

F/YR12/0414/F

28 May 2012

Applicant : Mr & Mrs A & D Coe Agent :

8 Hill Street, Wisbech, Cambridgeshire, PE13 1BA

Change of use from retail to 2-bed dwelling

This proposal is before the Planning Committee due to previous member interest.

This application is an other.

Site Area 0.0054 hectare (54 square metres)

1. **SITE DESCRIPTION**

8 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 currently vacant, but was a bookshop until September 2010. The premises has a frontage of 6 metres and a small rear yard. New Bell Lane (footpath) runs to the rear and this provides rear access to the property via the yard. The site lies in Flood Zone 1 and the Conservation Area.

2. **HISTORY**

Of relevance to this proposal is:

- | | |
|--------------|---|
| F/0107/84/F. | - Change of use from office to shop (clothing)
8 Hill Street – Granted 15/03/1984 |
| F/0197/81/F | - Change of use from residential to Accounts
Office, 8 Hill Street – Granted 19/05/1981 |
| 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 |

3. **CONSULTATIONS**

- | | |
|--|---------------------------------------|
| Town Council: | Awaited. |
| Local Highway Authority (CCC) | No highway implications |
| FDC Conservation Officer | Awaited. |
| Wisbech Society | Awaited |
| Local Residents/Interested Parties: | No representations at time of writing |

4. POLICY FRAMEWORK

FDWLP Policy

- S4 - The District Council will 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
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 - To ensure the vitality of town centres local planning authorities should recognise that residential development can play an important role, however policies should be pursued to support their viability and vitality.
- 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.
- Para 27 - Where an application is likely to have significant adverse impact on one or more factors (in relation to ensuring the vitality of town centres), it should be refused.

5. ASSESSMENT

Nature of Application

This application seeks planning permission for a change of use of 8 Hill Street, Wisbech from a shop use (A1) to a 2 bed dwelling.

The application is considered to raise the following key issues;

- Site history
- Principle and policy implications
- Layout
- Design
- Access and 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 over 30 years ago under a previous policy regime, prior to the adoption of the FDWLP, therefore, cannot be given significant weight.

In March this year planning permission for a change of use from shop to 2 bed dwelling was refused relating to 6 Hill Street. This is the property adjacent and directly to the west of 8 Hill Street. This decision is a material consideration in the determination of this application. The reasons for refusal are set out in full below: 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 (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 the NPPF should be considered alongside any other material considerations. 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 an adverse impacts on the vitality of the street and the town centre.

As there are no other residential properties at ground floor level on the southern side of the street 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. This concern was accepted by members earlier this year when considering the application for 6 Hill Street at the Planning Committee in March 2012. There are a handful of dwellings in Hill Street, but they are in the minority compared to the retail and office uses. They are also all located on the opposite side of the street 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 which provide variety and interest in the town centre.

The applicant has submitted that the property has been empty since September 2010 and despite active marketing there has been no interest in it as a commercial premises.

Layout

The building occupies the majority of the plot, however there is a small backyard which has been fenced where it adjoins New Bell Lane. It measures approx. 6m x 3m at the widest point narrowing to 6m x 1.5m at its narrowest. There is access from the kitchen into the back yard and it provides an area for bin storage and a small outdoor amenity space. Currently the ground floor contains a shop floor with kitchen and shower to the rear and two store rooms at first floor. The change of use involves little alteration with the shop area becoming a lounge and the two storerooms turned into bedrooms. There are no alterations to the frontage of the building apart from redecoration.

One of the refusal reasons relating to the change of use from retail to residential at 6 Hill Street (next door) was that the property had no amenity space, so would be at odds with the core planning principles of the NPPF in terms of providing a good standard of amenity for all occupiers. This proposal can provide amenity space, however, the introduction of a residential use at ground floor level on the

southern side of Hill Street is an issue of principle which remains unresolved.

Design

The comments of the Conservation Officer are awaited and there are no identified design issues at the time of writing.

Access and Parking

Vehicular access to the site is via Hill Street, however, there is no parking provision available on site or on the street. The lack of parking provision is not fatal to the application as the site is located in the heart of the town centre. Public car parks are situated within easy reach of the site and the bus station is no more than a five minute walk from the site. As a result the location of the site is considered to be sustainable in terms of accessibility.

Service Provision

Bin storage can be provided in the backyard of the premises and collection takes place via New Bell Lane.

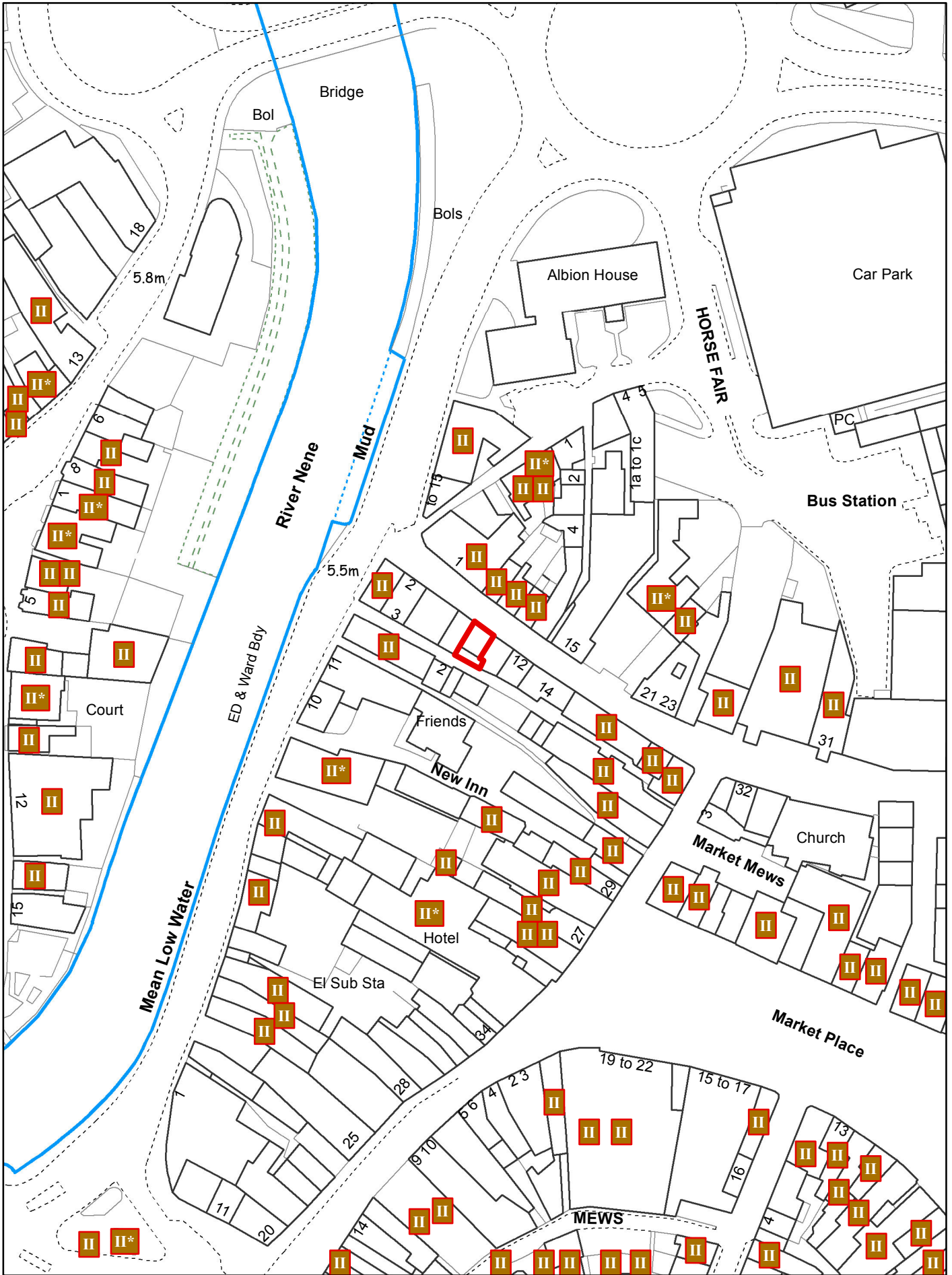
Conclusion

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 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. As a result shoppers could be deterred from venturing along the whole street once a residential element is introduced. The NPPF indicates at para 27 that where an application is likely to have significant adverse impacts on one or more factors, in relation to town centre vitality, it should be refused. In addition the recent refusal of a very similar application must be given full weight.

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 which is located adjacent to the Primary Shopping Area and offers a variety of independent outlets. As a result the proposal is contrary to the provisions of the National Planning Policy Framework in that it would have a significant adverse impact on the town centre.**



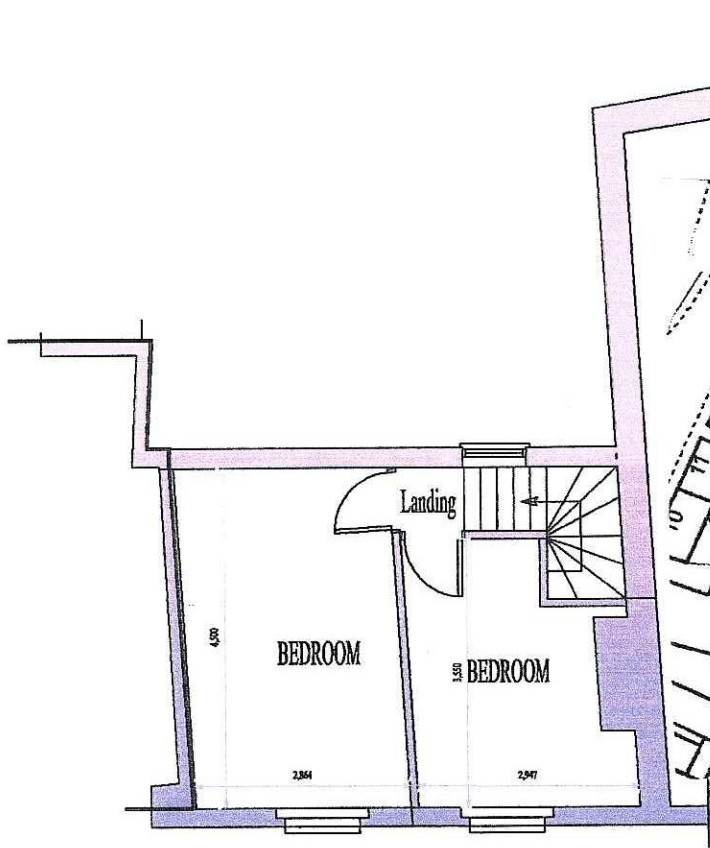
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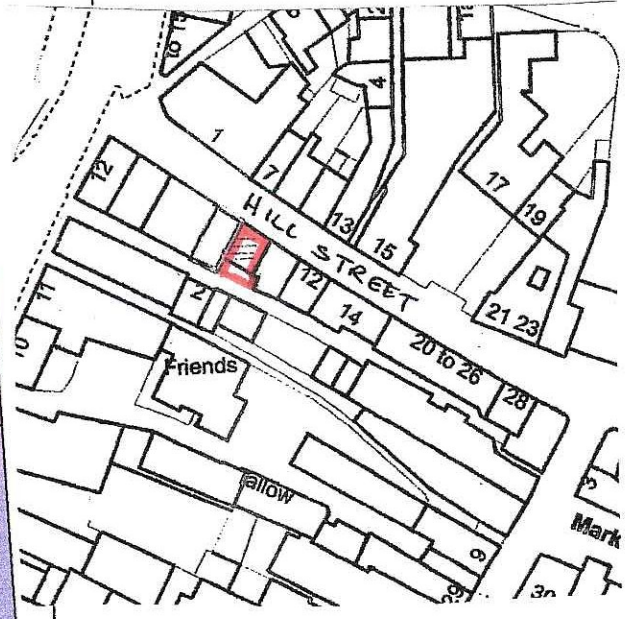
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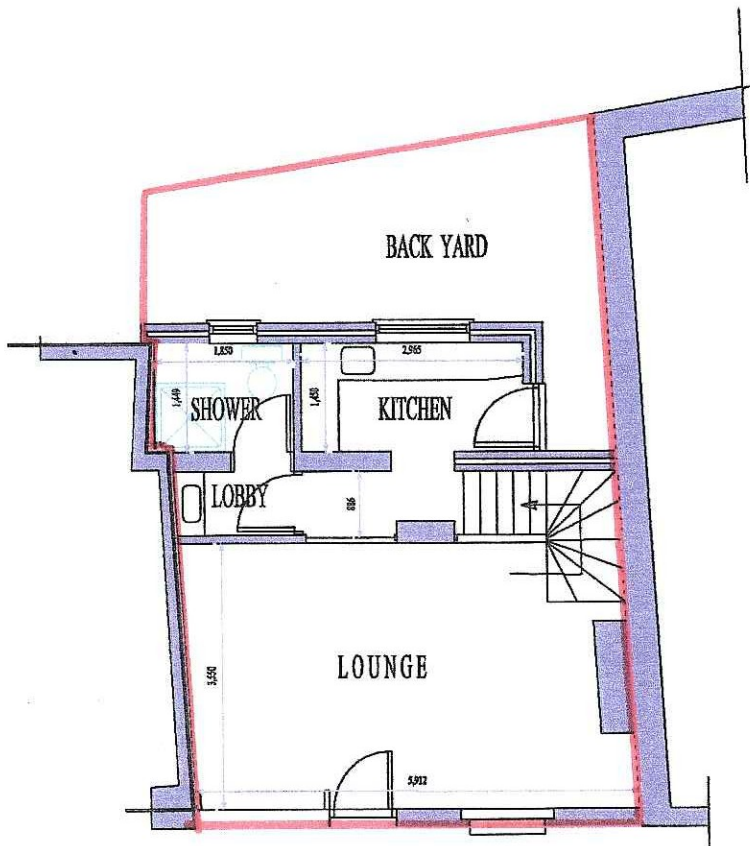
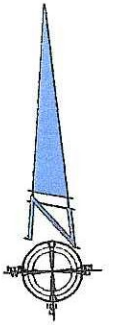




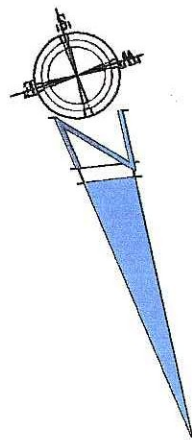
FIRST FLOOR



LOCATION PLAN 1:1250



8. HILL STREET
GROUND FLOOR



CHANGE OF USE PLAN
No 8 HILL STREET WISBECH
BLOCK PLAN 1:100
GROUND AND FIRST FLOOR PLANS
SCALE 1:100