



TO: Planning Committee North

BY: Head of Development

DATE: 8 September 2020

DEVELOPMENT: Change of use of office (B1 use) to guest room (C1 use) (Full Planning Application)

SITE: Kaya Café, The Stable Block, North Street, Horsham, West Sussex RH12 1RJ

WARD: Denne

APPLICATION: DC/20/1201

APPLICANT: **Name:** Mrs Benita Uys-Wright **Address:** The Stable Block, North Street Horsham RH12 1RJ

REASON FOR INCLUSION ON THE AGENDA: The applicant is Horsham District Council

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 This application seeks planning permission for change of use of part of the first floor office (B1 use) to a guest room (C1 use). The proposed development comprises the change of use of the first floor office space to create a single bedroom and bathroom to be used for guest accommodation. The proposed change of use would form part of the business currently occupying the ground floor, Kaya Café, which as part of Conservatory Events Ltd seeks to provide guest accommodation as part of functions to be held in the Café, such as weddings, birthdays etc.

DESCRIPTION OF THE SITE

1.3 The application site is located on the northern side of North Street and lies within Horsham Park. The application relates to the first floor of the stable block building, which consists of two rooms previously used for office space and now forms part of the Kaya Café, which is located on the ground floor of the building. The Stable Block is a grade II listed building, which previously formed part of Park House, which is a grade II* listed building. The site is not within a conservation area and lies within the defined built-up area of Horsham with local amenities within walking distance. The town centre is a short walk away, as well as Horsham Railway Station.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 9 - Employment Development
Policy 11 - Tourism and Cultural Facilities
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 40 - Sustainable Transport
Policy 41 - Parking

- 2.2 RELEVANT NEIGHBOURHOOD PLAN

There is no Made plan

- 2.3 Parish Design Statement:

Horsham Town Design Statement 2008

- 2.4 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/20/1202	Change of use of office (B1) to guest room (C1). Repair and paint the existing external windows, doors and conservatory (Listed Building Consent)	Pending
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3. OUTCOME OF CONSULTATIONS

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

- 3.1 **HDC Design and Conservation:** No Objection

- 3.2 **Denne Neighbourhood Council:** No Objection

PUBLIC CONSULTATIONS

- 3.3 No representations received

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

- 6.1 Policy 11 (Tourism and Cultural Facilities) in the HDPF states that measures which promote tourism and enhance local cultural facilities, including recreation based rural diversification, will be encouraged. Any development should be of a scale and type appropriate to the location and should increase the range, or improve the quality of accommodation, attraction or experiences for tourists, day visitors, business visitors, and residents in the District. Support will particularly be given to proposals which: Reinforce the local distinctiveness and improve existing facilities; Focuses major tourism and cultural facilities in Horsham town centre; Seek to ensure that facilities are available within the towns and villages in the district and are in keeping with their relationship with the urban area.
- 6.2 Policy 33 (Development Principles) in the HDPF states that “new development should make efficient use of land, and prioritise the use of previously developed land whilst respecting constraints that exist.”

Heritage Impact and Loss of Offices

- 6.3 The application site currently consists of a two storey listed building, which lies in a prominent position within Horsham Park. The ground floor is currently used as a café/restaurant, known as ‘Kaya Café’, with the first floor formerly being office space for the Council, now forming part of the Café. The proposal would involve minor internal alterations to allow one of the offices to be self-contained and used as accommodation. It is proposed that this will be used by visitors as guest accommodation. The proposal would not involve any structural works to the external façade of the existing building or any significant changes in appearance, as such the proposed change of use would not introduce harm to the appearance of the existing building or the character of the surrounding area. The proposal is therefore considered to comply with Policy 33 of the HDPF and the aims of the NPPF.
- 6.5 Whilst the first floor was previously used as office space by the Council, the first floor now forms part of the space used by the Café for storage/office space. The scheme would retain an office for the café. It is considered that the loss of this small office space is acceptable and would not impact the overall supply of office space in Horsham town.
- 6.6 The proposal would form part of the growing business of Conservatory Events Ltd, which has occupied the building since February 2020 and seeks to offer varying functions in line with the ground floor café business. Conservatory Events Ltd seeks to provide a service (including this proposed accommodation) in connection with West Sussex County Council’s registry office, which holds wedding ceremonies in Park House.
- 6.7 Policy 34 of the HDPF states “The Council recognises that heritage assets are an irreplaceable resource, and as such the Council will sustain and enhance its historic environment through positive management of development affecting heritage assets.” Paragraph 192 of the NPPF states “In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.”

- 6.8 The proposed change of use would involve only modest internal works; removing an existing stud wall between the existing toilet and kitchen to create an enlarged ensuite bathroom and inserting a new stud wall to close off the existing toilet door. Further works would be creating a new internal entrance to the proposed accommodation and thereby remove the existing room entrance wall. It would not be considered that the proposed work would cause harm to the fabric of the existing building. All works would not involve original elements of the listed building and the HDC Design & Conservation Officer has raised no objection. Therefore, the proposal would not be considered to cause harm to the listed building. As such, the proposal would be in accordance with Policy 34 of the HDPF and the NPPF

Transport and Amenity Impact

- 6.9 The application site has no parking of its own, but sits adjacent to a public car park. The site is also in close proximity to the town centre, as well as the railway & bus stations. Therefore, the proposed change of use would utilize the existing public car parks, much like the existing café and other nearby services and facilities. Additionally, given the size of the proposed accommodation, its use is only likely to generate limited demand on parking in the area. Overall, it is felt that the site is located in a sustainable location and therefore is considered to be acceptable with Policies 40 and 41 of the HDPF and the NPPF.
- 6.10 In relation to amenity impact, the building is situated adjacent a car park and Horsham Park. There are no immediate residential properties. As such, the proposed use would not detrimentally impact on the amenity of any adjacent properties. The accommodation would also utilise existing facilities for drainage, water and electricity supply.

Conclusion

- 6.10 Overall, the proposed change of use is considered an appropriate form of development, which would provide additional tourism accommodation to the area, whilst enabling the further growth of a new business, involving a minimal amount of internal work to be undertaken that would not cause harm to the character of the listed building. The proposal is therefore considered compliant with National and Local Planning Policy. It is therefore considered that the principle of development in this location is acceptable as complying with Policies 3, 9 and 33 in the HDPF (2015) and the NPPF.

7. RECOMMENDATIONS

- 7.1 It is recommended that planning permission be granted subject to the following Conditions:

1. Plans Condition.

2. **Standard Time Condition:** 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.

3. **Regulatory Condition:** The residential accommodation hereby permitted shall, when occupied as guest accommodation be managed in accordance with the following:
- i) The accommodation shall be occupied for holiday and short-term let purposes only;
 - ii) The accommodation shall not be occupied as a person's sole, or main place of residence;
 - iii) The accommodation shall not be occupied by any one person for a period exceeding 28 days in any calendar year;
 - iv) The accommodation shall at all times be managed and supervised by Kaya Cafe;

- v) The operators shall maintain an up-to-date register of the names of all occupiers of the accommodation on the site, and of their main home addresses, and shall make this information available to the Local Planning Authority upon request.

Reason: To maintain the availability of the site as short term guest, holiday and tourist accommodation in accordance with Policies 10, 11, 26 and 33 of the Horsham District Planning Framework (2015).