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| 24th July 2014 |  |

Neil

**32–33 Great James Street - Ref: 2014/4179/L & 2014/4168/P**

Following your query regarding the application for change of use of 32-33 Great James Street, in particular its compliance with DP13. Please see our justification below:

Policy DP13 seeks to prevent the loss of employment space but a clear distinction is made between office and other types of business uses. The Council’s evidence base indicates that there is no shortage of office space in the Borough and that sufficient provision has been made for current and long term needs. As a consequence, DP13 provides for the change of use from offices to residential use where the former is the only suitable business use.

Development Plan policy DP13 makes provision for the loss of an ‘employment’ or ‘business’ use - the terms are used interchangeably in the policy - to a non-business use but requires applicants to demonstrate that the building is no longer suitable for its existing use and that all alternative business uses have been explored and discounted before a non-business use can be countenanced. This includes, by way of justification, evidence of a marketing exercise (paragraph 13.5) for alternative business uses. Having completed this exercise, if it can be demonstrated that the building is not suitable for any business use or that it is *only* suitable for office use, change of use to residential may be permitted. Paragraph 13.3 lists the criteria for assessing a building’s suitability for business use.

CPG5 provides additional guidance in respect of the implementation of policy DP13. It

confirms that the Core Strategy makes adequate provision for the identified need for office space during the plan period; as a consequence older stock, and specifically that which was originally built as a dwelling, could be permitted to change to a residential or community use.

It provides further guidance on the factors that will be taken into account when considering a change of use. This includes the criteria listed in paragraph 13.3 of policy DP13: the age of the premises; whether they meet the needs modern office accommodation; the quality of the premises and whether it is purpose built accommodation. Poor quality premises that require significant investment to bring up to modern standards may be suitable for conversion.

DP13 and CPG5 provide detailed physical and locational criteria for assessing a site’s suitability for employment use. The focus is clearly on the retention of those sites and buildings that offer the scope for the widest range of potential business uses. The upper floors of 32-33 do not satisfy these tests and the building is not suitable for business use other than office.

There are several recent precedents on Great James Street, the most recent and relevant examples would be the conversions of numbers 31 and 34, where planning permission was granted for change of use from office to residential. There were also earlier examples at 11, 12, 10 and 37.

The officer’s report confirmed that the Council was content that the buildings were only suitable for a B1 (a) use and that a change to residential was therefore acceptable. No marketing evidence was required to justify the change.

In addition, its status as a Grade II\* listed building has a bearing on its potential for office use or conversion to alternative employment uses. Indeed, given its condition, it is highly questionable whether office use is the optimal viable use from a heritage perspective.

If you require any further information please don’t hesitate to contact us.

Yours sincerely

Glyn Emrys

for and on behalf of Emrys Ltd.

cc.

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