

**Application Number: FYR14/0413/LB**  
**Listed Building Consent**  
**Parish/Ward: March Town Council/March East**  
**Date Received: 29 May 2014**  
**Expiry Date: 9 January 2015**  
**Applicant: Mr Hussein – Shaw Associates**

**Proposal: Internal and external works to form 2 x 2-bed flats; 2 x 1-bed flats and 3 x 2-bed maisonettes involving erection of 2-storey extension, bin/cycle store and formation of dormer to rear and demolition of single-storey and 2-storey extensions to rear of existing building**

**Location: 38 and First floor of 40 High Street, March**

**Site Area: 0.0995ha**

**1. EXECUTIVE SUMMARY/RECOMMENDATION**

This proposal seeks Listed Building Consent for internal and external alterations to 38 High Street together with demolition of rear extensions to form a total of 7 residential units comprising 5 x 2-bed units and 2 x 1-bed units.

The development will bring back into use a vacant Listed Building which is presently on the Council's Building at Risk Register and importantly will protect the future of this significant building situated in the March Conservation Area.

There will be nil parking available on the site, which is line with the previous 2009 consent when consideration was given to the very poor visibility out from the site onto the High Street between No.40 and 42.

Some demolition works have already been undertaken in line with the previous extant permission on the land.

The 2-storey rear extension has been increased slightly in length and now extends a further 3.5 m beyond the approved extension. This has been assessed and is considered acceptable and will not have a significantly different impact to the approved scheme.

The works are considered acceptable and sympathetic to the historic fabric of the building and are recommended for approval.

**2. HISTORY**

F/YR14/0412/F	Change of use of nightclub to 2 x 2-bed flats; 2 x 1-bed flats and 3 x 2-bed maisonettes involving erection of 2-storey extension; bin/cycle store and formation of dormer to rear and erection of a detached 3-storey block of flats comprising 4 x 2-bed and 4 x 1-bed units	Pending decision
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F/YR12/0140/EXT	Change of use of night club to 2 x 2-bed maisonettes; 2 x 2-bed flats and 2 x 1-bed flats involving erection of 2-storey extensions; bin store and formation of dormer and erection of detached block of 4 x 2-bed terraced houses with associated landscaping (renewal of F/YR09/0009/F)	Granted 18.9.12
F/YR12/0141/EXT	Internal and external works to form 2 x 2-bed maisonettes; 2 x 2-bed flats and 2 x 1-bed flats involving erection of 2-storey extension; bin store and formation of dormer to rear (renewal of F/YR09/0010/LB)	Granted 30.7.12
F/YR09/0010/LB	Internal and external works to form 2 x 2-bed maisonettes; 2 x 2-bed flats and 2 x 1-bed flats involving erection of a 2-storey extension; bin store and formation of dormer to rear	Granted 4.7.09
F/YR09/0009/F	Change of use of night club to 2 x 2-bed maisonettes; 2 x 2-bed flats and 2 x 1-bed flats involving erection of 2-storey extensions; bin store and formation of dormer and erection of detached block of 4 x 2-bed terraced houses with associated landscaping	Granted 7.4.09
F/YR08/0673/LB	External works to Listed Building	Granted 15.9.08
F/YR00/0746/F	Replacement shopfront	Granted 18.10.00

### 3. **PLANNING POLICIES**

#### 3.1 **National Planning Policy Framework:**

Paragraph 2: Planning law requires that applications for planning permission must be determined in accordance with the development plan.

Paragraph 14: Presumption in favour of sustainable development.

Section 2: Ensuring the vitality of town centres

Section 7: Requiring Good Design

Section 12: Conserving and enhancing the historic environment

### 3.2 **Fenland Local Plan 2014:**

LP1: A presumption in favour of sustainable development

LP2: Facilitating Health and Wellbeing of Fenland Residents

LP3: Spatial strategy, the Settlement Hierarchy and the Countryside

LP12: Rural Areas Development Policy

LP14: Responding to Climate Change and Managing the Risk of Flooding in Fenland

LP16: Delivering and Protecting High Quality Environments across the District

LP18: The Historic Environment

## 4. **CONSULTATIONS**

4.1 **March Town Council:** Recommend approval.

4.2 **County Archaeology:** Archaeological Monitoring and Recording and Trial Trench Evaluation received. Awaiting comments from County Archaeology Department.

4.3 **Police Architectural Liaison Officer:** The revised proposals to install metal railings alongside the public footpath is acceptable.

4.4 **Conservation Officer:** After thorough review, from the 'Conservation' perspective, both applications are on balance recommended for Conditional Approval. Indeed it is considered that the refurbishment of the listed building and associated development proposed present a positive opportunity to secure a long term future for this vulnerable listed 'Building at Risk' located within the March Conservation Area.

Whilst the total number of units on the site has been increased from 10 to 15, the development currently proposed positively allows for the retention of a greater degree of the historic building structure and historic fabric within the listed building than the 2009 extant approval.

In conclusion it is considered that the currently proposed scheme has been designed as far as is practicable to balance the need for commercial viability with the requirement to secure a high quality new development alongside the refurbishment of a vulnerable Grade II Listed building at risk. It is also noted that the current proposal does not significantly alter the impact upon the CA and setting of the listed building when compared with the extant approval.

4.5 **English Heritage:** English Heritage objected to the original plans due to design issues and these have been addressed in the current submission and in consultation with the Conservation Team. It is for the LPA to consider potential impact and harm and whether proposal is in line with the NPPF. No further consultation is required.

4.6 **Local Residents:** 1 letter concern relating to:

- Potential impact of new build to dwelling to the rear;
- Overdevelopment of the site;
- Previous application rear of No.36 has been refused on overdevelopment;
- Levels need to be reviewed;
- Flooding and drainage problems;
- Parking permits should be a consideration for occupiers in Elwyn Court to discourage any parking from new residents.

## 5. **SITE DESCRIPTION**

- 5.1 No.38 High Street is a Grade II 3-storey Listed Building attached to No.40 High Street which is a commercial premises. No.38 is an imposing building with significant street presence and contributes to the character of the March Conservation Area. Access to the building is via a central front entrance with further access to the rear via the existing public footpath between No.40 and 42 High Street.

To the rear of the site is a range of extensions and outbuildings which are not significant and the proposal involves the demolition of these outbuildings and extensions. (It should be noted that these extensions have already been demolished under the extant permission).

## 6. **PLANNING ASSESSMENT**

The key issues for consideration to this application include:

- Policy considerations
- History of the site
- Planning proposal
- Design
- Access and parking
- Refuse collection
- Impact on conservation area
- Health and Wellbeing
- Economic Growth

### Policy Considerations

Policies LP1, LP2, LP3, LP4, LP5, LP14, LP16 and LP18 are all relevant to this application.

The site is located in the centre of March Town and is therefore in a highly sustainable location (LP1). The proposal will provide a mix of housing and due to its location will provide good access to health, leisure and recreation facilities (LP2 and LP16).

Policy LP18 of the Fenland Local Plan seeks to achieve development that will preserve and enhance heritage assets and Conservation Areas.

The NPPF supports development that promotes the vitality of town centres including integrating residential development into town centres and development should not be compromised by limited site availability.

### History of the Site

In 2009 full planning permission and Listed Building consent was granted for a similar proposal relating to works to the Listed Building and the erection of 4 terraced houses to the rear. These permissions were extended in 2012 by reason of an extension of time permission and these permissions remain extant.

## Planning Proposal

This application seeks Listed Building consent for the internal and external alterations to No.38 High Street, March, to form 7 units of accommodation.

The proposal involves the demolition of existing rear extensions and the loss of these extensions has been agreed with the Conservation Team and works have already been undertaken.

The proposal involves the erection of a rear 2-storey extension. At ground floor a 2-bed flat at the front of the building will be formed which will include 2 ground floor windows on the north elevation facing No.36 High Street. During discussions with the applicant it was considered that these 2 windows, serving the kitchen should be obscure glazed and fixed shut to ensure there will be no significant impact on the occupiers of No.36 High Street. To the rear 3 x 2-bed maisonettes will be formed with windows at ground floor level facing south in the communal amenity space area.

At first floor level a 1-bed flat will be formed at the front of the building again with 2 windows on the north elevation which again will be obscure glazed and fixed shut. A 2-bed flat will be formed above No.40 High Street and at 2<sup>nd</sup> floor level a further 1-bed flat will be formed to the front of the building. These works will result in a total of 7 residential units within and attached to the Listed Building.

## Design

The design of the alterations and extension to the Listed Building is very similar to the approved plans. However the 2-storey element extends further into the site than the previous scheme by approximately 3.5 m which will have an added impact on the neighbouring property at No.36.

It is proposed to use matching brick for the new 2-storey element together with natural slate roofing. All existing brickwork on the Listed Building is to be retained and repaired/repointed in lime mortar to match existing. All existing sash windows on the front elevation are to be retained and repaired and reglazed. All windows on the north elevation (facing No.36) will be obscure glazed and fixed shut to ensure that there will be no overlooking into the garden of No.36 High Street.

It is proposed to introduce new black painted iron railings on a dwarf wall along the street frontage with reconstituted stone copings. Similar railings will also be erected to the rear of the site to enclose the communal amenity area.

## Access and parking

Access to the flats will be via the existing front entrance directly off the High Street and also rear access via the existing public footpath between No.40 and 42 High Street.

It is proposed that zero parking is provided in line with the previous consent and consideration was given in 2009 to the lack of visibility out onto the High Street between No.40 and 42 High Street and the fact that this tarmaced road includes a public footpath leading to development at Elwyn Court and beyond.

Appendix A of the Local Plan states that where a site has good public transport links, such as a central area of a market town, a reduction in car parking provision may be negotiated and, in special circumstances, nil parking provision may be appropriate.

The LHA has taken into account the previous consent which approved the scheme with no parking available on site considers that, in light of the previous use class (nightclub), together with the previous consent a recommendation for refusal based on a parking shortfall may be hard to defend at appeal. However with such a significant shortfall in parking, this development will impact on residential amenity and potentially be detrimental to the street environment surrounding the application site.

#### Refuse collection

Discussions are presently taking place with the Operations Team to ensure that suitable receptacles are provided for the storage and collection of waste from the site.

#### Impact on Conservation Area

The proposal is located within the Conservation Area and works to the Listed Building will result in an enhancement to the street scene. Therefore the proposal will protect, conserve and enhance the historic environment in accordance with Policy LP18 the Local Plan.

#### Impact on neighbouring properties

The occupier of No.36 High Street has raised some concerns over the impact the proposal could have on his amenity. Negotiations have taken place with the applicant to help mitigate against any significant impact including; the 4 windows on the north elevation will be obscure glazed and fixed shut and it is considered that the new roof lights will not present any significant overlooking to the rear garden.

It is acknowledged that there will be a further increase in the 2-storey expanse of new build on the northern boundary of approximately 3 m. However this extra amount of 2-storey extension would not justify a refusal on this ground alone.

#### Health and Wellbeing

Policy LP2 seeks to achieve development that positively contributes to creating a healthy, safe and equitable living environment and to promote high levels of residential amenity.

## Economic Growth

The proposal will provide a high density scheme in the centre of March Town and will provide increased residential units in line with Policy LP4 of the Local Plan.

## **CONCLUSION**

The proposal seeks to provide 7 units of residential accommodation contained within an existing Listed Building. The Listed Building is presently on the Council's Buildings at Risk Register. There is an extant permission on this site for 6 units of accommodation which can still be carried out.

The applicant has worked closely with the Conservation Team and Planning Officers to deliver a scheme that is very similar to the original proposal in terms of scale. The main difference is the provision of one further residential unit within the Listed Building.

All materials will be sympathetic to the character of the Listed Building and the Conservation Area in general with the use of reclaimed bricks for the works to the Listed Building and good quality bricks for the new build at the rear. Welsh slate will be used for the roof covering.

There will be no parking available on the site and the LPA considers that due to the town centre location of the site, in this instance, a nil parking provision can be supported.

The proposed scheme is an adaption of the previously approved scheme and is based on providing a sustainable development that is commercially viable whilst funding the costs of the restoration of the Listed Building. The works will not have a significant impact on the character and appearance of the building and will also enhance the character of the Conservation Area in accordance with Policy LP16 and LP18 of the Local Plan.

## **RECOMMENDATION**

**Grant subject to:**

**i) suitable conditions**

- 1. The works/demolition permitted shall be begun not later than 3 years from the date of this consent.**

**Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.**

- 2. Within 3 months of the date of this decision, notwithstanding the approved plans and documents, a comprehensive survey detailing proposed remedial damp and timber treatment works to the existing building, including a schedule of implementation, shall be submitted to and approved in writing by the LPA. The development shall then be carried out in accordance with the approved details.**

**Reason – In order to safeguard the character of a building listed as being of special architectural or historic interest in accordance with Policy LP18 of the Fenland Local Plan 2014.**

- 3. Within 3 months of the date of this decision, full details of all extractor vents, heater flues, external lighting units, air bricks, meter boxes and any other external fittings including details of their design and locations shall be submitted to and approved in writing by the LPA prior to installation, including a schedule of implementation. Soil and vent pipes shall be formed internally where possible in positions to be agreed. In addition precise details of any pipework to the exterior shall be required to be approved. The development shall then be carried out in accordance with the approved details and thereafter retained and maintained.**

**Reason – In order to safeguard the character of a building listed as being of special architectural or historic interest in accordance with Policy LP18 of the Fenland Local Plan 2014.**

- 4. Within 3 months of the date of this decision, notwithstanding the submitted information, precise details of all structural works, including underpinning, shall be required to be submitted to the LPA for their written approval prior to the execution of works, including a schedule of implementation. The development shall then be carried out in accordance with the approved details and thereafter retained and maintained.**

**Reason – In order to safeguard the character of a building listed as being of special architectural or historic interest in accordance with Policy LP18 of the Fenland Local Plan 2014.**

- 5. Within 6 months of the date of this decision, notwithstanding the approved plans all new windows and doors to the listed building shall be required to be of wooden construction. Precise details of all new joinery and fenestration within the Listed Building shall be required to be submitted at a scale of 1:10, including a schedule of implementation. Details of external paint finishes to be applied to windows and doors shall also be required to be agreed. The development shall then be carried out in accordance with the approved details and thereafter retained and maintained.**

**Reason – In order to safeguard the character of a building listed as being of special architectural or historic interest in accordance with Policy LP18 of the Fenland Local Plan 2014.**



6. All rainwater goods, soil stacks and external pipework to the listed building shall be required to be of cast iron mounted upon rise and fall brackets and painted in a colour to be agreed with the LPA. The development shall then be carried out in accordance with the approved details and thereafter retained and maintained.

Reason – In order to safeguard the character of a building listed as being of special architectural or historic interest in accordance with Policy LP18 of the Fenland Local Plan 2014.

7. Where historic joinery is to be retained and repaired, works are to match the existing in every respect including material, style, moulding detail and workmanship. Where historic door and window furniture remain these are to be carefully preserved and reused.

Reason – In order to safeguard the character of a building listed as being of special architectural or historic interest in accordance with Policy LP18 of the Fenland Local Plan 2014.

8. Within 3 months of the date of this decision, details of; the proposed bricks, brick bond, mortar mix and pointing technique; wooden cladding and render (including details of surface finish colour) shall be submitted to and approved in writing by the LPA . Sample panels of all external materials shall also be required to be approved on site. For the avoidance of doubt natural heather Welsh slate is approved for all roof construction. The development shall then be carried out in accordance with the approved details and thereafter retained and maintained.

Reason – In order to safeguard the character of a building listed as being of special architectural or historic interest in accordance with Policy LP18 of the Fenland Local Plan 2014.

9. Notwithstanding the approved plans, within 3 months of the date of this decision, precise details and sections of all new external fenestration and doors shall be required to be submitted at a scale of 1/20 & 1/5 including a schedule of implementation. A sample of the proposed windows shall also be required to be submitted and approved. The development shall then be carried out in accordance with the approved details and thereafter retained and maintained.

Reason – In order to safeguard the character of a building listed as being of special architectural or historic interest in accordance with Policy LP18 of the Fenland Local Plan 2014.

10. Notwithstanding the approved plans, within 3 months of the date of this decision, precise details of the design and construction of the new Lead clad dormer extension to the listed building at a scale of 1/10, including a schedule of implementation, shall be submitted and approved in writing. The development shall then be carried out in accordance with the approved details and thereafter retained and maintained.

Reason – In order to safeguard the character of a building listed as being of special architectural or historic interest in accordance with Policy LP18 of the Fenland Local Plan 2014.

11. **Within 3 months of the date of this decision, precise details of the location, height, design and materials of all screen walls and fences, including a schedule of implementation, shall be submitted to and approved in writing by the Local Planning Authority and all such works shall be erected concurrently with the erection of the dwelling(s) and retained in perpetuity thereafter.**

**Reason - To ensure that the appearance of the development is satisfactory and that it contributes to the visual character and amenity of the area, and to ensure that the private areas of the development are afforded an acceptable measure of privacy in accordance with Policy LP16 and LP18 of the Fenland Local Plan 2014.**

12. **Notwithstanding the submitted documents, within 3 months of the date of this decision, a schedule outlining the methodology for repair work to the original cornice in Unit 2 as annotated in Drawing PD01E, including a schedule of implementation, shall be required to be submitted to and approved in writing by the LPA. The development shall then be carried out in accordance with the approved details and thereafter retained and maintained.**

**Reason – In order to safeguard the character of a building listed as being of special architectural or historic interest in accordance with Policy LP18 of the Fenland Local Plan 2014.**

13. **Within 3 months of the date of this decision, notwithstanding the approved plans precise details of lead clad porch canopy to unit 2 and glazed front porch canopies to units 3,4, 10 and 11, including a schedule of implementation, shall be required to be submitted to and approved in writing by the LPA. The development shall then be carried out in accordance with the approved details and thereafter retained and maintained.**

**Reason – In order to safeguard the character of a building listed as being of special architectural or historic interest in accordance with Policy LP18 of the Fenland Local Plan 2014.**

14. **Notwithstanding the approved plans, details of the construction and surface finish of all internal walls and ceilings, including a schedule of implementation, shall be required to be submitted to and agreed in writing by the LPA within 3 months of the date of this decision. The development shall then be carried out in accordance with the approved details and thereafter retained and maintained.**

**Reason – In order to safeguard the character of a building listed as being of special architectural or historic interest in accordance with Policy LP18 of the Fenland Local Plan 2014.**

15. **Notwithstanding the approved documents, within 3 months of the date of this decision, the precise detail and design of all new windows, doors, ceiling plaster mouldings, coving, picture rails, skirting, architraves, door surrounds and staircases, including a schedule of implementation, shall be required to be submitted to and approved in writing by the LPA. The development shall then be carried out in accordance with the approved details and thereafter retained and maintained.**

**Reason – In order to safeguard the character of a building listed as being of special architectural or historic interest in accordance with Policy LP18 of the Fenland Local Plan 2014.**

