2016, and the Core Strategy.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans

## **Main Local Plan Policies:**

### **Oxford Local Plan 2001-2016**

**CP1** - Development Proposals

**CP6** - Efficient Use of Land & Density

**CP10** – Siting to Meet Functional Need

**RC8** - Neighbourhood Shopping Centres

**RC9** - Individual Shops

## **Core Strategy**

**CS18**\_ - Urban design, town character, historic environment

**CS31**\_ - Retail

**CS16**\_ - Access to education

**CS31**

## **Barton AAP**

### **Other Material Considerations:**

National Planning Policy Framework (NPPF)

Planning Policy Guidance (PPG)

## **Relevant Site History:**

03/00993/CT4 - Shopfront security shutters.. PER 8th July 2003.

91/01111/NF - Change of use of part of shop from shop (Class A1) to mixed use shop and tea-room (Class A1/A3). PER 8th January 1992.

97/01805/NF - Change of use from shop (Class A1/A3) to Information Technology Information and Training Centre.. PER 7th January 1998.

11/02822/PDC - PERMITTED DEVELOPMENT CHECK - Change of use to Class A3. WDN 12th March 2013.

13/02706/FUL - Change of Use from Use Class D1 (non-residential institution) to Use Class A5 (hot food takeaway).. APPRET .

## **Representations Received:**

None

## **Statutory and Internal Consultees:**

None

## **Determining Issue:**

- Principle of the change of use

## **Officers Assessment:**

1. The application is seeking the change of use of 8 Underhill Circus from Use Class D1 (IT Information and Training Centre) to a mixed Class D1/A1 (Non-residential Institutions/Shops). 8 Underhill Circus forms one of the units within the Barton neighbourhood shops. This unit has been vacant since 2011. And the former Post Office is also vacant. A prospective tenant has been found who wishes to use the premises as hairdressers, and to also sell mobile phone accessories. It is proposed to employ one full time and two part time employees.
2. The application site is within Underhill Circus, which is defined as being a neighbourhood centre within the retail hierarchy which is set out in the Core Strategy. Moreover policy RC11 of the Local Plan seeks to retain and improve shopping facilities in neighbourhood centres. This centre at Underhill Circus provides local shops to serve the local needs of the Barton community. The unit was previously used for training for IT purposes. It has been vacant for more than two years, and a tenant has been found who wishes to operate as a hairdressers. This will bring the unit back into an economic use, which is appropriate to the location, providing goods and services to the community. The proposed development is considered to be appropriate to the role and function of Underhill Circus. The scale of the development which involves the change of use of 32.4 square metres is modest but forms part of a purpose built group of shops. The site is also well served by a regular bus service and is accessible by the cycle network.
3. It is also proposed to retain the D1 use of the site. This is to ensure that in the future if a need arises the property can again be used for training uses or similar. This use is also considered to be appropriate in this location and therefore to retain this use is also considered to be acceptable.
- 4.

**Sustainability:**

5. The application is seeking to bring a vacant building into use, making use of an existing building in the built environment, and increasing its economic sustainability.

**Conclusion:** Recommend Approval

**Human Rights Act 1998**

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the

rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

**Background Papers:** 14/01600/CT3

**Contact Officer:** Sian Cutts

**Extension:**

**Date:** 21st July 2014