
F/YR22/0873/F

Applicant: Mr Stuart Deadman

**Agent: Mr Nigel Cooper
Norwich Architects Ltd**

6 North Brink, Wisbech, Cambridgeshire, PE13 1JR

Change of use of existing building from dwelling, chiropractic surgery and beauty treatment rooms to create 7 x flats (6 x 1-bed and 1 x 2-bed) involving the erection of a single-storey rear extension (part retrospective)

F/YR22/0874/LB

Internal and external works to a listed building to enable a change of use of existing building from dwelling, chiropractic surgery and beauty treatment rooms to create 7 x flats (6 x 1-bed and 1 x 2-bed) involving the erection of a single-storey rear extension

Officer recommendation: Grant

Reason for Committee: Number of representations contrary to officer recommendation

1 EXECUTIVE SUMMARY

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| <p>1.1. This application proposes the change of use of a listed building situated within the Wisbech Conservation Area. It will deliver a residential scheme providing a total of 7 units of residential accommodation facilitated by the erection of a single-storey rear extension.</p> <p>1.2. Whilst the comments of some consultees and local residents are noted and acknowledged and officers have some sympathy with the points made, so much so that they endeavoured to secure scheme revisions in this regard. It must be noted that there would be no policy basis to withhold consent, noting the absence of significant harm arising by virtue of the proposals. Furthermore, when giving weight to the continued use of this prominent heritage asset and noting the absence of any other material considerations which would indicate that the scheme should be resisted, matters of 'amount' must fall away.</p> <p>1.3. The application is recommended for approval as set out in the body of the report below having due regard to the duty in law under S16 Planning (Listed Buildings and Conservation Areas) Act 1990 and also the requirements of the National Planning Policy Framework 2021 and Policy LP18 of the Fenland Local Plan 2014.</p> <p>1.4. Matters of flood risk, highways, residential amenity, security and servicing have also been considered alongside heritage and character considerations, with the Conservation Officer having also inputted into the latest iteration of</p> |
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the scheme and their suggestions incorporated.

- 1.5. It is considered that the scheme on balance aligns with the relevant policy framework and may be favourably recommended with appropriate conditions.

2 SITE DESCRIPTION

- 2.1. No.6 North Brink Wisbech is a Grade II* listed building, first designated on 17th July 1951 and amended on 31st October 1983. The property is an early 18th century house, originally of 3 storeys, with service basement and raised to four storeys in the first half of the 19th century. This town house has been variously used as offices, residential, and commercial use with flats above and is located within the Wisbech Conservation Area on one of Wisbech's principal Georgian river fronting streets with the historic core of the town.
- 2.2. Current use of the property is a Chiropractic Surgery and Beauty Treatment Rooms with flats above.

3 PROPOSAL

- 3.1. The proposal seeks full planning permission for the change of use of the existing building from dwelling, chiropractic surgery and beauty treatment rooms to create 6 x 1-bed and 1 x 2-bed flats (totalling 7) involving the erection of a single-storey rear extension, and listed building consent for the internal and external works to facilitate the change of use.
- 3.2. The submitted schedule of works on the proposed plan (NB-W-C-05H) outline the proposed alterations; including removal and erection of internal walls; creation of an internal refuse store; removal of unauthorised staircase; erection of rear extension (total rear extension to be approx. 13.8m long by 2.8m wide maximum); party wall sound/fire proofing; and other minor alterations.
- 3.3. Full plans and associated documents for these applications can be found at:

[F/YR22/0873/F | Change of use of existing of building from dwelling, chiropractic surgery and beauty treatment rooms to create 7 x flats \(6 x 1-bed and 1 x 2-bed\) involving the erection of a single-storey rear extension \(part retrospective\) | 6 North Brink Wisbech Cambridgeshire PE13 1JR \(fenland.gov.uk\)](#)

and

[F/YR22/0874/LB | Internal and external to a listed building to enable a change of use of existing of building from dwelling, chiropractic surgery and beauty treatment rooms to create 7 x flats \(6 x 1-bed and 1 x 2-bed\) involving the erection of a single-storey rear extension | 6 North Brink Wisbech Cambridgeshire PE13 1JR \(fenland.gov.uk\)](#)

4 SITE PLANNING HISTORY

F/YR21/0750/LB	Internal and external alterations to a listed building, including replacement of stud wall, removal of internal window, and insertion of window to rear elevation	Granted 04.05.2022
F/YR21/0749/F	Installation of a window to rear of existing building	Granted 04.05.2022
F/YR10/0722/LB	Internal works including addition of a new staircase (retrospective)	Refused 17.11.2010
11/00023/REF		Appeal Dismissed 06.03.2012
F/YR10/0721/F	Change of use of first-floor from residential to Chiropractic Surgery and Beauty Treatment Rooms	Granted 26.01.2011
F/YR00/0125/LB	Internal alterations including installation of escape ladder, nullifire to front office walls; partition at rear; fire doors/smoke detectors; window keeps, anti-vac traps, extractor fans	Granted 04.05.2000
ENF/370/10/UWLB	Unauthorised staircase, and creation of additional self-contained residential unit.	Notice Issued 01/07/2011
11/00019/ENFAPP		Appeal Dismissed 06.03.2012

5 CONSULTATIONS

5.1 The below consultation responses are those most recent comments from consultees in response to consultation/reconsultation listed in order of receipt. It should be noted that full reconsultations of all statutory consultees (and neighbours) were undertaken on 10.01.2023 and 30.03.2023, hence any comments dated prior to these dates had no follow-up reconsultation response. Any earlier comments can be viewed on public access and hence earlier comments received are omitted for brevity.

5.2 **North Level Internal Drainage Board – 18.08.22**

North Level District IDB has no comment to make with regard to the above application.

5.3 **The National Trust – 23.08.22**

We have carefully reviewed the application documents and wish to provide the following comments regarding car parking provision and waste disposal and collection.

The documents provided within this application do not consider waste disposal except in the application form which states that the plans incorporate an area to store and aid the collection of waste by 'Wheelie Bins' and that arrangements have been made for the separate storage and collection of recyclable waste by 'Recyclable Wheelie Bins'. The National Trust would question whether this information is sufficient to assess the suitability of this method of waste collection given that it is not included in the Site Plan, Design and Access Statement or other application documents. We are concerned that if it is not feasible to provide and store wheelie bins for the residents of seven flats and therefore a number of bin bags may be

placed on the street prior to waste collection day, which detracts from the aesthetic qualities of the area, including for National Trust visitors who walk down this route. North Brink is included within the Wisbech Conservation Area. The Wisbech Conservation Area Management Plan (2016) notes in Chapter 2.1 that Pevsner described North Brink “as one of the finest Georgian brick streets in England”. Furthermore, in the Wisbech Conservation Area Appraisal (2016), North Brink is noted as a key view and vista within the conservation area: “The view from, and towards, the Town Bridge up and down the River Nene, taking in the grandeur of North Brink and its assembled high quality town houses and civic buildings” is important for understanding and appreciating the town’s architectural special interest and its history. Prior to the determination of this application by the Local Planning Authority (LPA), the National Trust would request that the LPA satisfy themselves that sufficient details have been provided by the applicant in regard to waste collection and disposal and that the method of waste collection and disposal will not have a detrimental impact on the Conservation Area or heritage assets nearby.

Furthermore, there is no provision for car parking within the proposed change of use application. Within the Fenland District Council Local Plan (2014), appendix A sets out car parking standards for various developments. This appendix does state that “where a site has good public transport links, such as in 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 National Trust would question whether the applicant has provided sufficient evidence to assess whether this development could be considered under these special circumstances, given that it has not been addressed within the Design and Access Statement. Currently there is limited parking available to residents on the North Brink and the Trust would request that the LPA satisfy themselves that sufficient parking is available to accommodate a number of additional flats without designated parking, prior to the determination of this application.

5.4 Environment Agency – 24.08.22

Thank you for your consultation dated 10 August 2022 for the above application. We have reviewed the documents as submitted and we have no objections to the development proposed subject to the condition outlined below. Without this condition, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application. Further information for the developer is provided below.

Flood Risk

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measure(s) as detailed in the Flood Risk Assessment prepared by Evans Rivers And Coastal, Ref: 2937/RE/05-22/01 dated May 2022 submitted with this application are implemented and secured by way of a planning condition on any planning permission.

Condition

The development shall be carried out in accordance with the submitted flood risk assessment prepared by Evans Rivers And Coastal, Ref: 2937/RE/05-

22/01 dated May 2022 and the mitigation measures detailed within the FRA. These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason

To reduce the risk of flooding to the proposed development and future occupants.

5.5 National Amenity Societies – The Georgian Group – 30.08.22

... The applicant proposes to convert the building into a house of multiple occupation involving the loss of internal fabric, the erosion of its historic planform, the construction of an addition, the removal of a staircase, and the partial remodelling of the basement section of the principal elevation. Unfortunately, the heritage statement provided fails to adequately explain either the age, or the significance of the fabric affected. Applicants are required within paragraph 194 of the NPPF to provide an adequate assessment of the significance of any historic fabric which is to be removed or altered. The assessment of the significance of the internal fabric which would be lost is in this case inadequate, and the impact of the proposed works on the building's historic planform, fixtures and fittings and decorative plasterwork therefore difficult to assess. This is of particular concern as the extensive removal of fabric is proposed within what would have been once the house's principal reception and bedrooms.

The documentation also suggests that the proposals are partially retrospective, but no effort has been made to clarify what work has already been undertaken without listed building consent, or its impact on the building's significance. This was an issue also raised by the Group in our letter of 8th of August 2021 relating to your ref F/YR21/0750/LB and it is a matter of considerable concern that this information has once again not been provided.

NPPF (2021), paragraph 200 makes clear that 'any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.' No attempt has been made however to provide a justification for the proposed alterations to the house's principal façade or for the substantial works of demolition and alteration proposed within.

When making a decision on all listed building consent applications or any decision on a planning application for development that affects a listed building or its setting, a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Preservation in this context means not harming the special interest of the building, as opposed to keeping it utterly unchanged. This obligation, found in sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (1), applies to all decisions concerning listed buildings.

The Georgian Group recommends that the applicant withdraws this application until such time as they can address the serious issues raised in this email. If the applicant is unwilling to do so, then listed building consent and planning permission should be firmly refused.

5.6 The Wisbech Society – 31.08.22

With reference to the above Planning Application, 6 North Brink, Wisbech. The Wisbech Society & Preservation Trust Limited, STRONGLY OBJECTS to this application to convert the property into a flats, for the following reasons:

- 1. The property is an important heritage asset on the North Brink of Wisbech, identified by the antiquarian, Pevsner, as one of the finest Georgian brick built streets in England. It is a Grade 2* listed building, ref. 1279135, and was listed on 17th July 1951 - an early example of a Listing, which reflects its importance both internally and externally.*

The Listing states:

"Early C18 house originally three storeys with service basement raised to four storeys c.1820-1840. Local brown brick with red brick quoins and window jambs. Slate roof with end stacks. Shallow parapet with stone copings. Four 'bays'. Four, third floor six-paned hung sash windows in red gauged brick arches and stone cills. First and second floor windows similar with twelve-panes. Two segmental bay windows to west of entrance and one twelve-pane window to east. Bands between floors. Wooden Doric doorcase with enriched triangular pediment; eight-panelled door Stone steps with railings to forecourt and entry to basement. Interior has very fine late C18 chimney piece to left hand ground floor room, and two good second floor doorcases; some original doors and panelling. Early C19 staircase with canted and free flying flights rising to attic floor. VCH Cambs, p.242. Pevsner, Buildings in England, p.500. A. Peckover, watercolour, 1827, W. & F. Mus. Photographs and prints, C18 and C19, W. & F. Mus"

- 2. It appears that some alterations may have already been made to the property without planning consent, which if true, breaches the conditions of the Listed status of the property, which as the Grade 2* provides protection to all internal and external features and historic fabric, and would require its full re-instatement.*
- 3. The application provides for the alteration and removal of historic fabric, including walls, doorcases, etc, and the installation of new features using inappropriate modern materials, such as plasterboards. This will greatly damage the character of the building resulting in historic loss. The UK Govt National Planning Policy Framework (NPPF), Paragraph 194, states that, "In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected". However, the applicants Heritage Statement, seems to imply that the removal of historic features are of 'no importance'. This is clearly wrong, as these details are clearly referenced in the Grade 2* Listing.*

4. NPPF, Para 195, states that, "Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset)".

Not only does this application affect the property, but also the setting of the historic North Brink, as it would impact on waste disposal and car parking in an already congested area of the town where household waste is collected by means of plastic bags placed in the street. It is not acceptable that the applicants agent postures that the new residents would have no need for a car!

5. NPPF, Para 199, states that, when considering potential impacts, the local authorities should, "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. In addition, Para 200 states, "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification" and goes on to state that "assets of the highest significance, notably grade I and II* listed buildings, should be wholly exceptional."

6. The application's plans imply that the basement is already in residential use. However, the photographs clearly show it is in a semi derelict state and use as a store. Basement living so close to the river is unsuitable as there will likely be ingress of damp/water. This can only be solved by using 'tanking' methods which will inevitably lead to damp rising and mould within the building and the further deterioration of historic fabric. This argument by Wisbech Society was accepted by FDC Planning in a recent decision to REJECT an application for 10 Market Street, Wisbech.

In conclusion, it is clear that the proposed development would severely impact this important Grade 2 Listed Building, its historic fabric and the setting of North Brink (car parking, household waste, additional noise, sewerage). The early listing of the property demonstrates its importance and all means should be used to maintain its protected status.*

5.7 Historic England – most recent comments 04.04.23

Thank you for your letter of 30 March 2023 regarding further information on the above application for planning permission. On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

5.8 FDC Conservation Consultant (East Cambs District Council) – 05.04.23

The layout revisions shown on dwg no NB-W-C-05 H have - finally - addressed the principal heritage concerns, There are no further objections.

Recommendation: no objection.

5.9 FDC Environment & Health Services – 05.04.23

The Environmental Health Team note and accept the latest submitted information and have 'No Objection' to the details specific to this re-consultation.

5.10 FDC Private Sector Housing – 12.04.23

Further to our response (10th Feb 23) to the original proposed plans, I note the revised plan has addressed our concerns relating to fire safety within the proposed units.

Therefore, there are no objections from our team.

5.11 Wisbech Town Council – 18.04.23

That the application be supported - subject to the proposed works according with the professional opinion of FDC's Conservation Officer.

5.12 CCC Highways Authority – 25.04.23

...in consideration of the location, site history and FDC parking policy, it would be difficult to defend an objection. On balance, I think the proposals are acceptable.

5.13 Society for the Protection of Ancient Buildings – 17.05.23

Thank you for notifying the SPAB of the further revisions to this application for listed building consent. ... We were pleased to see that further substantial changes have been made to the proposals which very largely allay the concerns raised by the statutory consultees and your own officers. The only issue that remains to our mind is the siting of the bin store to the front of the ground floor, directly adjacent to the front door. A more appropriate location elsewhere than on the primary elevation of the building would be preferable, and it is unclear how the window would be adapted if at all to support this use.

These comments apart, we have no further objection to the application.

5.14 FDC Environmental Services – most recent comments 06.07.23

I note the refuse collection strategy provided along with the additional plan indicating the refuse store to the rear of the property. I have a number of concerns in relation to how waste collection will operate using the alternate weekly service provided.

- 1) The refuse strategy refers to the main collection point at the front of the property however the location of this is not indicated, the bin store at the front of the property is not large enough and the narrow footpath at the would not be acceptable as this would cause an obstruction (see pic below).*
- 2) From the plans I cannot see a practical way in which the bins could be moved from the rear bin store through the property to an unknown collection point.*
- 3) The Refuse strategy states that bins could easily be manoeuvred to and from the bin store however the ground floor plan including the bin store does not demonstrate this.*

The only practical way for waste collection to work would be for a bin store of sufficient size to be located at the front of the property which could be accessed on collection days via key code access.

5.15 Local Residents/Interested Parties

The planning application has received 17 letters of objection from local residents, both from within the ward and from adjacent wards. In addition, the listed building application received 23 letters of objection (some duplicates from the full application, with a few additional comments).

In the interest of brevity, the general matters of concern raised for both applications are summarised below:

- Object to the conversion of the building into a house of multiple occupation (HMO).
- Waste generation concerns;
- Parking and highways concerns;
- Heritage impacts in respect of the building itself and the conservation area;
- Out of character with the area;
- Intensification of use will cause amenity issues;
- Overdevelopment;
- Would set a precedent for similar conversions;
- Likelihood of anti-social behaviour;
- Concerns over damp (and damp proofing methods) in basement;
- Suggestions of fewer flats or reversion to a single townhouse dwelling would be preferred;

6 STATUTORY DUTY

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014).

6.2 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

6.3 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

Para 8 – make provision for a sufficient range and number of homes, fostering well-designed places, protecting and enhancing the natural, built and historic environment and making the effective use of land

Para 47 – Applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise;
Para 86 (f) – recognising the role of appropriate housing in town centres contributing to their vitality

Chapter 9 – Promoting sustainable transport

Para 124 – Supporting efficient use of land, taking into account the: (d) desirability of maintaining an areas prevailing character and setting; and (e) the importance of securing well-designed, attractive and healthy places.

Para 126 – Achieving well-designed places. Good design is a key aspect of sustainable development: Creates better places in which to live and work and helps make development acceptable to communities

Para 130 – Design – Should function well, be visually attractive as a result of good architecture and attractive landscaping and be sympathetic to local character and history and establish or maintain a strong sense of place

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 16 – Conserving and enhancing the historic environment.

Para 197 – In determining planning applications LPAs 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.

Para 202 - Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

7.2 National Planning Practice Guidance (NPPG)

7.3 National Design Guide 2021

Context C1 – Relationship with local and wider context; C2 – Value heritage, local history and culture

Identity I1 – Respond to existing local character and identity; I2 – Well-designed, high quality and attractive

Built form B1 – Compact form of development; B2 – Appropriate building types and forms

Movement M3 – well-considered parking, servicing and utilities infrastructure for all users

Homes and Buildings H1 – Healthy, comfortable and safe internal and external environment, H3 – Attention to detail; storage, waste, servicing and utilities

Resources R3 – maximise resilience

Lifespan L3 – A sense of ownership

7.4 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

LP4 – Housing

LP6 – Employment, Tourism, Community Facilities and Retail

LP14 – Responding to Climate Change and Managing the Risk of Flooding
LP15 – Facilitating the Creation of a More Sustainable Transport Network
LP16 – Delivering and Protecting High Quality Environments
LP18 – The Historic Environment

7.5 Emerging Local Plan

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1 – Settlement Hierarchy
LP2 – Spatial Strategy for the Location of Residential Development
LP7 – Design
LP8 – Amenity Provision
LP15 – Employment
LP20 – Accessibility and Transport
LP22 – Parking Provision
LP32 – Flood and Water Management

7.6 Supplementary Planning Documents/Guidance

Cambridgeshire Flood and Water SPD
Flood Risk Sequential Test Methodology (28 February 2018)
Wisbech Level 2 SFRA
Delivering and Protecting High Quality Environments (2014)
The Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste and Management Design Guide SPD

8 KEY ISSUES

- **Principle of Development**
- **Loss of commercial premises**
- **Character and heritage**
- **Residential amenity**
- **Parking and highways**
- **Flood risk**
- **Other matters**

9 BACKGROUND

9.1 In addition to works to facilitate the proposed change of use, the scheme seeks to remove and regularise earlier unauthorised works that were matters of earlier dismissed appeals relating to a refused listed building consent application (F/YR10/0722/LB; APP/D0515/E/11/2152394) and a subsequently issued enforcement notice (ENF/370/10/UWLB;

APP/D0515/F/11/2154194. The unauthorised ground floor to first floor staircase is due to be removed as part of the scheme considered herein. In addition, whilst the residential use on the second and third floors was permitted most recently under F/YR10/0721/F, the current arrangement of the self-contained residential units on these floors are unauthorised. This application seeks to regularise the self-contained residential units, along with proposing some internal changes to their layouts. Finally, additional units are proposed to be created within the building as part of the current application.

- 9.2 Following initial concerns raised by the FDC Conservation Consultant and various National Amenity Societies in respect of the impact on the listed building from the proposed works, the original scheme submitted was altered (following reconsultation) to address these concerns.
- 9.3 The final revised scheme as submitted is considered in the below assessment.

10. ASSESSMENT

Principle of Development

- 10.1 The building is located within Wisbech town centre boundary, one of the primary market towns within Fenland and is therefore identified as an area which should be the focus for new housing, employment growth, retail growth and wider service provision.
- 10.2 The scheme proposes to create a total of 7 apartments within the building and will retain a listed building in active use, with any heritage impacts to be assessed in accordance with the NPPF and Policy LP18 of the Fenland Local Plan.
- 10.3 Matters of flood risk, access and servicing must also be considered in accordance with Policies LP14, LP15 and LP16 of the FLP.
- 10.4 Subject to the scheme according with the relevant policy framework the principle of development is considered to be acceptable in the instance.

Loss of Commercial Premises

- 10.5 Policy LP6 embraces a strong 'town centre first' message in respect of retaining commercial development in towns. The application site was originally a residential dwelling; the site history suggests that, most recently, the property was permitted a change of use from residential to its current status of a chiropractic surgery and beauty treatment rooms in 2011. The proposal seeks the revert the building back to full residential use within the entire building through the conversion of the building into 7 apartments.
- 10.6 The site lies within the Town Centre Boundary but outside the designated Primary Shopping Area and Primary Shopping Frontage of Wisbech (as detailed within the Development Plan). North Brink is currently characterised by a mix of both commercial and residential properties, and as such the scheme would not be out of character as either residential or commercial (or a mix of each) in this location.

10.7 Ultimately, the loss of this commercial premises at the site, given their nature and scale, is unlikely to detrimentally impact the vitality and viability of the centre as a whole in this context, and certainly not to any degree which would warrant the refusal of planning permission.

Character and heritage

10.8 Consultation responses from the FDC Conservation Consultant and National Amenity Societies directed certain changes to the scheme layout and concluded that the development is, on balance, acceptable as now presented. The proposed extension to the rear of the property will be entirely obscured from view within the street scene, and the front elevation visible within the street scene includes no notable alterations. As such, the internal and external changes proposed would result in limited impacts to the character of the building and conservation area.

10.9 Early consultation responses included concerns over the previously unauthorised works that have taken place within the building, such as the inclusion of a staircase between the ground and first floors. Secondary staircases (including the unauthorised staircase in question) are due to be removed between the basement and first floor, reinstating the original central stairs as the main point of access between these floors. This is a welcome alteration to rectify the earlier unauthorised works at the site.

10.10 The currently unauthorised flats on the second and third floors of the building are sought to be regularised by this application, with only minor internal partitions erected to ensure these units meet fire regulations.

10.11 Other alterations were considered acceptable in respect of the most recent submitted floor plans/schedule of works (Drawing NB-W-C-05H) as they were considered to suitably address the main heritage concerns from earlier iterations of the scheme.

10.12 Reservations in respect of the scheme in respect of bin collection/storage provision are noted. The ground floor bin store, proposed within in a vestibule formed to the right of the main access/lobby is a regrettable addition as it will result in some impact on character. However, given the 'land-locked' nature of the building, this solution is considered to remain as the only practical way to ensure waste storage is contained within the building footprint and not on the public footpath to the front of the building, which arguably would create more of an eyesore in the public realm. It is noted that the bin store area includes a ground floor front elevation window that is due to remain, however the application does not include details of if/how this window may be altered to obscure views into the bin stores to preserve character and street scene. Notwithstanding, such detail can be secured by condition.

10.13 As such, it is considered that, subject to appropriate conditions, the scheme complies with Policy LP18 and the NPPF in terms of the impact on character and heritage.

Residential amenity

- 10.14 The proposed apartments provide sufficient internal floor space and bedroom space to meet the required Technical Space Standards. Initial concerns raised from the FDC Private Sector Housing Team in respect of suitable escape routes and fire safety provisions were alleviated with revisions to the original scheme. No concerns were raised in respect of space standards, light ingress, or residential amenity by the Private Sector Housing Team in respect of the original or revised layouts proposed.
- 10.15 Habitable rooms within the proposed apartments offer a suitable level of natural light and ventilation opportunity. The units will offer a reasonable level of residential amenity for the occupants and whilst some of the units are relatively small, they are well located to the town centre and will contribute to the housing mix of the town.
- 10.16 There is no requirement for provision of amenity space to support the development as per Policy LP16(h) and the site location is such that there are opportunities for outdoor recreation within walking distance. Notwithstanding, there is a rear courtyard area that could provide some informal outdoor space for occupants, as well as the amenities of the town centre.
- 10.17 It is noted that the location of the proposed bin store to the front of the building may result in impacts to amenity by way of odour generation, however this is sufficiently separated from residential units by way of dividing doors, and will be externally ventilated with a filtration system. No objections were raised in respect of the location of the bin stores by the FDC Environmental Health team or Private Sector Housing team in respect of amenity impacts from the proposed bin stores.
- 10.18 In terms of the relationship of the property to adjoining premises no amenity issues or impacts are identified.
- 10.19 Given the above, it is considered that, on balance, the scheme achieves compliance with Policies LP2 & LP16 of the Fenland Local Plan (2014).

Parking and highways

- 10.20 The proposal includes provision for cycle parking but none for cars due to its town centre location. There is cycle storage available in a cycle store within the rear courtyard of the building at ground floor level. It should be noted that the Development Plan does not contain cycle parking standards, however it is noted that 7 stands (one per unit) are shown within the rear cycle stores.
- 10.21 This a town centre site and as such is considered to be a sustainable location; albeit the scheme comes forward with a nil parking provision. Comments regarding the lack of provided parking and highway safety issues from representations are noted.
- 10.22 Appendix A of the Fenland Local Plan allows for a reduced car parking provision and in special circumstances a nil parking provision where sites are centrally located within Market towns and benefit from good public transport links.

- 10.23 The 'special circumstances' in this case are in respect of the site's town centre location and, moreover, the existing use at the site. Consideration must be paid to the reduced trip generation and parking requirements for the proposed residential development in comparison to the current use of the site as a chiropractic surgery, with beauty treatment rooms and existing residential units. Given that the commercial use would have required parking availability for both staff and visiting patrons at the site, it is likely that this would have generated more vehicular traffic and potentially a higher requirement of parking spaces than the proposed residential development.
- 10.24 Concerns over parking and highways arrangements were discussed at length with the Highway Authority, and it was considered that given the existing versus proposed circumstances, it would be unreasonable to justify a refusal of the scheme on the grounds of nil parking provision or highway safety. As such, there are no matters to reconcile with regard to parking or accessibility; the scheme is therefore considered compliant with Policies LP15 and LP16 of the FLP (2014).

Flood risk

- 10.25 The site falls within Flood Zone 3 (high risk). Flooding is considered an identified risk to both people and property. Both national and local policy seeks to steer new development to areas with lesser flood risk, where appropriate, to ensure areas at lower risk of flooding are developed before those at a higher risk. The NPPF advises that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas of lower risk of flooding (paragraph 158). Accordingly, there are other sites within Wisbech which are located within lower flood risk areas and therefore it is unlikely that the proposal would pass the sequential test.
- 10.26 Notwithstanding, as a change of use submission there is no requirement for the scheme to satisfy the sequential test however the exceptions test must be met. Paragraph 048 of the PPG on Flood Risk and Coastal Change states that '*A Change of Use may involve an increase in flood risk if the vulnerability classification of the development is changed. In such cases, the applicant will need to show in their flood risk assessment that future users of the development will not be placed in danger from flood hazards throughout its lifetime.*' Thus, in line with national and local planning policy the application was supported by a site specific Flood Risk Assessment (FRA). The FRA outlined the likely maximum flood depths, which confirm through the use of EA Breach Hazard mapping, that the site will not be a risk of flooding during a 1000yr CC event and would allow for safe refuge (supported by the findings in the Wisbech Level 2 SFRA). Notwithstanding, the FRA outlined that occupants should consider what to do during flood events and recommended occupants register for the EA's Flood Warning Service.
- 10.27 Comments in respect of the possibility of flooding or damp ingress to the basement are noted, however the above evidence suggests that the site would not be at risk during a 1000yr CC event and that safe refuge would be available, and as such the proposed basement accommodation would not be

at risk in this circumstance. Matters in respect of appropriate methods of damp proofing for the basement can be secured by condition.

- 10.28 Consultation with the Environment Agency returned no objection to the scheme, subject to adherence with the submitted FRA, secured by condition. Therefore, it is considered that the proposed change of use will not result in an increase in flood risk to the site or to others, and thus is considered acceptable with regard to Policy LP14, subject to conditions.

Other matters

House of Multiple Occupation (HMO)

- 10.29 Several representations referred to the submission as an HMO. However, the submitted details indicate the scheme as proposing 7 separate market dwellings within the confines of the building supplemented by the erection of an enlarged rear extension. Each apartment will have its own separate access, living room, bedroom(s), kitchen and bathroom with no shared facilities save for the bin stores, cycle stores, and rear courtyard space; as such the scheme has not been considered as an HMO. Whilst representations received may have inaccurately described the proposal as an HMO, the relevant material planning considerations raised in relation to the scheme proposed more generally are discussed within the corresponding sections of this assessment report.

Refuse Collection

- 10.30 Matters in respect of refuse storage/collection have been of concern to officers and local residents, particularly in response to the operational capacity within the proposed bin stores and management of collections.
- 10.31** The site is currently utilised as a mixed commercial and residential unit, and has no current bin store arrangements for the entire building. However, it is acknowledged that despite the current lack of formal bin stores, the use at the site does inevitably generate a level of waste. It is understood that currently on collection days occupants place waste outside the front of the property to be collected by the local authority. This appears to be the 'status quo' for bin collections from other premises along North Brink that utilise local authority waste services.
- 10.32** The proposal seeks to offer 1800L capacity within the front bin stores room, with an additional 1320L proposed within a second bin store area within the rear courtyard. A refuse strategy was submitted outlining that a waste management team would manoeuvre the bins from the front and rear bin stores on collection days. However, it was considered that owing to the constraints of the site, the practical implementation of such a strategy, particularly in relation to the rear bin stores, would likely be unfeasible.
- 10.33 As such, it is considered that the proposed rear bin stores, whilst proposed, cannot be realistically included within the available waste storage capacity at the site.
- 10.34** Considering the front bin stores area as a standalone option, initial comments from the Environmental Services Team raised concern over the capacity proposed within the front bin stores, stating that this would fall

below the required capacity for such a residential development in accordance with RECAP guidance. However, it is acknowledged that the provision of bin stores within the property, notwithstanding their 840L shortfall in capacity, would likely be a betterment to the current provision of waste management at the site.

- 10.35 Therefore, it is considered that the current informal proposals do not preclude a decision being reached, subject to condition requiring submission of a revised refuse collection strategy, detailed bin stores layout and means of access and management thereof to be submitted for further review and approval prior to occupation of any residential units to ensure that the scheme ultimately aligns with Policy LP16 (f) of the Fenland Local Plan.

Crime and Anti-Social Behaviour

- 10.36 It is necessary, given the proposals, that security and crime prevention are considered in relation to the security of the building, access control, cycle and bin store security, mail delivery, lighting, and CCTV. As these elements are likely to be refined at detailed project planning stage it appears appropriate to condition these elements to ensure compliance with Policy LP17 of the Fenland Local Plan.

11. CONCLUSIONS

- 11.1 This application proposes the change of use of a listed building situated within the Wisbech Conservation Area. It will deliver a residential scheme providing a total of 7 units of residential accommodation facilitated by the erection of a single-storey rear extension.
- 11.2 Whilst the comments of some consultees and local residents are noted and acknowledged and officers have some sympathy with the points made, so much so that they endeavoured to secure scheme revisions in this regard and propose the use of planning conditions to safeguard the heritage and use of the building appropriately. It must be noted that there would be no policy basis to withhold consent, noting the absence of significant harm arising by virtue of the proposals. Furthermore, when giving weight to the continued use of this prominent heritage asset and noting the absence of any other material considerations which would indicate that the scheme should be resisted, matters of 'amount' must fall away.
- 11.3 The application is recommended for approval as set out in the body of the report below having due regard to the duty in law under S16 Planning (Listed Buildings and Conservation Areas) Act 1990 and also the requirements of the National Planning Policy Framework 2021 and Policy LP18 of the Fenland Local Plan 2014.
- 11.4 Matters of flood risk, highways, residential amenity, security and servicing have also been considered alongside heritage and character considerations, with the Conservation Officer having also inputted into the latest iteration of the scheme and their suggestions incorporated.
- 11.5 It is considered that the scheme on balance aligns with the relevant policy

framework and may be favourably recommended with appropriate conditions.

12. RECOMMENDATION

F/YR22/0873/F

Grant Planning Permission; subject to the following condition:

1	<p>The development permitted shall be begun before the expiration of 3 years from the date of this permission.</p> <p>Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development shall be carried out in accordance with the submitted flood risk assessment prepared by Evans Rivers And Coastal, Ref: 2937/RE/05-22/01 dated May 2022 and the mitigation measures detailed within the FRA. These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.</p> <p>Reason - To provide reasonable protection against flooding in accordance with Policy LP14 of the Fenland Local Plan 2014.</p>
3	<p>Prior to the first occupation of the development hereby approved a revised refuse collection strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include as a minimum:</p> <ul style="list-style-type: none"> (i) Detailed bin stores layout plan and elevations (including any proposed adaptations to the existing front elevation window); (ii) Details of the means of access (including key code entry lock); (iii) Details of the operational strategy on collection days. <p>The approved refuse collection strategy shall be implemented in accordance with the agreed details in full and thereafter be retained in perpetuity unless otherwise agreed in writing.</p> <p>Reason: To ensure a satisfactory form of refuse collection and compliance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
4	<p>Prior to the first occupation of the development hereby approved full details of any proposed external lighting/CCTV and all access control measures, including those relating to the bin store and cycle store, shall be submitted to and approved in writing by the Local Planning Authority. The agreed measures shall then be installed prior to first occupation of any of the residential units hereby approved and retained thereafter in perpetuity.</p>

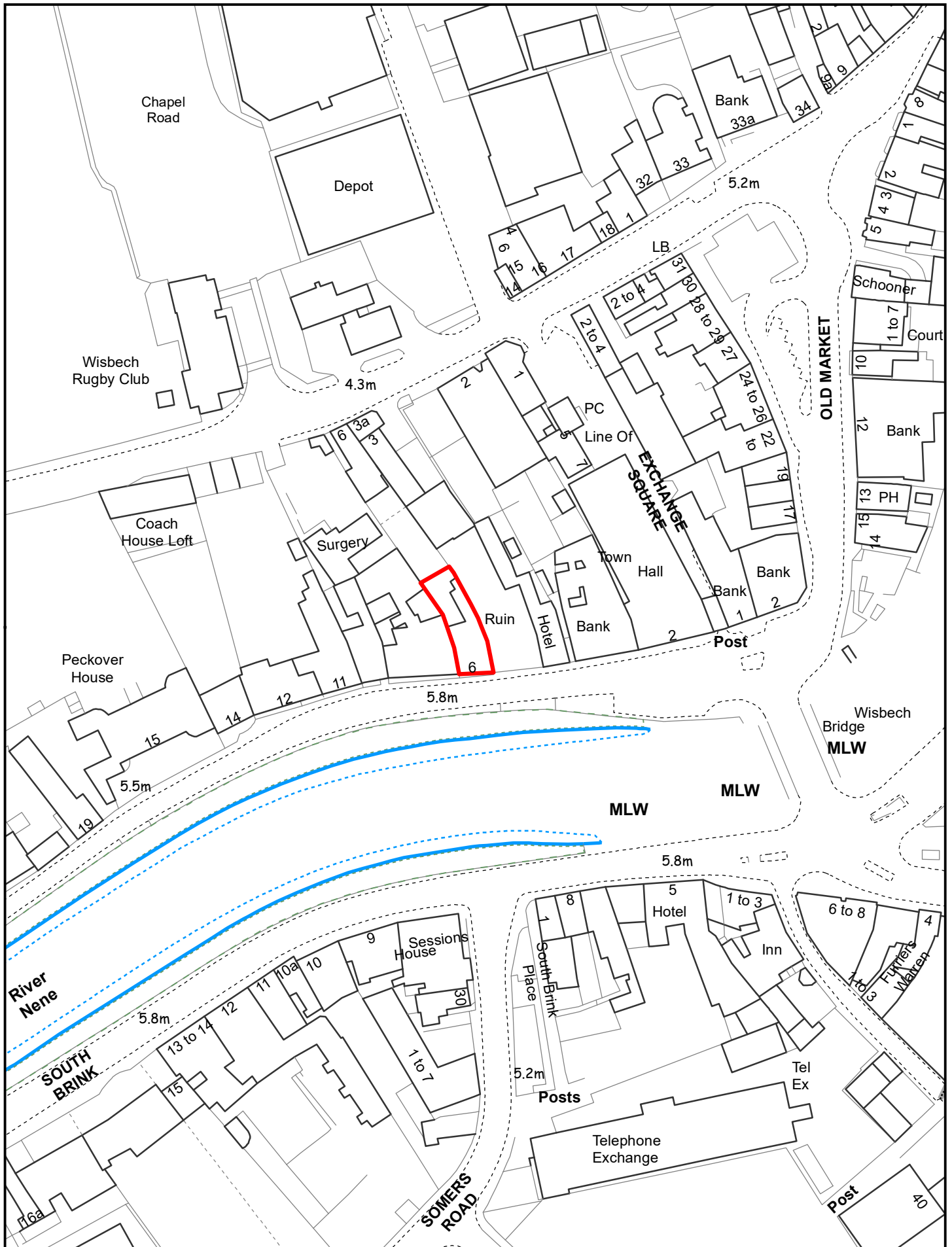
	Reason - In order to ensure adequate safety and security on site in accordance with Policies LP16 and LP17 of the Fenland Local Plan, adopted May 2014 and the NPPF (2021).
5	Approved Plans

F/YR22/0874/LB

Grant Listed Building Consent; subject to the following conditions:

1	<p>The works/demolition permitted shall be begun not later than 3 years from the date of this consent.</p> <p>Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>Construction of the rear extension shall not take place until samples of all external facing materials proposed for the extension including details of external facing bricks, roof materials, mortar, and rainwater goods to be used have been submitted to or inspected on site by the Local Planning Authority's Conservation Officer (or representative) and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained.</p> <p>Reason: In order to preserve the special architectural and historic character of the listed building and/or in accordance with the provisions of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and Policy LP18 of the Fenland Local Plan 2014.</p>
3	<p>Prior to commencement of this element of works, details of any remedial damp proofing works required for the basement or any other part of the building, shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter retained.</p> <p>Reason: In order to preserve the special architectural and historic character of the listed building and/or in accordance with the provisions of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and Policy LP18 of the Fenland Local Plan 2014.</p>
4	<p>Prior to the commencement of works, cross section drawings at a scale no smaller than 1:5 and elevation drawings at a scale no smaller than 1:10 of all new windows and doors, including details of glazing, glazing bars, sills, lintels and finish shall be submitted to, and agreed in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and thereafter retained.</p>

	Reason: In order to preserve the special architectural and historic character of the listed building and/or in accordance with the provisions of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and Policy LP18 of the Fenland Local Plan 2014.
5	<p>Prior to the installation of such elements, details and location of any services which may be visible on external elevations, particularly pipes and extract or ventilation equipment and utility meter boxes, shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and thereafter retained.</p> <p>Reason: In order to preserve the special architectural and historic character of the Listed Building and in accordance with the provisions of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and Policy LP18 of the Fenland Local Plan 2014.</p>
6	Approved Plans



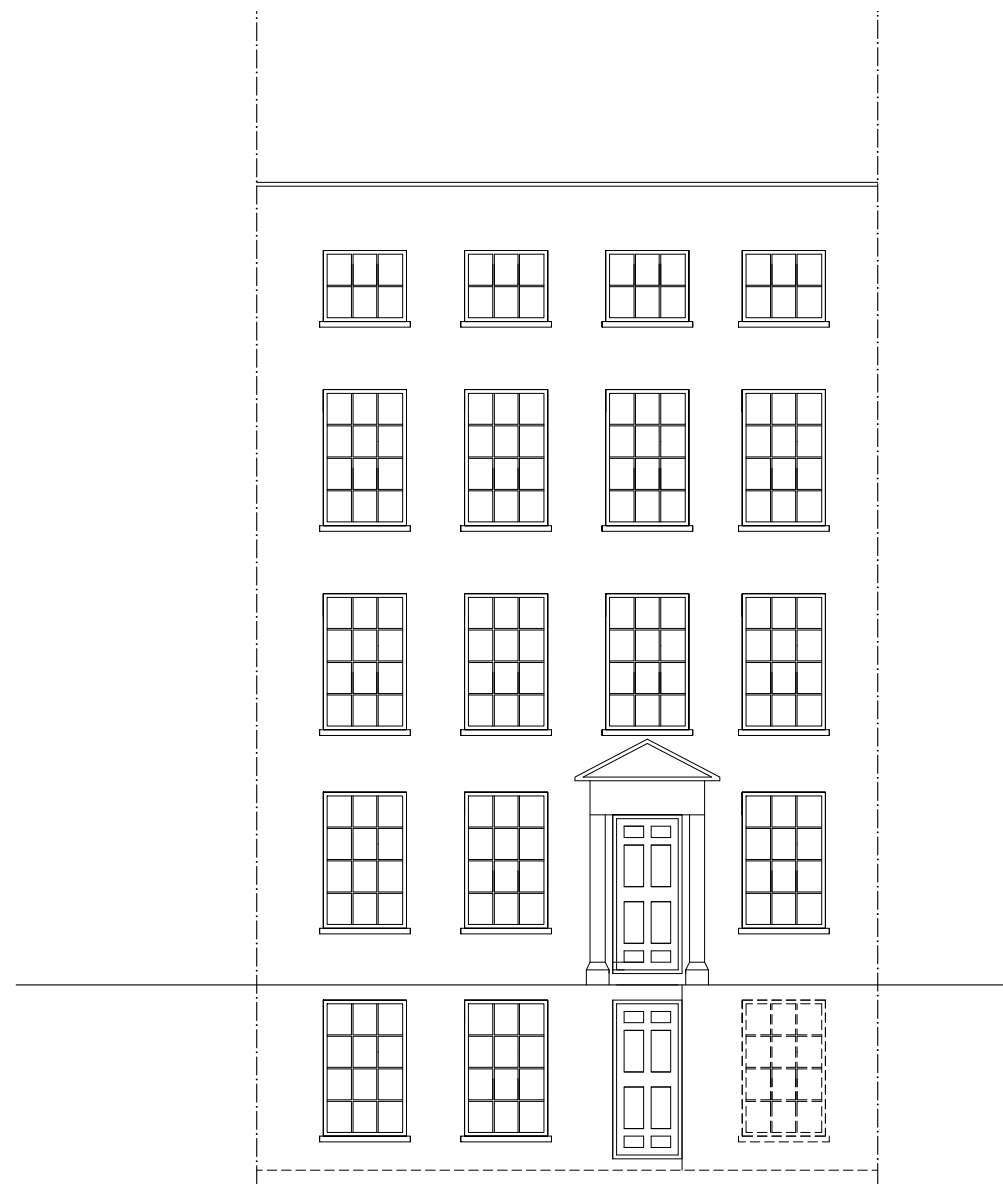
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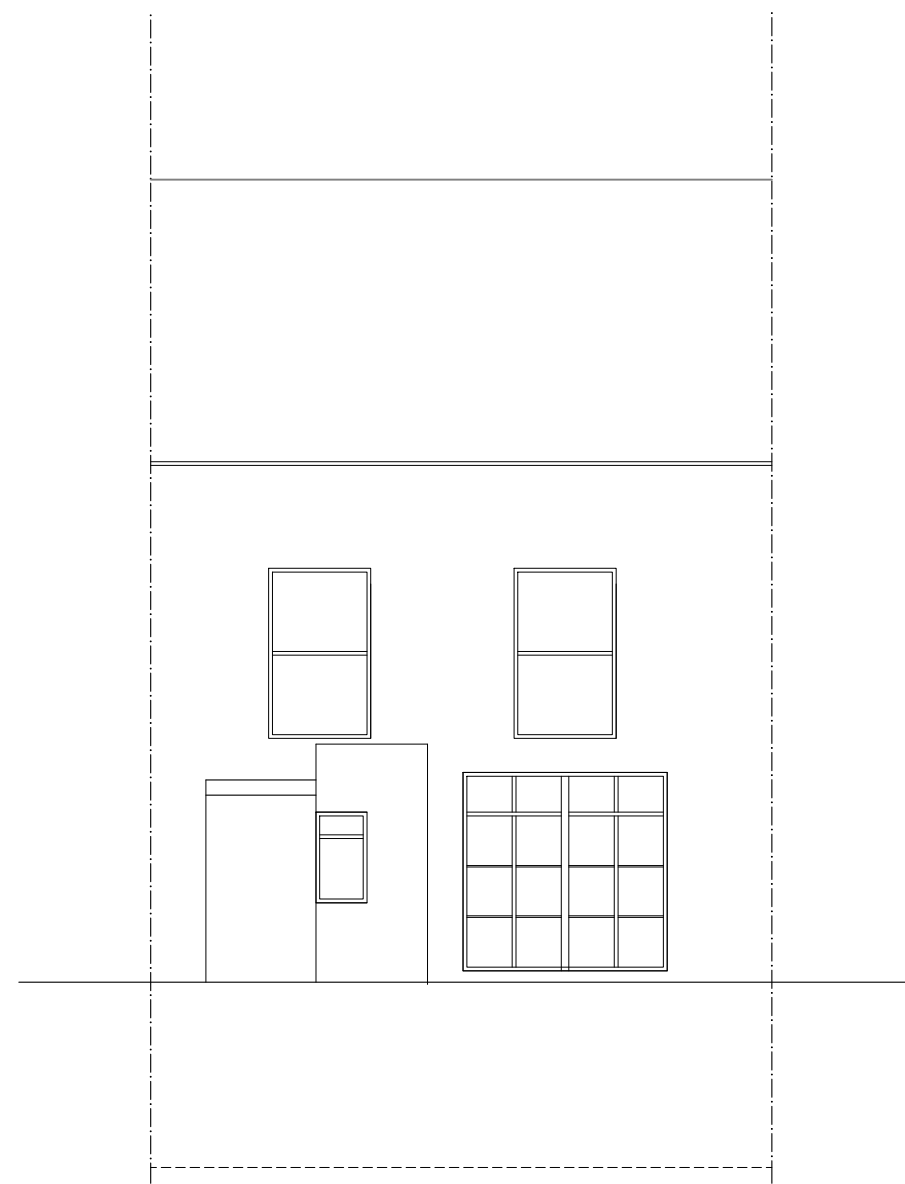
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F/YR22/0874/LB

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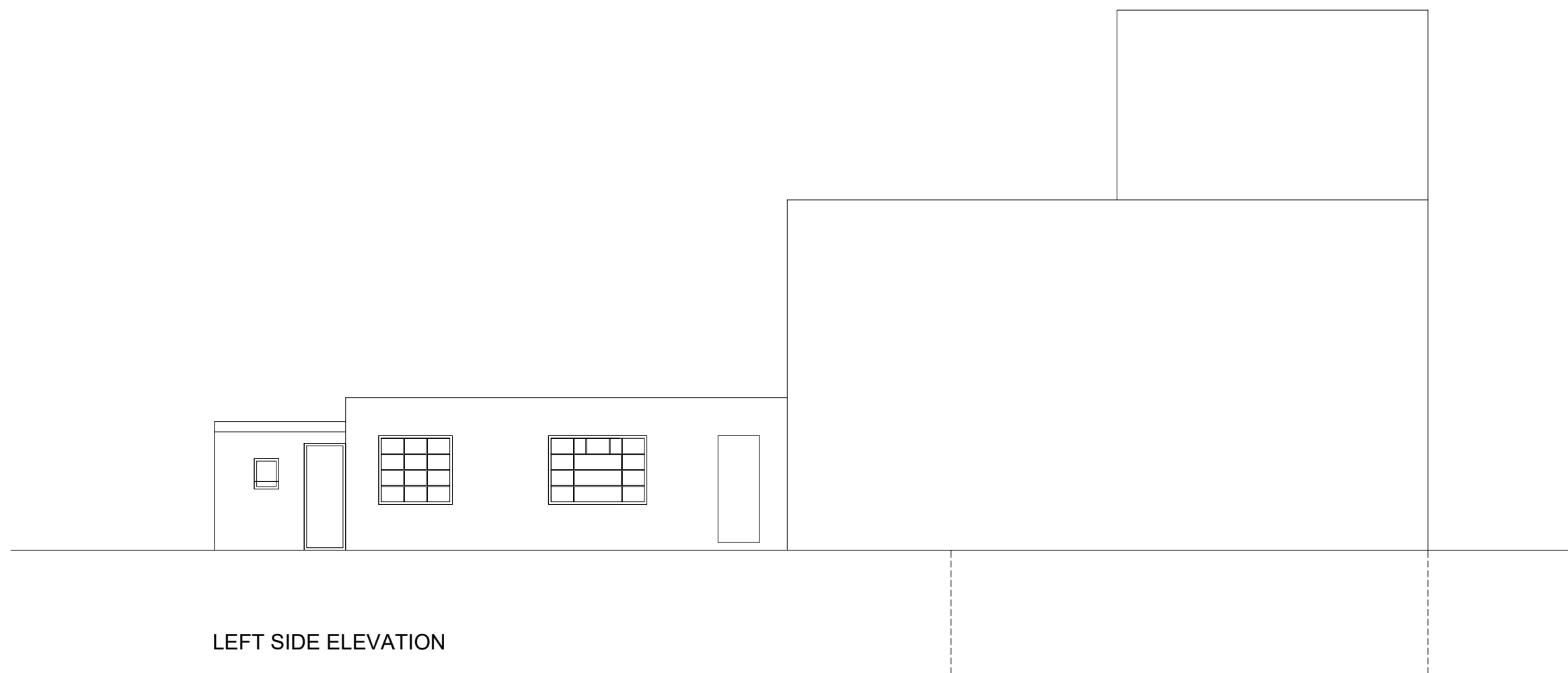




FRONT ELEVATION



REAR ELEVATION



LEFT SIDE ELEVATION

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A. Basement updated
 Rev.



64-66 Westwick Street
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 mob: 07810332098
 email: nigel.cooper@norwicharchitects.com

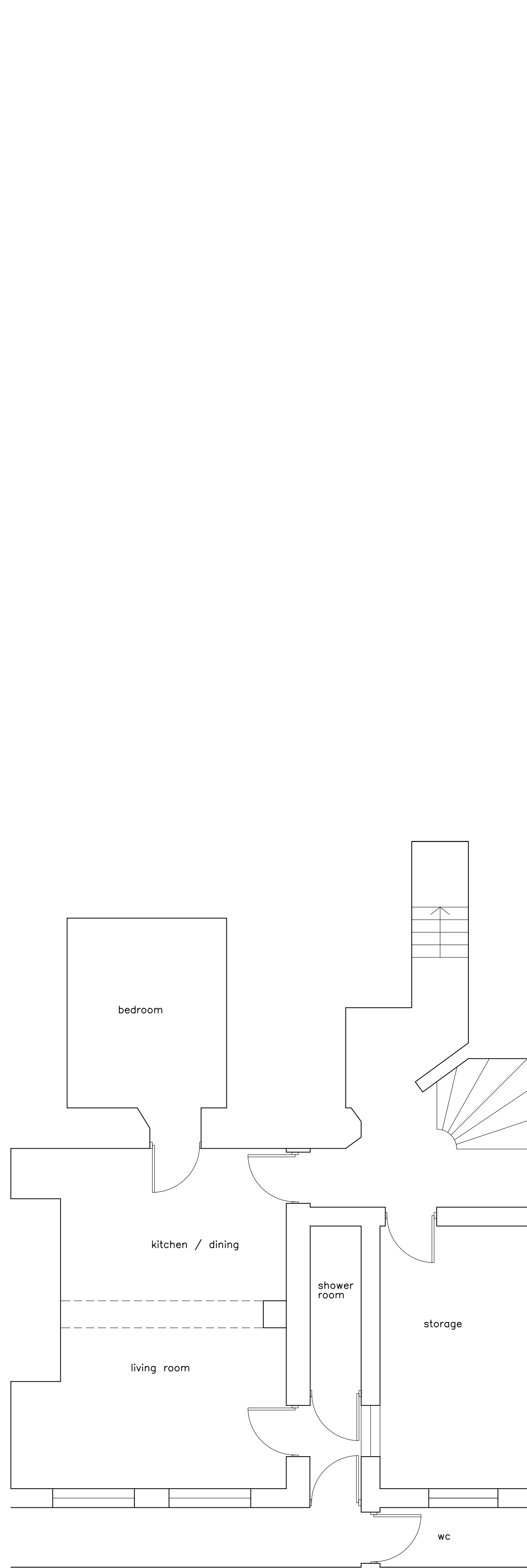
Client :
 Mr S. Deadman

Project :
 6 North Brink, Wisbech,
 Cambridgeshire

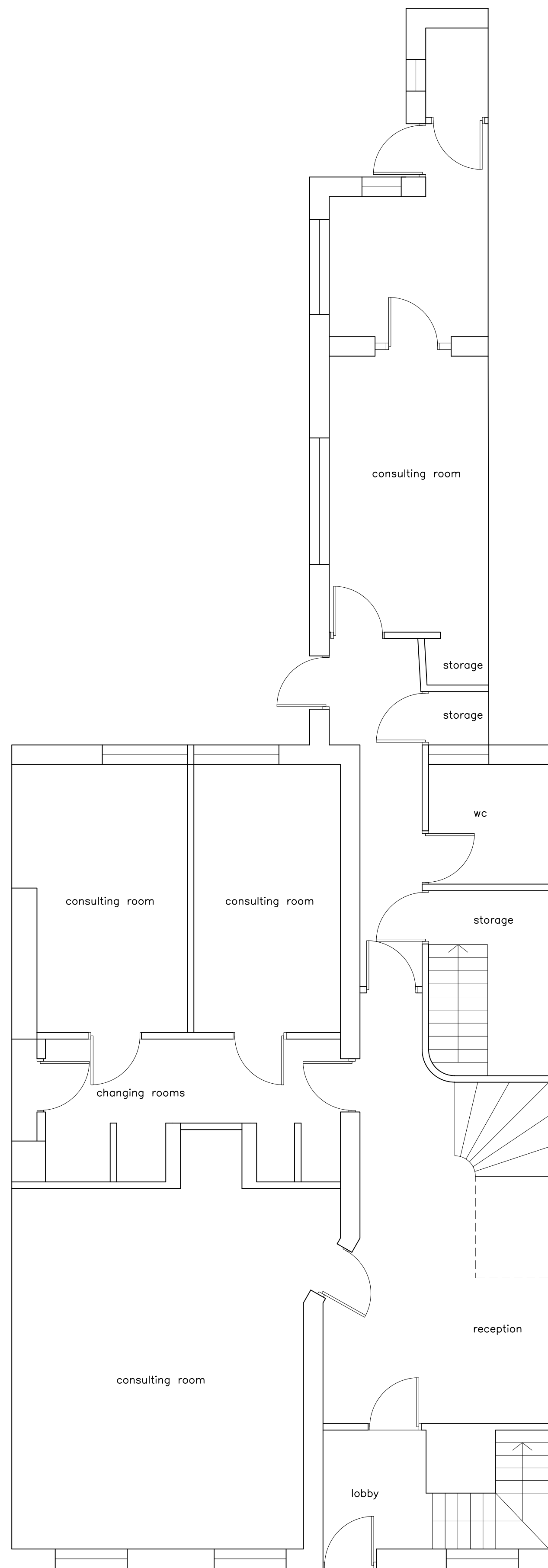
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Project No. NA-162	Scale 1:100
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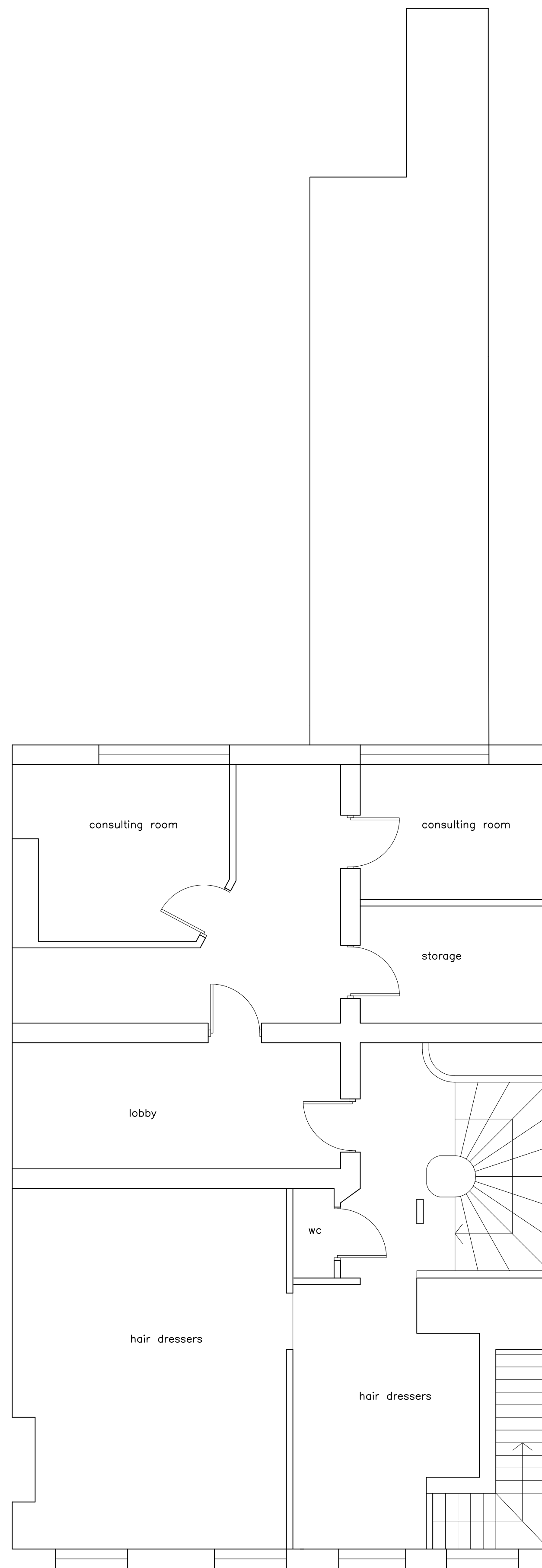
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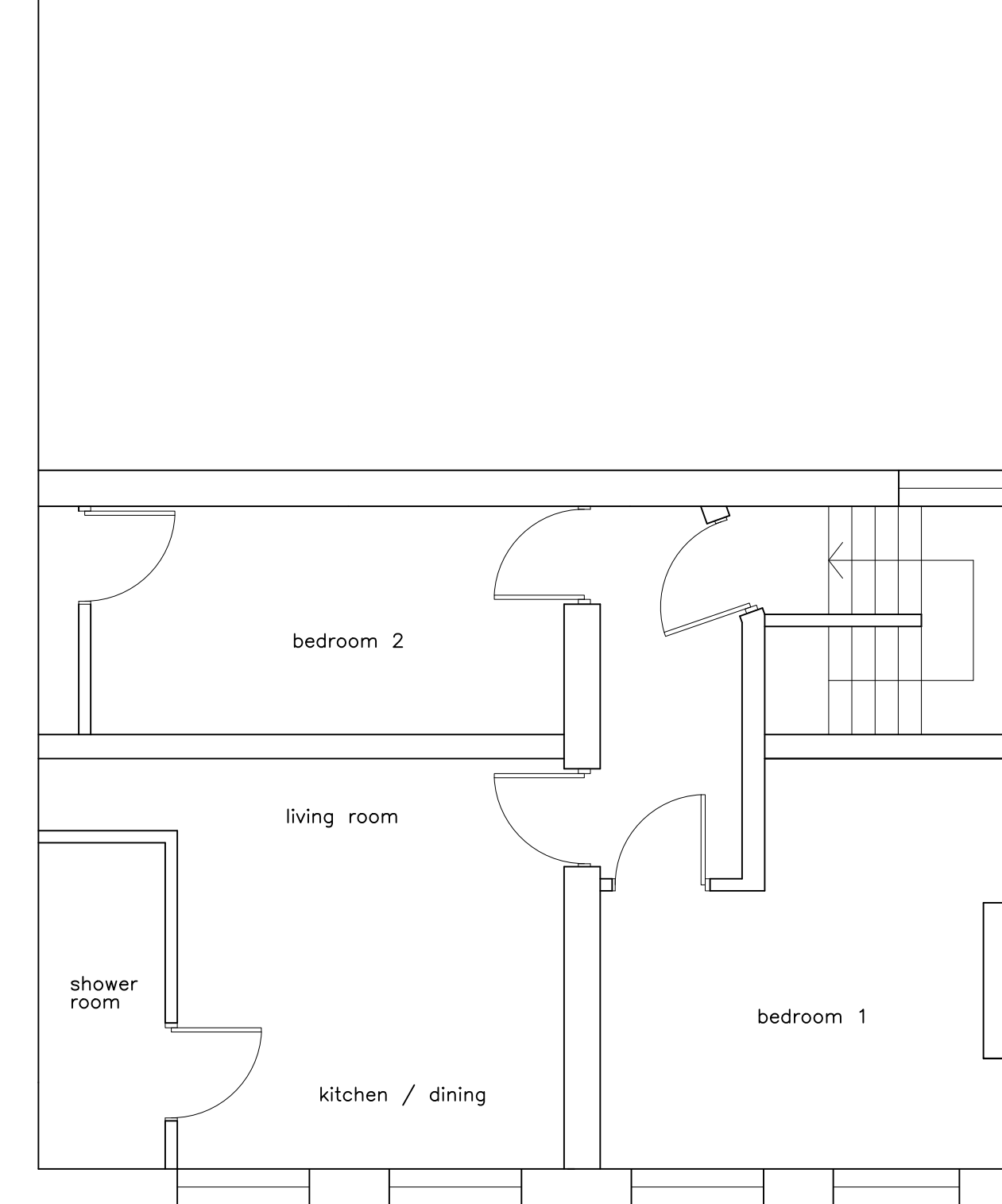
BASEMENT FLOOR PLAN



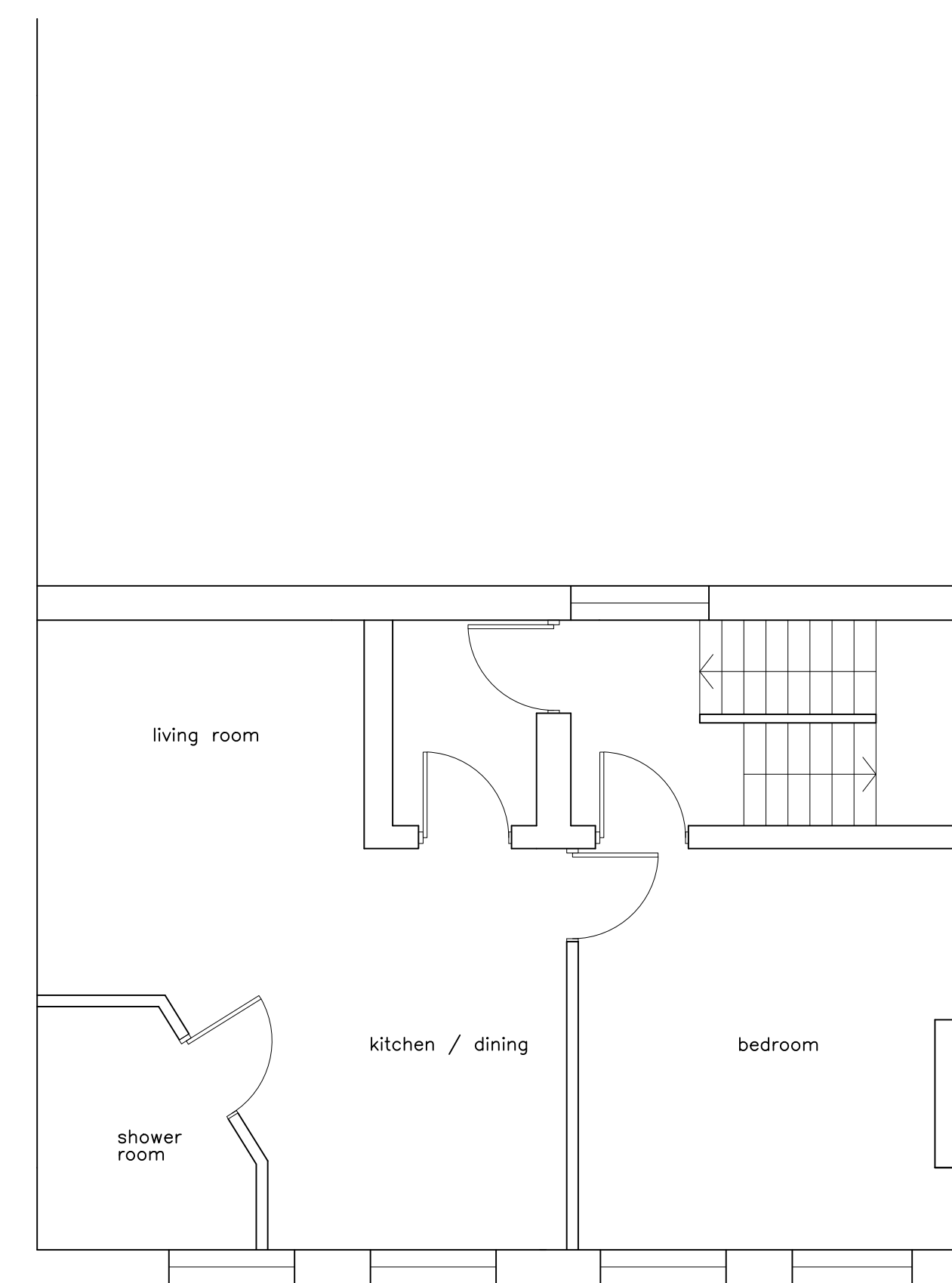
GROUND FLOOR PLAN



FIRST FLOOR PLAN



THIRD FLOOR PLAN



SECOND FLOOR PLAN

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A. Basement plan updated
 Rev.



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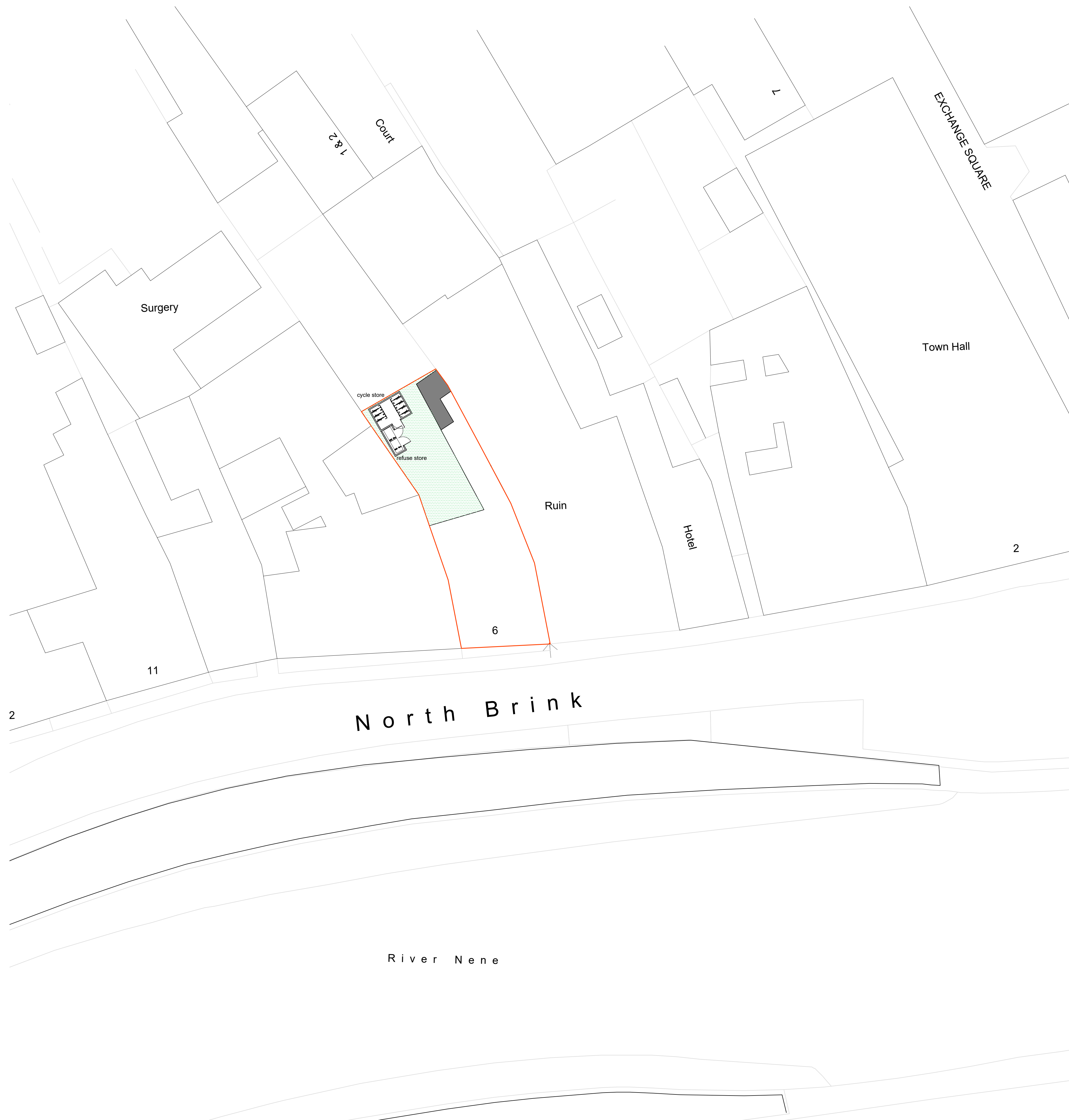
Drawing Title:
 Existing Floor Plans

Project No.
 NA-162

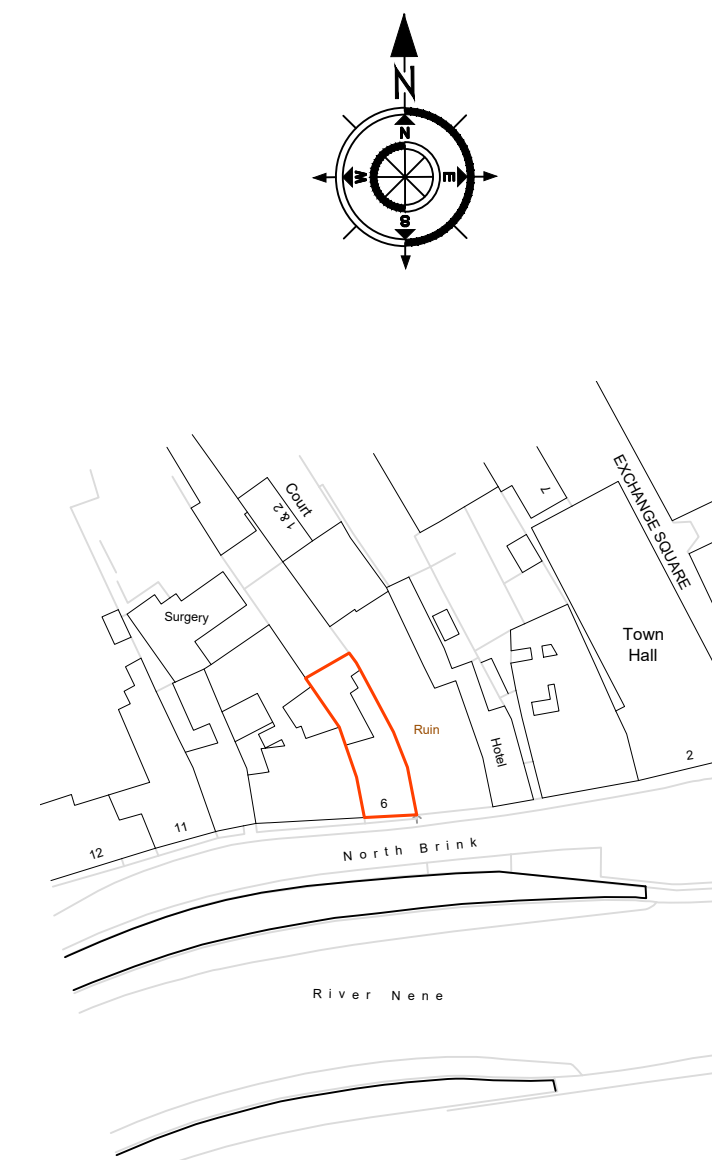
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Drawing No.
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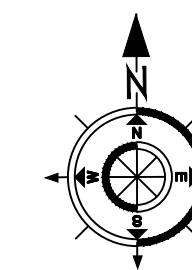
Date
 February 2022



SITE PLAN



LOCATION PLAN



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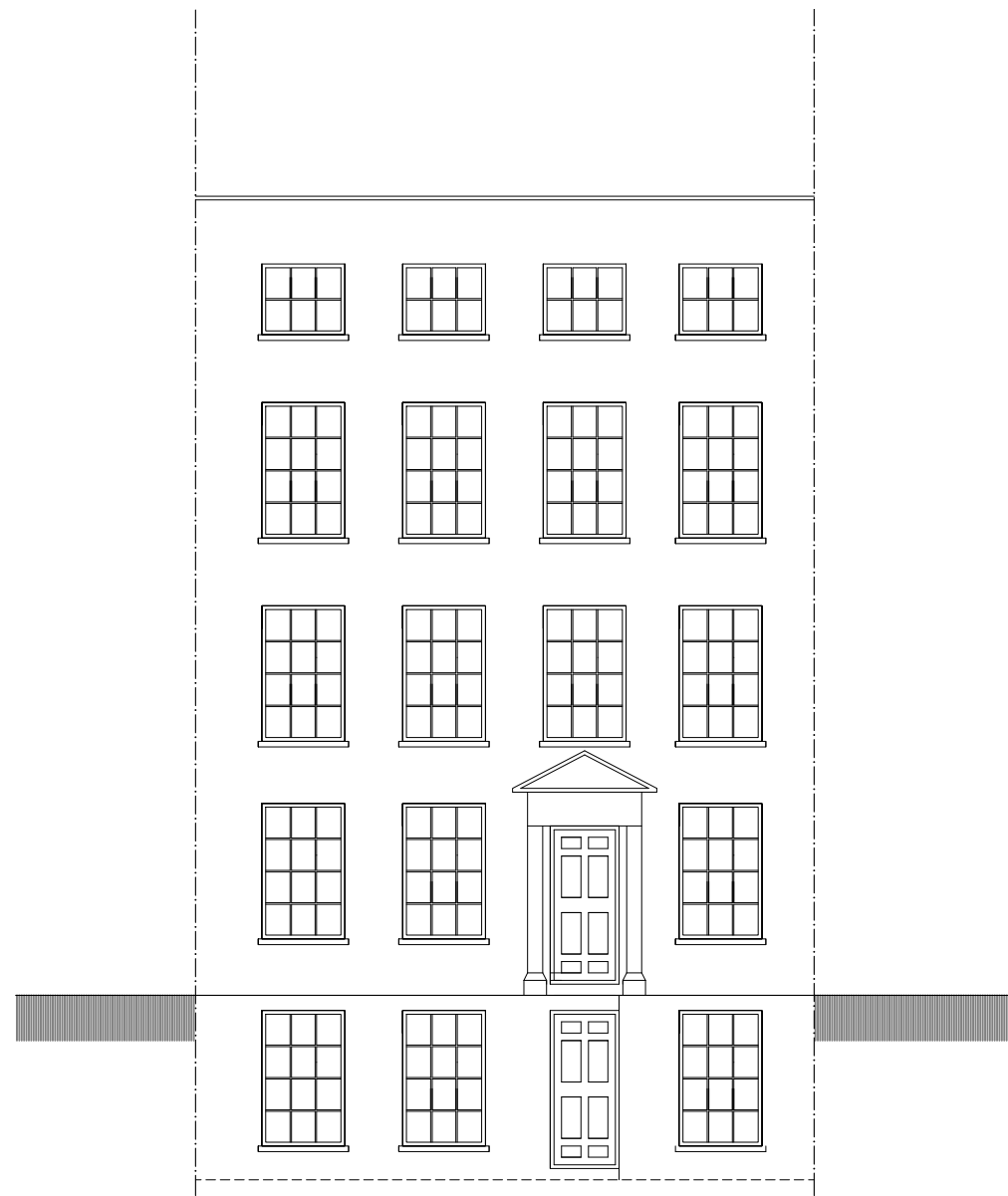
- D. Rear refuse store added
- C. Layout Amendments to Planning Requirements
- B. Layout Amendments to Planning Requirements
- A. Layout Amendments to Heritage Requirements
- Rev.



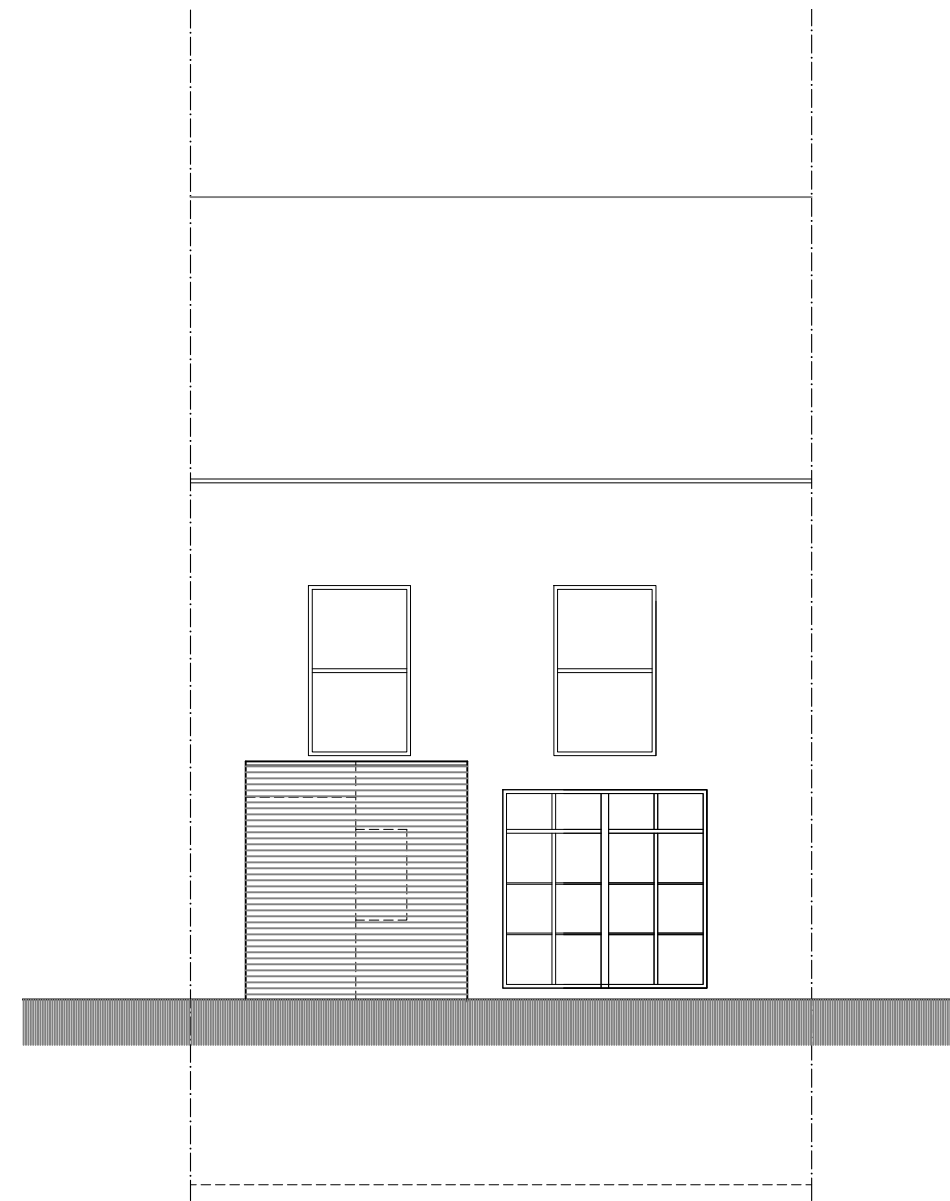
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Client :
 Mr S. Deadman
 Project :
 6 North Brink, Wisbech,
 Cambridgeshire
 Drawing Title:
 Proposed Site Plan & Location Plan

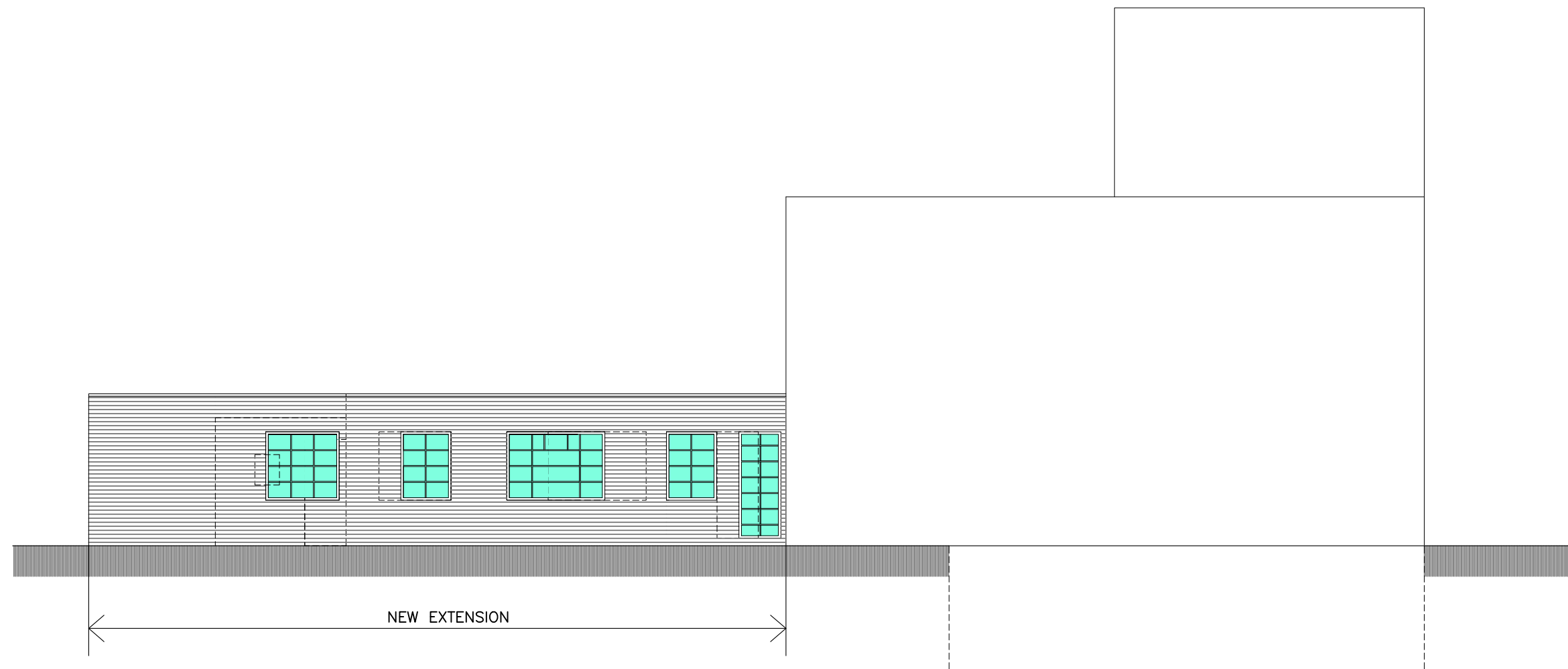
Project No. NA-162	Scale 1:200 & 1:1250
Drawing No. NB-W-C-SL01 D	Date April 2022



FRONT ELEVATION



REAR ELEVATION



LEFT SIDE ELEVATION

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 prior to commencing work on site.

B. Design Amendments to Planning Requirements
 A. Design Amendments to Heritage Requirements
 Rev.



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Client :
 Mr S. Deadman

Project :
 6 North Brink, Wisbech,
 Cambridgeshire

Drawing Title:
 Proposed Elevations

Project No. NA-162	Scale 1:100
Drawing No. NB-W-C-04 B	Date February 2022

SCHEDULE OF WORKS

Basement

1. Remove existing wc external walls and roof to reuse original adjoining window
2. Erect new timber stud partition around existing stairs to be retained

Ground Floor

3. Remove existing secondary recent stairs and reuse area for new refuse store

First Floor

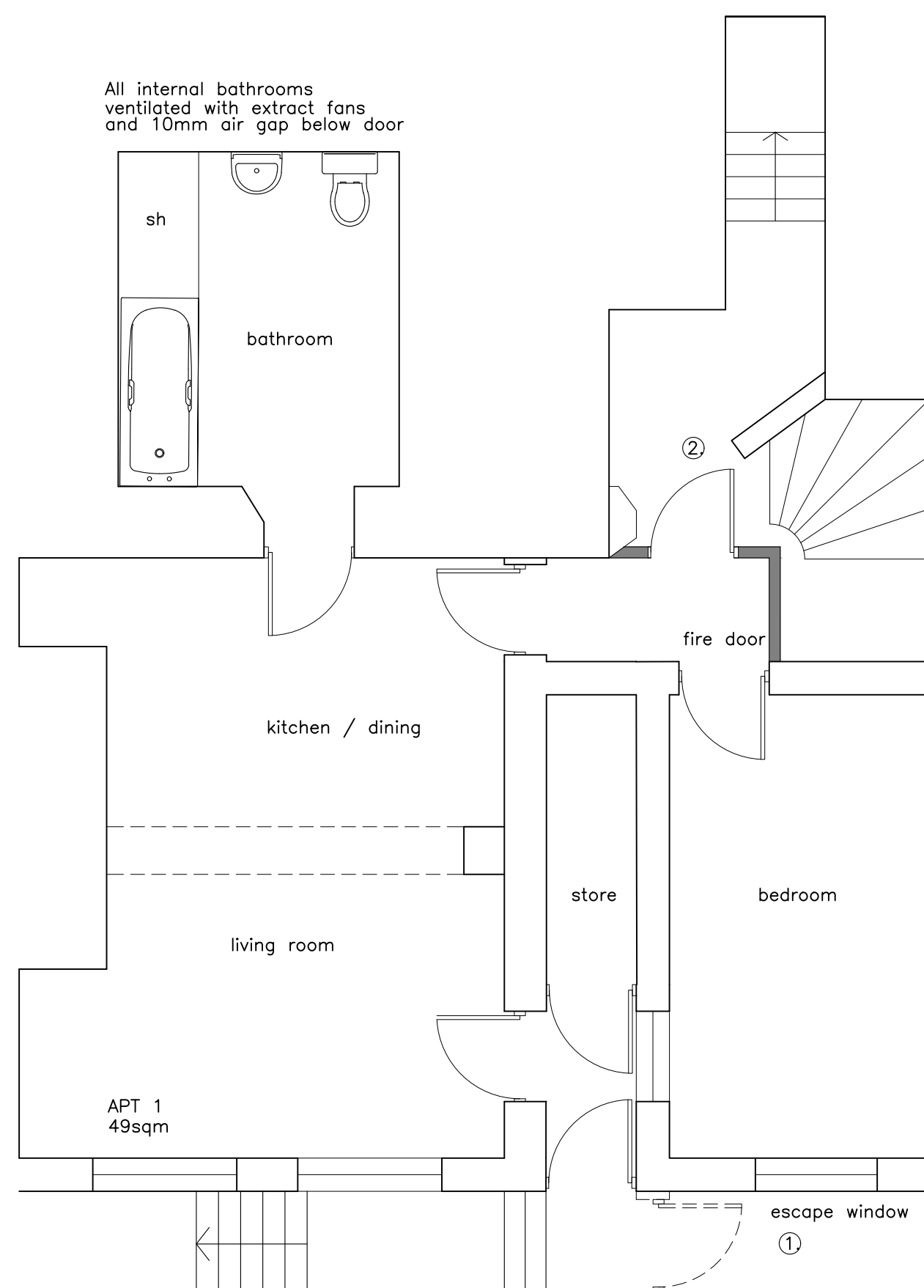
5. Erect new timber stud partitions
6. Box in existing staircase from basement with new chipboard flooring
Apply new timber stud lining & insulation around new apartment party wall for necessary sound & fire requirements
7. Remove existing poor condition rear extension & rebuild with external materials to match existing
8. Erect new small rear extension

Second Floor

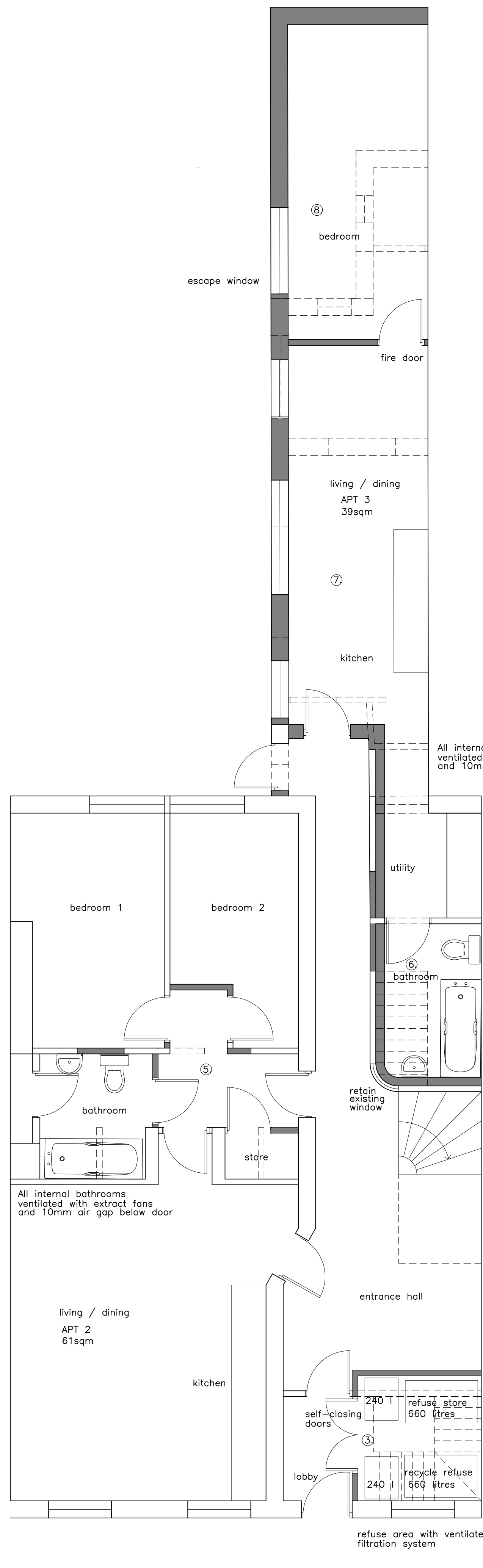
9. Remove existing secondary recent stairs & replace first floor area
10. Erect new timber stud partitions
11. Remove small section of existing partition
Apply new timber stud lining & insulation around new apartment party wall for necessary sound & fire requirements
12. Create new entrance in existing partition
- 12a. Erect new timber stud partition
13. Remove existing recent timber stud partition
14. Remove existing recent timber stud partition

Third Floor

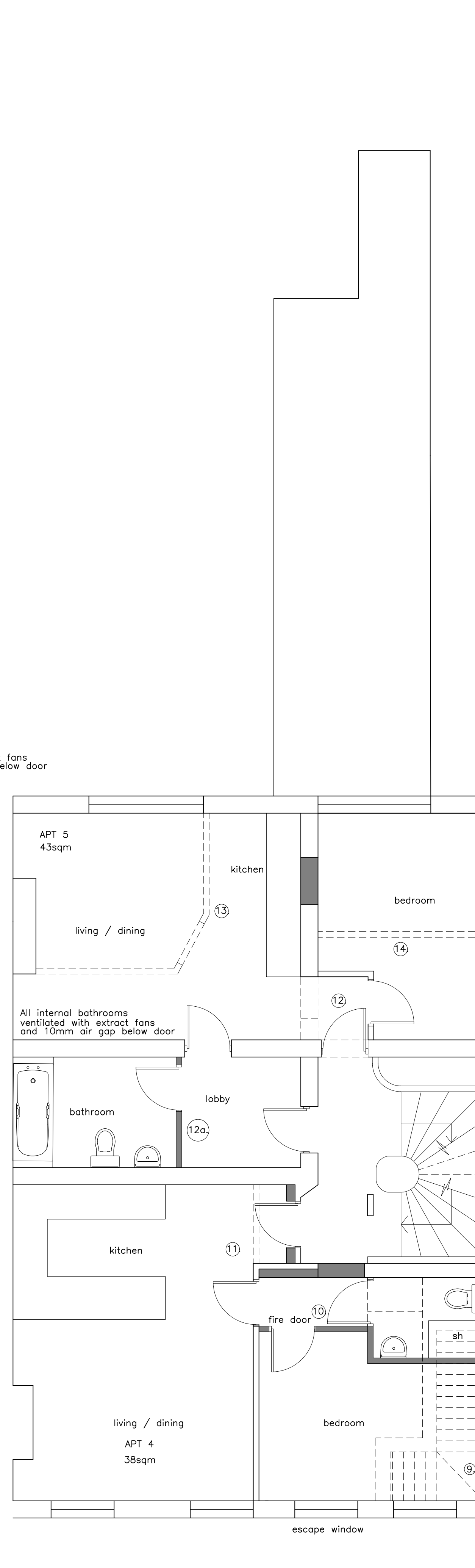
15. Remove existing recent timber stud partition
 16. Erect new timber stud partition
17. Create new openings in existing partitions make good all surrounding surfaces
 18. Remove existing partition to cupboard
 19. Remove existing timber stud partition
 20. Infill existing opening in existing partition make good all surrounding surfaces
 21. Erect new timber stud partition



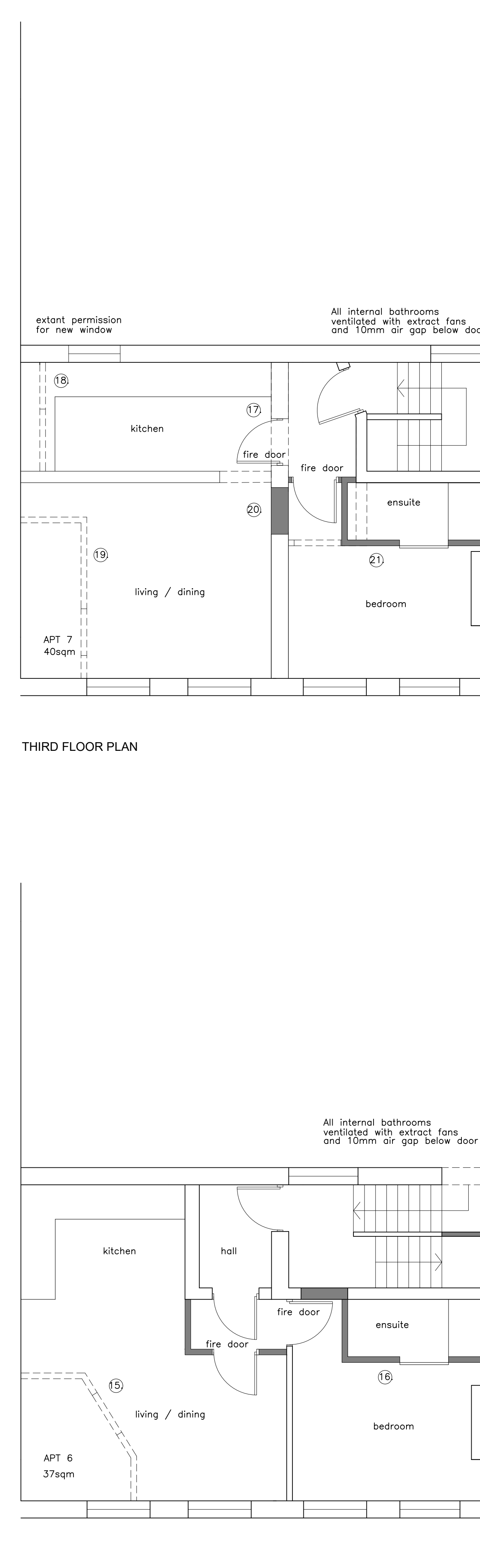
BASEMENT FLOOR PLAN



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN

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Ensure CDM 2015 Requirements have been fulfilled prior to commencing work on site.

H. Layout Amendment to Planning Requirements
G. Layout Amendments to Planning Requirements
F. Layout Amendments to Planning Requirements
E. Layout Amendments to Planning Requirements
D. Layout Amendments to Heritage Requirements
C. Layout Amendments to Heritage Requirements
B. Layout Amendments to Planning Consultant
A. Layout Amendments to Heritage Requirements
Rev.



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Cambridgeshire

Drawing Title:
Schedule of Works

Project No. NA-162	Scale 1:50
Drawing No. NB-W-C-05 H	Date June 2022