

F/YR12/0170/F

2 March 2012

Applicant : Mr J Bruce

Agent : Mr V Knight  
Knight & Associates

6 Hill Street, Wisbech, Cambridgeshire, PE13 1BA

Change of use from A1 to a 2-bed dwelling

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This proposal is before the Planning Committee due to it being called in by Councillor King to assess its effect on the viability of the town centre.

This application is a minor application.

1. **SITE DESCRIPTION**

6 Hill Street is located on the southern side of the street and situated within the central commercial area boundary, but outside the primary shopping frontage of Wisbech town centre. It is a fabric shop and has a frontage of approx. 4.5 metres. New Bell Lane (footpath) runs to the rear and the shop occupies the whole plot. The shop currently sells fabric and other related items. It lies in the conservation area, Flood Zone 1 and has an overall site area of approx. 45 square metres (0.0045ha).

2. **HISTORY**

Of relevance to this proposal is:

- |                         |   |
|-------------------------|---|
| F/0417/80/F             | - Change of use from shop units with residential accommodation to 3 residential units, 6 – 8 Hill Street – Granted 01/07/1980 |
| Pre-application enquiry | - Application for change of use could be supported (16/02/12)   |

3. **CONSULTATIONS**

<b><i>Parish/Town Council:</i></b>	Recommend refusal. Members consider this is not in keeping with the retail street scene.
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<b><i>Local Highway Authority (CCC):</i></b>	This scheme has no highway implications. The local planning authority will need to take into account the implications of there being no off street parking provision.
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<b><i>Wisbech Society</i></b>	Awaited
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<b><i>CCC Archaeology</i></b>	Awaited
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**Wisbech and District Chamber of Commerce**

Chamber is extremely concerned about this application as feel that the town cannot afford to lose any more retail premises. We understood the government are asking for a percentage of town centres to remain as retail. It is realised there is some residential in the street already but this change could start a process that would split some other businesses off from the shopping area.

**FDC Scientific Officer (Land Contamination):** Awaited

**FDC Conservation Officer**

I have no objection to this proposal, on the basis that this property would have originally been a house (only much later becoming a shop) and that no significant external changes are proposed.

The ground floor glazing, which seems to be three sash-style windows in a row, may not be feasible as they don't seem to have any physical support. The windows will need to be redesigned and I would recommend better detailing for the glazing to see how it will work.

**Local residents/interested parties:**

1 letter of objection has been received from the neighbour to the west of the application site. The following points have been raised:

- Concern that the change of use will cause a break in the retail area of this street and customers will feel there are no more retail premises once a residential property is reached.
- Concern that there are not enough retail premises available in the town centre.
- Town centre is struggling enough without there being no shops for people to come to or no small affordable premises for businesses to take on in town.

A letter has been received from the owner of the premises to the east stating that they have no objection

in principle to the change of use; however the submitted plans are incorrect. They show details of a bin store to the rear via the yard of No. 8 Hill Street. This yard does not allow any shared access for refuse storage. The original door to No. 6 Hill Street was at the rear of the building and has been bricked up and not used for many years. The rear side door shown on the plan is not in place and if reinstated would access onto our property which would not be possible.  
(The agent is investigating this matter.)

#### 4. POLICY FRAMEWORK

##### FDWLP Policy

- |     |   |   |
|-----|---|---|
| S4  | - | The District Council will normally encourage the residential use of vacant or underused upper floors of shops and other commercial properties in new or existing developments in town centres by their conversion into, or use as, self contained flats provided such development would not give rise to serious highway or amenity objections. |
| E12 | - | The Council will normally require all developments in a conservation area to preserve or enhance its special architectural or historic interest. Development will be expected to meet certain criteria.   |

##### Fenland Communities Development Plan (Core Strategy – Draft Consultation, July 2011)

- |     |   |  |
|-----|---|--|
| CS4 | - | Employment and Retail<br>Each town centre will have a Primary Shopping Area (PSA) and defined primary frontages in these designated areas. |
|-----|---|--|

##### National Planning Policy Framework (NPPF)

- |                |   |   |
|----------------|---|---|
| Paras 2 and 11 | - | Planning law requires that applications for planning permission must be determined in |
|----------------|---|---|

- accordance with the development plan, unless material considerations indicate otherwise.
- Para 14 - At the heart of the NPPF is a presumption in favour of sustainable development. For decision taking this means where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  - Specific policies in this Framework indicate development should be restricted.
- Para 23 - Amongst other things, to ensure the vitality of town centres local planning authorities should recognise that residential development can play an important role in ensuring the vitality of town centres and set out policies to encourage residential development on appropriate sites.
- Para 17 - One of the twelve core planning principles is that planning should, always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

## 5. ASSESSMENT

### ***Nature of Application***

This application seeks planning permission for a change of use of 6 Hill Street, Wisbech from a shop (A1) to a 2-bed dwelling.

The application is considered to raise the following key issues;

- Site history
- Principle and policy implications
- Layout
- Design
- Parking
- Bin storage

### ***Site History***

There have been no recent planning applications relating to this site. In 1980 planning permission was granted for a change of use of no's. 6 and 8 Hill Street to residential use. This consent does not appear to have been implemented and it was determined under a previous policy regime, prior to the adoption of the FDWLP, therefore, cannot be given significant weight.

Recently pre-application advice has been given, without prejudice, indicating that a change of use could be acceptable prior to the introduction of the NPPF.

### ***Principle and Policy Implications***

As the FDWLP and the draft core strategy are silent in terms of specific policies relating to the change of use of retail to residential use beyond the primary shopping frontages, the advice contained in para 14 of the NPPF should be considered. Essentially the presumption in favour of sustainable development runs through the NPPF and granting permission should be considered unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits (when assessed against the policies in this NPPF taken as a whole) or specific policies in the NPPF indicate development should be restricted.

The principle of residential development in this sustainable location could be seen as acceptable in the absence of any policy at a local level indicating a contrary approach; however, officers consider that there will be adverse impacts in doing so. These adverse impacts relate to:

- The impact of the change of use on the vitality of the street, (dealt with in this section of the report) and
- The lack of amenity space and its impact on the existing and future occupiers of the site and its immediate locality (dealt with in the next section of the report).

As there are no other residential properties at ground floor level on the southern side of the street the point has been made by objectors that the introduction of a residential use would punctuate the continuous shopping frontage and make the street less attractive to shoppers who may cease to venture all the way along the street. Officers share this concern. There are a handful of dwellings in Hill Street, but they are in a minority to the retail and office uses and on the opposite side of the road from the application site. The change of use if approved would be the first dwelling on the southern side of the street and could be seen as a precedent and encourage further changes which would be difficult to resist. It is considered that this would have a knock on effect and damage the viability and vitality of this area of the town centre, which although not designated as primary shopping frontage (FDWLP) still has a good concentration of occupied shops.

### ***Layout***

The layout of the proposal presents some challenges as the building occupies the entire plot and it has yet to be clarified if there is any scope for the building to be able to share the rear yard of No. 8 Hill Street (as indicated on the submitted plans). It may be the case that a new door could be placed in the rear elevation of the property and this would open directly onto New Bell Lane; however, the lack of any amenity space for general outdoor storage

and use by the future occupiers causes concern. The majority of properties on the southern side of Hill Street use New Bell Lane for access to the rear of their properties and for the storage of their wheelie bins. It is recognised that several of the properties abut the lane directly like no. 6; however, the main difference is that the ground floor premises are all in retail use and some have an element of residential accommodation at first floor level only. Flats above shops are an established way of providing a mix of uses within the town centre with existing and new policies supporting this. The overall expectation in relation to the provision of private amenity space for a town centre flat would be less than the requirement for a two bed dwelling. Officers consider that the lack of amenity space is an issue which is out of step with one of the core planning principles of the NPPF in that the development would not provide a high standard of amenity for existing and future occupiers of the land.

### ***Design***

There are design issues which the FDC Conservation Officer has flagged up concerning the replacement window in the front elevation. These are not insurmountable and would require the production of an amended plan showing more detail regarding the replacement front window. Amended plans will also need to show any alterations to the rear of the property as a result of the ownership issues being resolved.

### ***Parking***

The proposal cannot provide any on site parking given the restricted nature of the site; however, this would not be considered a fatal flaw in a town centre application. Car parks are available close by and the bus station is less than a five minute walk from the site. Overall the site can be considered to be in a sustainable location.

### ***Service Provision***

If no rear access is provided refuse would need to be taken from the front of the property via Hill Street around to the back of the premises to New Bell Lane. This is a situation which will clearly be onerous for the occupants of the premises and cannot be seen to accord with the core planning principles of the NPPF.

### ***Conclusion***

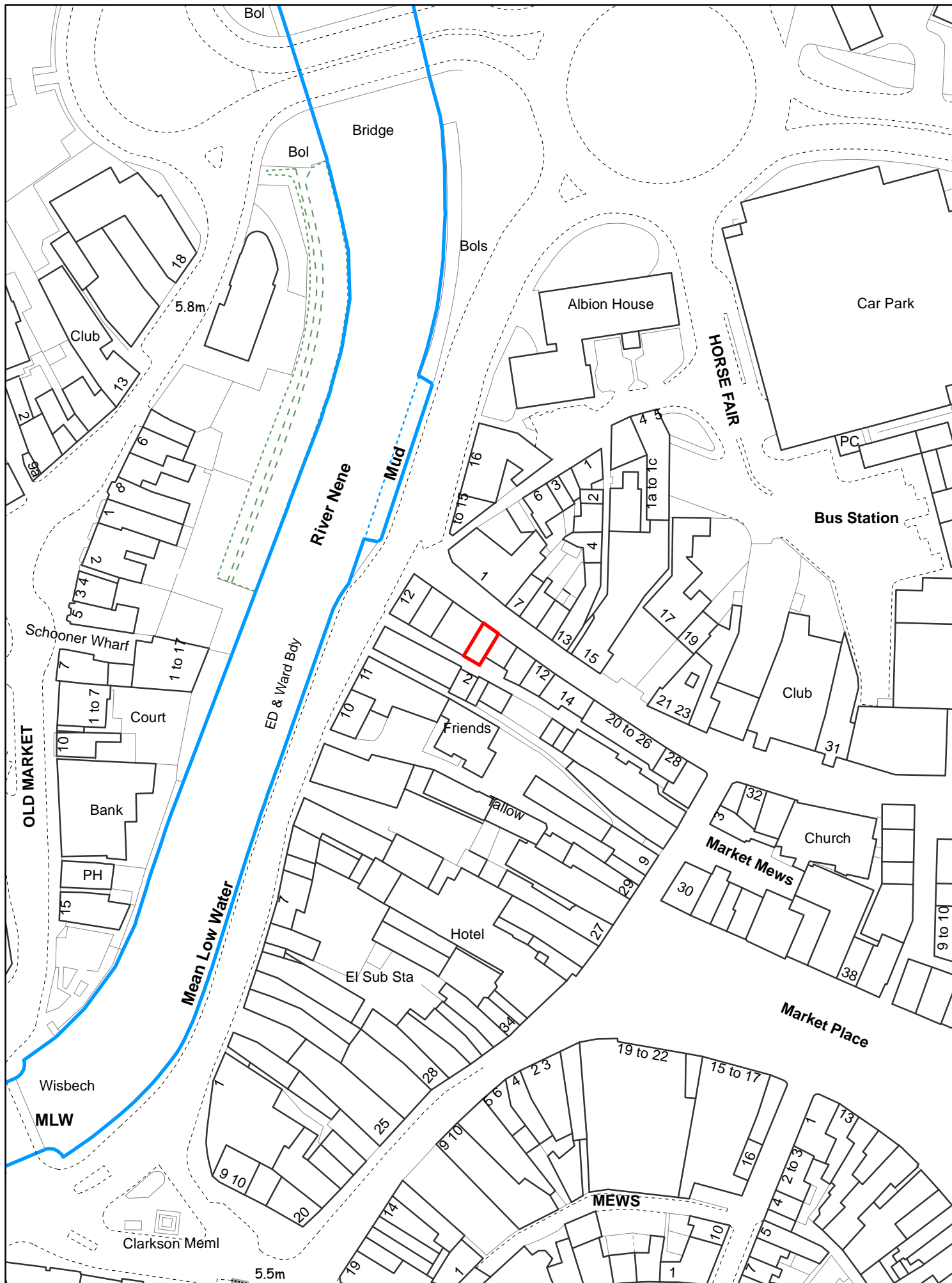
In the absence of any policy which is directly relevant to the proposal the advice contained in the NPPF should be followed. The thrust of this advice is that if development is considered sustainable planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. It is considered that the loss of a shop, which is currently open for business, and its replacement with a dwelling which would be the first on the southern side of Hill Street has adverse impacts in relation to the vitality and viability of this part of the town centre. Shoppers could be deterred from venturing along the whole street once a residential element is introduced. In addition, the lack of any outdoor amenity space will produce an environment which fails to provide a good standard of amenity for existing and future occupants of land and buildings.

As a result the proposal is contrary to advice contained in the NPPF and refusal is recommended.

6. **RECOMMENDATION**

**REFUSE**

1. **The introduction of a residential use on the southern side of Hill Street, which has predominantly retail uses at ground floor level, is considered to give rise to adverse impacts in relation to the vitality and viability of this area of the town centre located adjacent to the Primary Shopping Area and offering a variety of independent outlets. Furthermore, the lack of any outdoor amenity space is considered to give rise to a development which fails to provide a good standard of amenity for the future occupiers of the building. As a result the proposal is contrary to the provisions of the National Planning Policy Framework.**



Created on: 20/03/2012

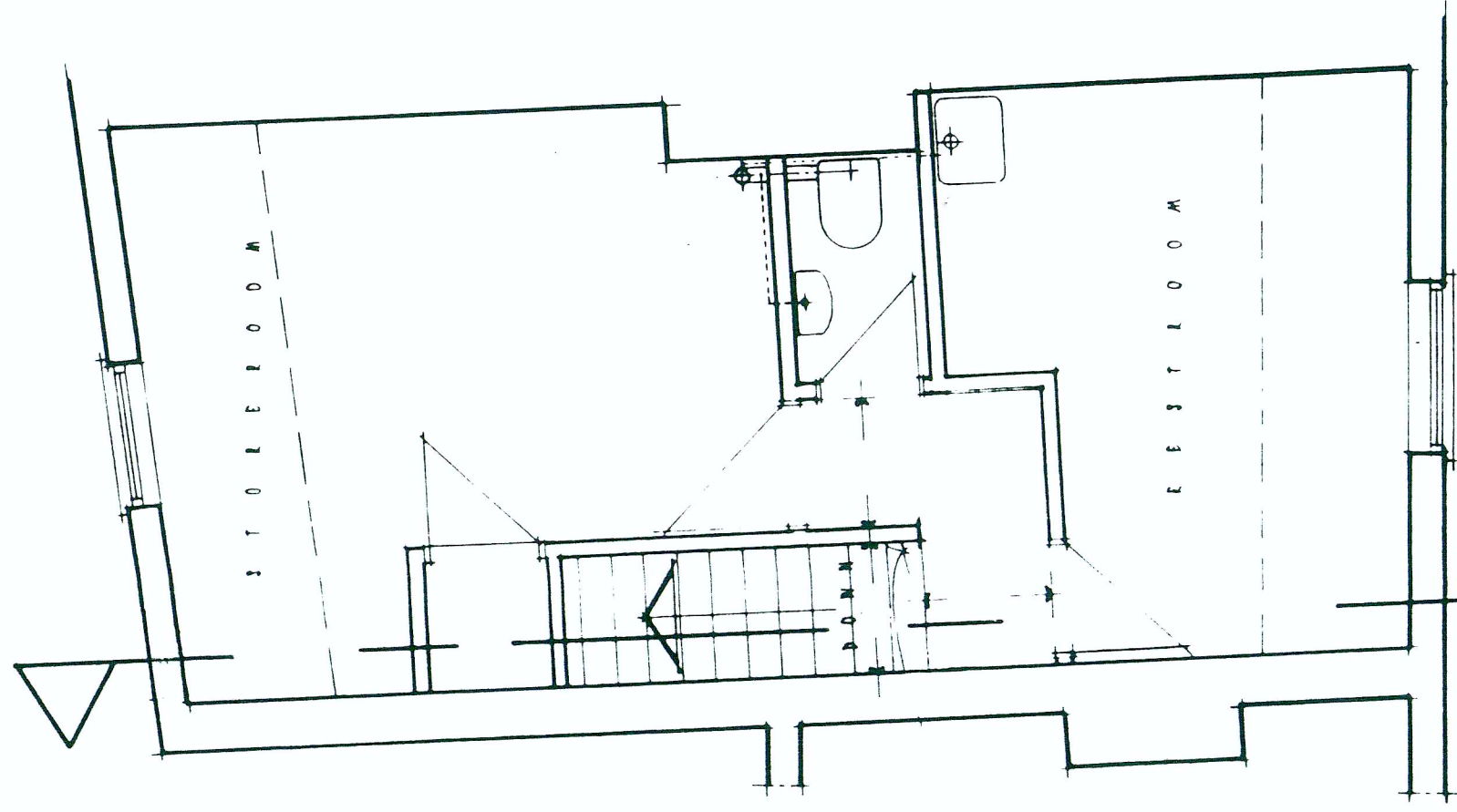
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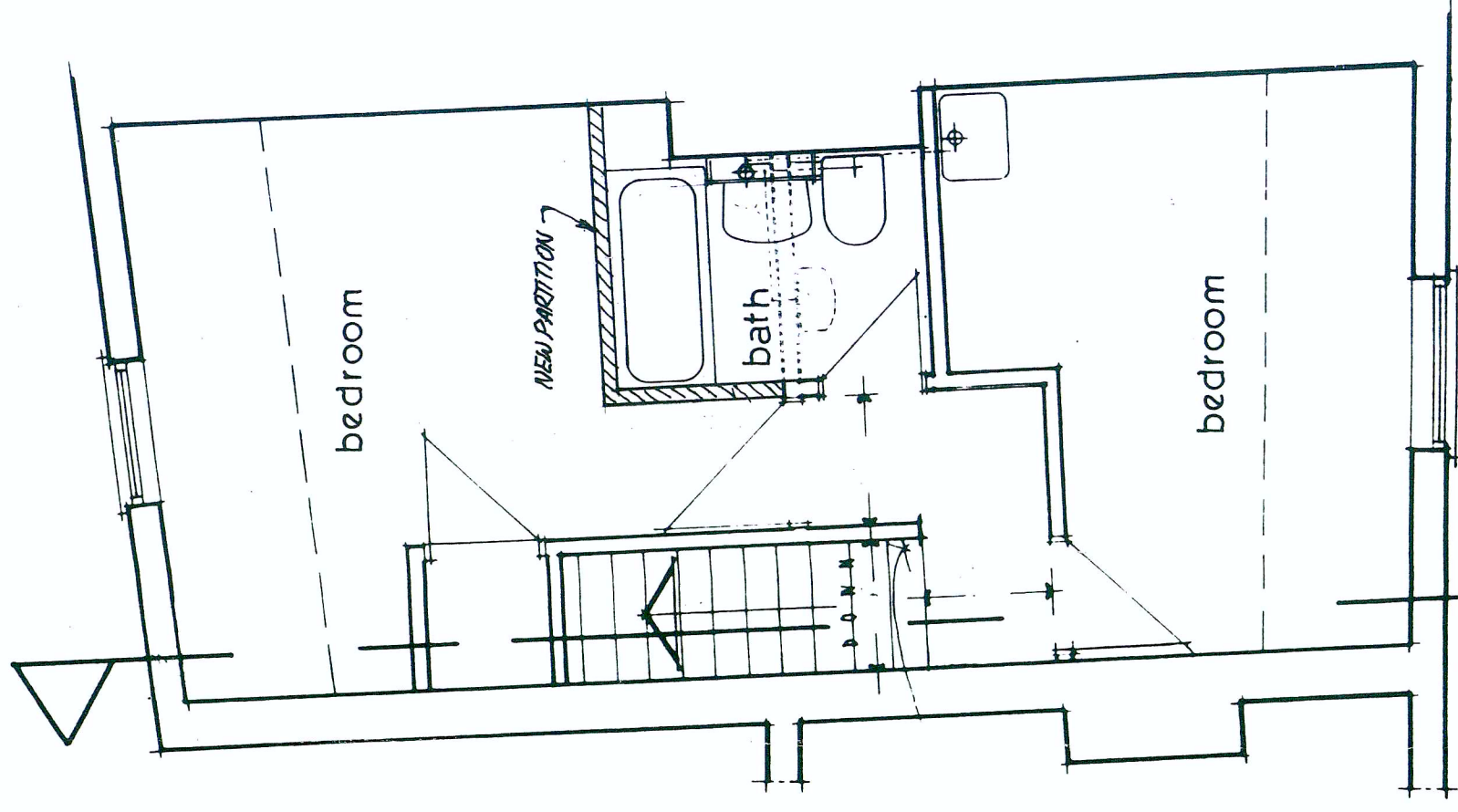
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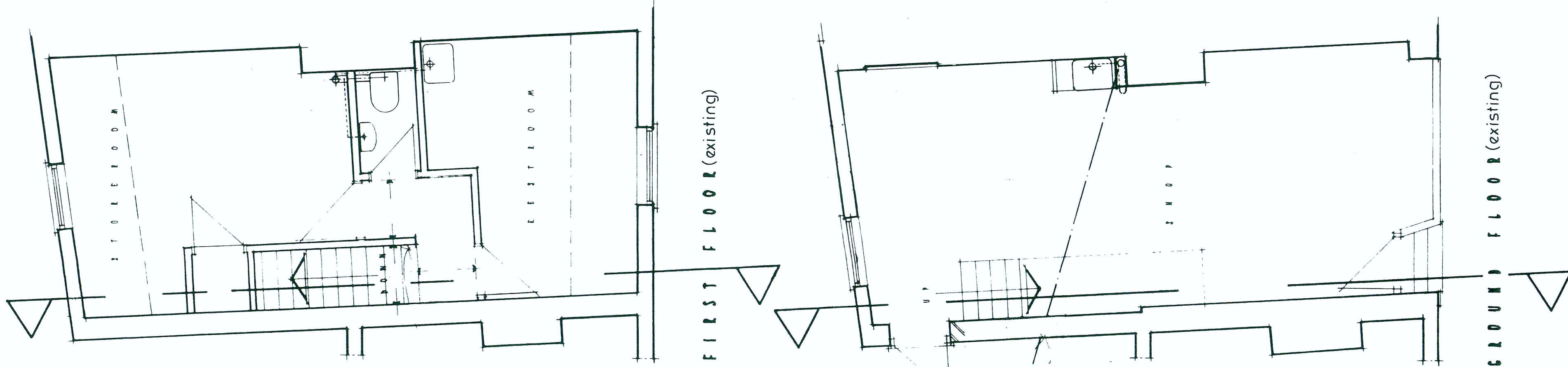




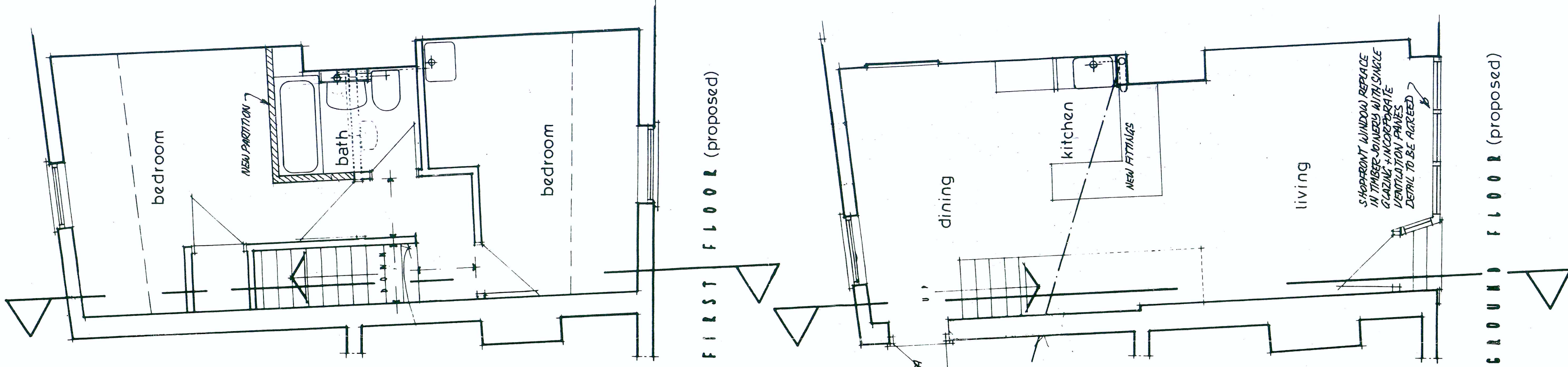
FIRST FLOOR (existing)



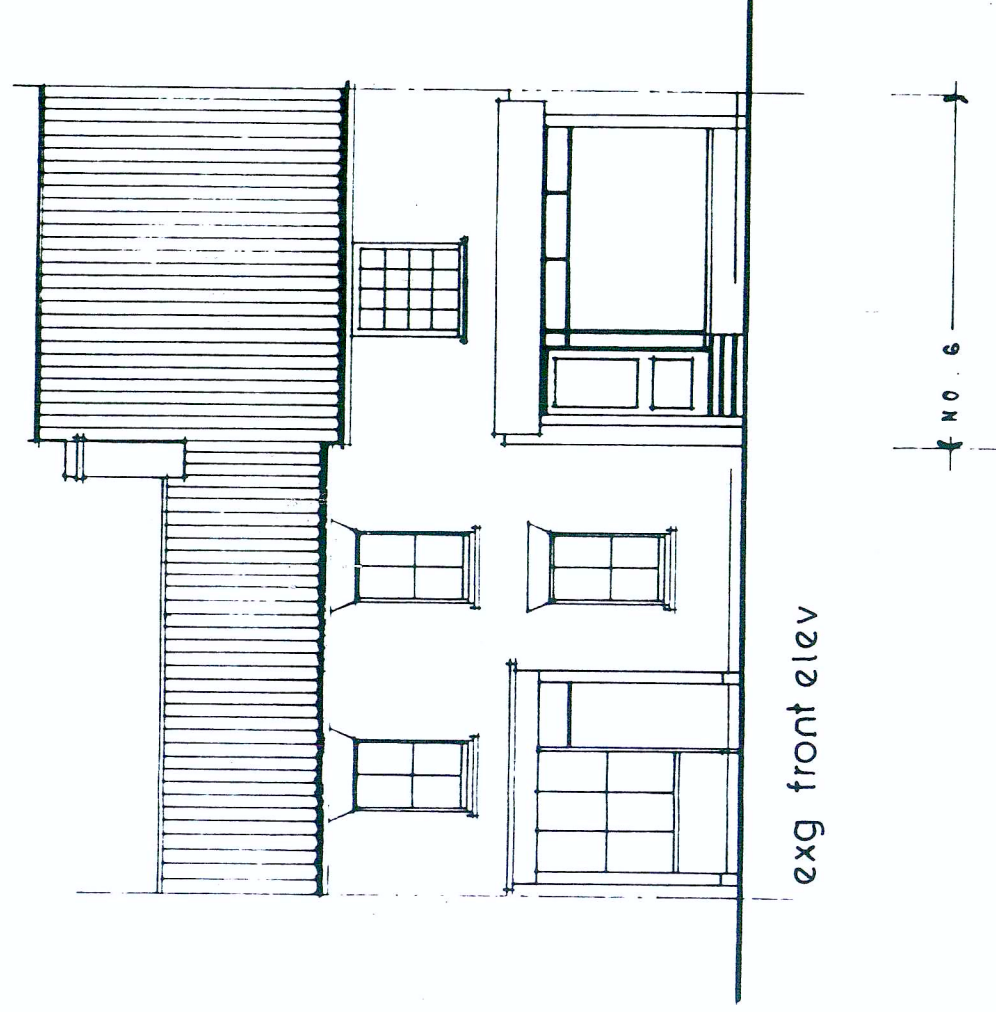
FIRST FLOOR (proposed)



GROUND FLOOR (existing)

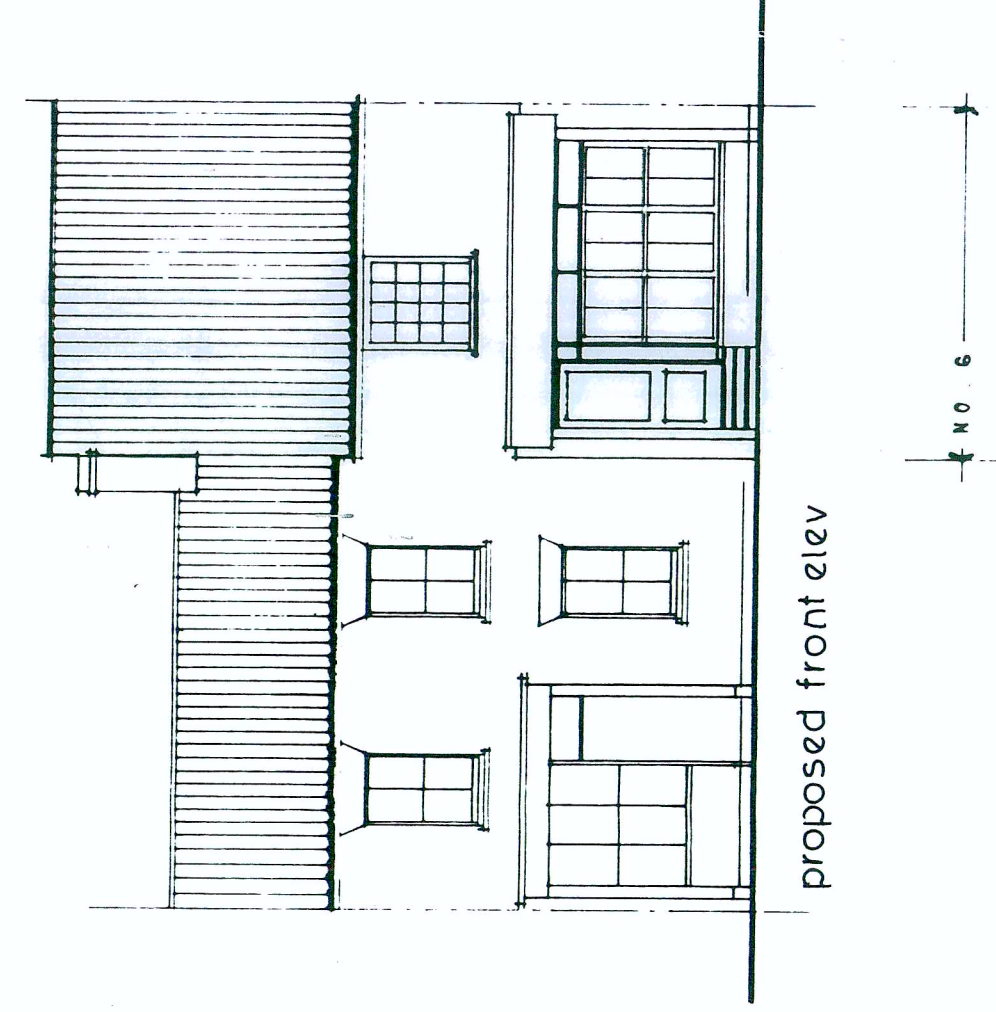


GROUND FLOOR (proposed)



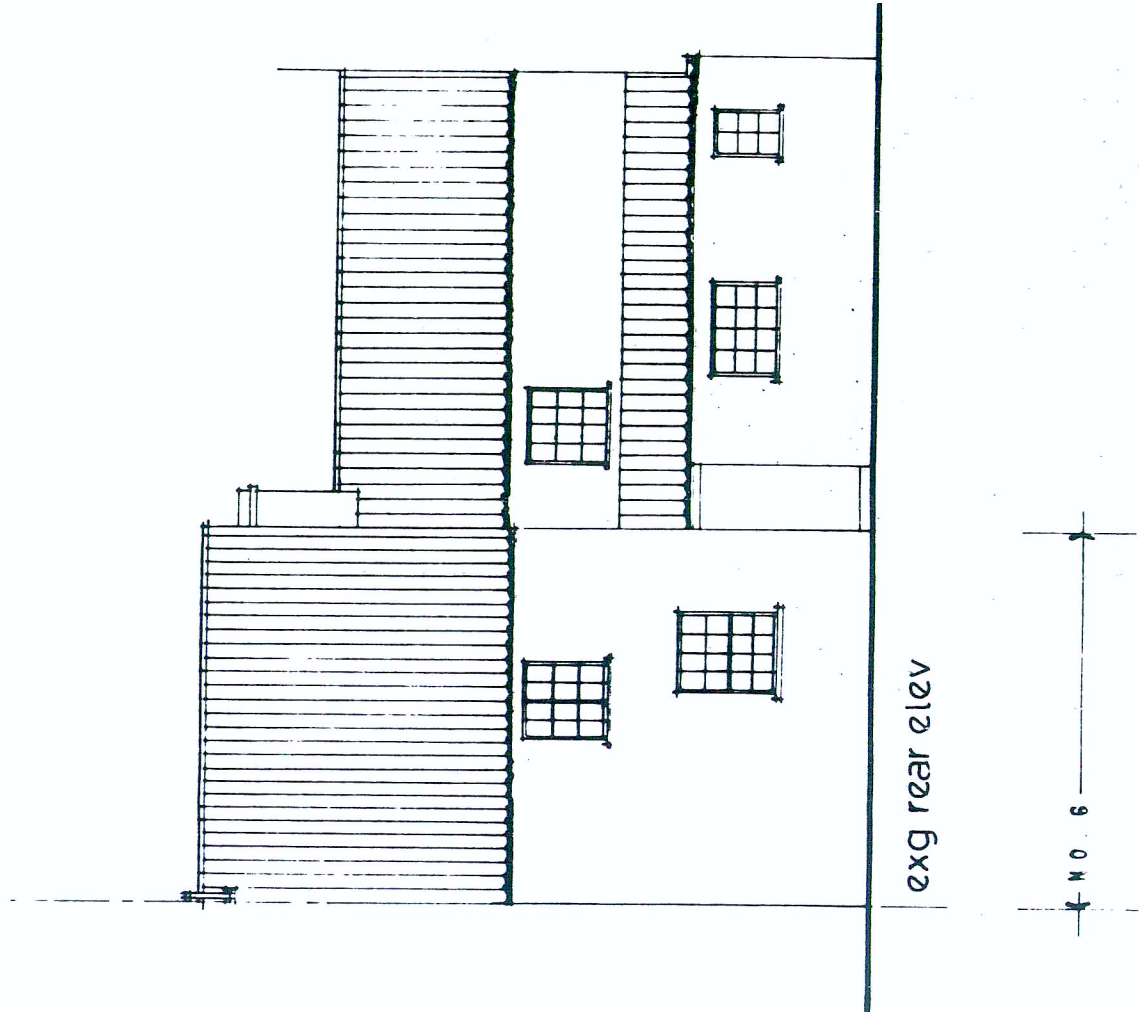
exg front elev

1:100



proposed front elev

1:100



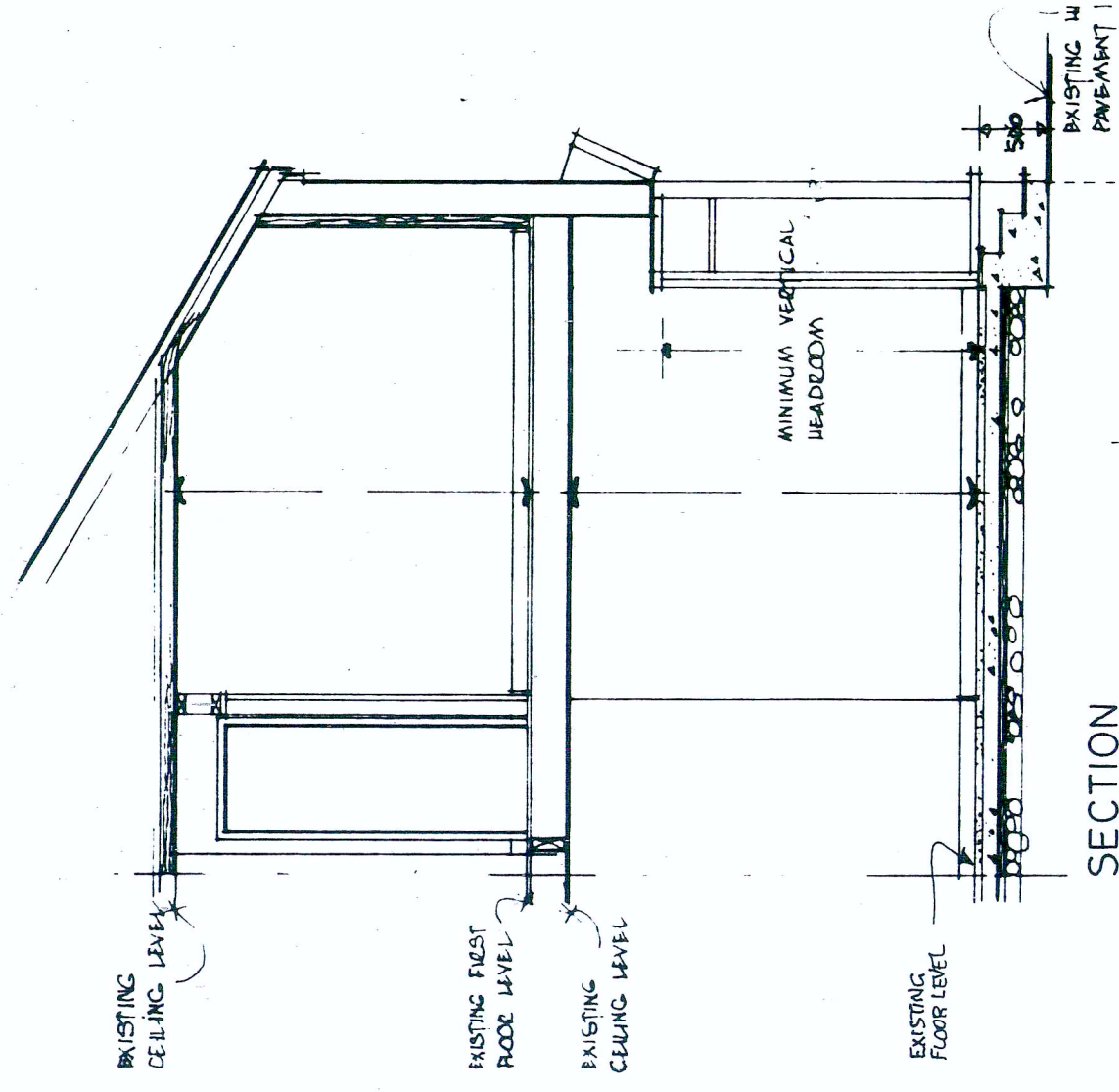
exg rear elev

1:100

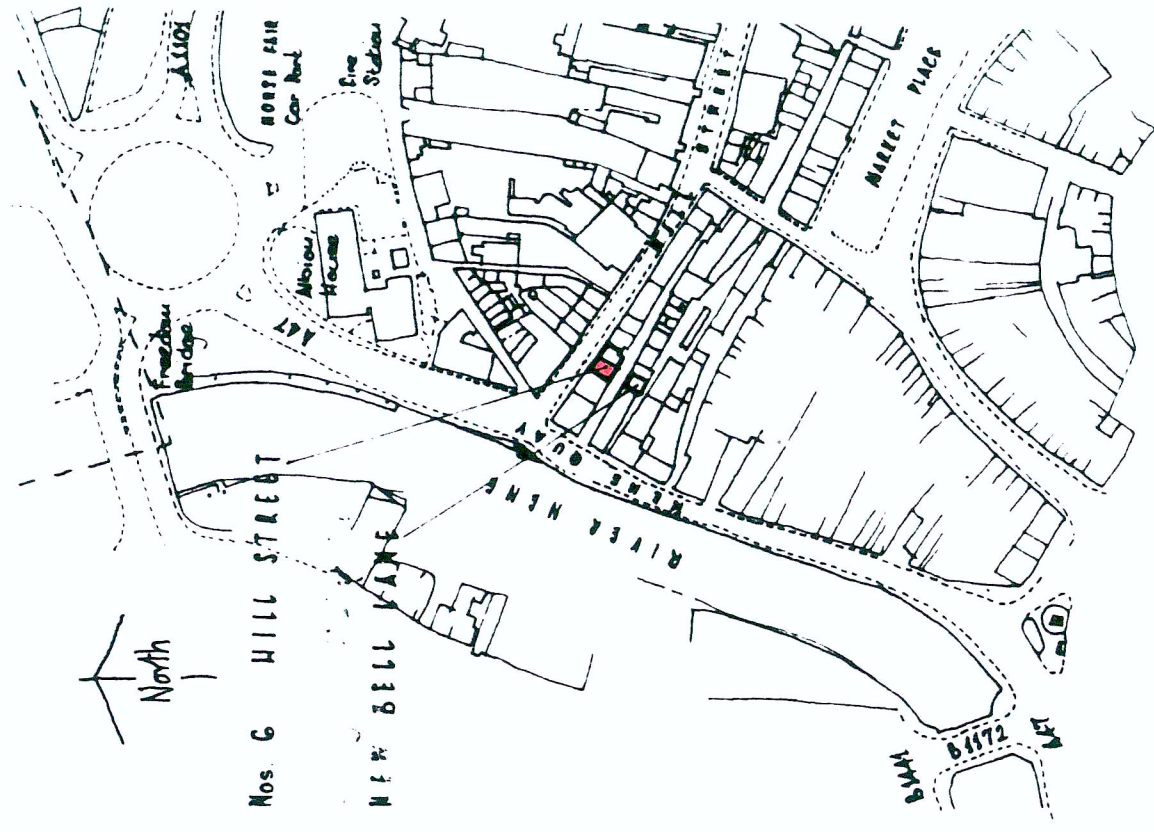


rear elev (no variation)

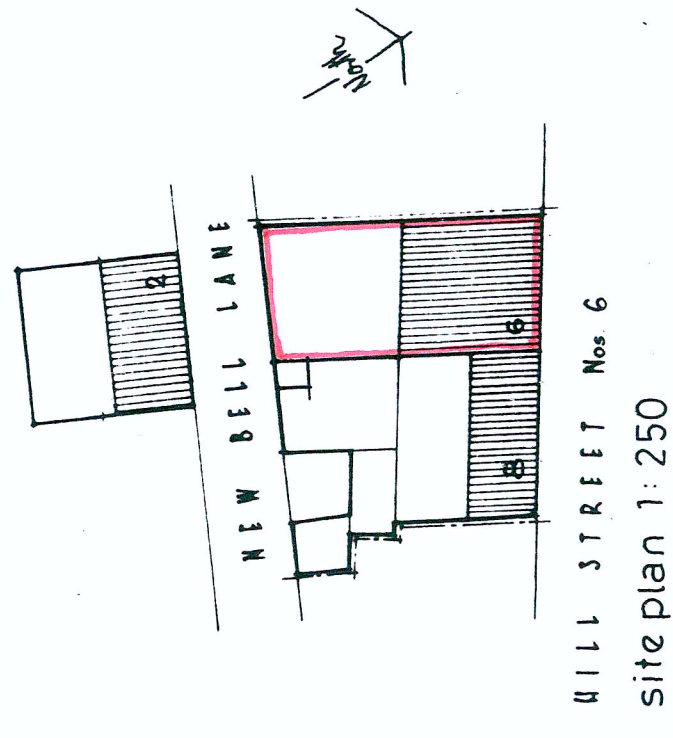
1:100



SECTION



location plan 1:2500



site plan 1:250

PROPOSED CHANGE OF USE  
 NO 6 HILL STREET, MURBEEH, CANBERRA

MR. J. BRUCE

LAYOUT PROPOSAL  
 SITE-LOCATION PLAN

2554-1  
 FEB 18 7:50 / 100

Knight + Associates  
 CONSULTANTS

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