
F/YR21/1449/F

Applicant: Mr Bruce Roan

**Agent : Mr Matthew Taylor
Taylor Planning And Building**

**The Letter B Public House, 53 - 57 Church Street, Whittlesey, Peterborough
Cambridgeshire PE7 1DE**

Change of use of public house to 3 x dwellings (1 x 2-storey 3-bed house and 2 x 2-bed flats) involving the demolition of rear existing extension

Officer recommendation: Refuse

Reason for Committee: Town Council Recommendation contrary to Officer Recommendation

1 EXECUTIVE SUMMARY

1.1 This application seeks the change of use of the existing public house to 3 dwellings, including the demolition of the existing rear extension.

1.2 The scheme would result in the loss of a community facility. It is noted that the original owner of the public house faced some difficulties in selling the premises, ultimately the public house has been sold and is currently operating, which suggests that the use of the building is financially viable. Permitting such development would be contrary to Policy LP6.

1.3 As such, the scheme is recommended for refusal.

2 SITE DESCRIPTION

2.1 The host building is situated on Church Street, within the market town of Whittlesey. The building sits at the junction of Church Street and London Street and is opposite St Andrews Church, a Grade II* Listed Building. The site is located within the Conservation Area, near the town centre with parking and shopping facilities within easy walking distance. The property currently has two off-road parking spaces.

3 PROPOSAL

3.1 This application proposes the change of use of the premises to 3 x dwellings (1 x 2-storey 3-bed house and 2 x 2-bed flats) involving the demolition of the rear existing extension. Other than the demolition of the extension and removal of the rear staircase, there would be no other alterations to the footprint of the building.

3.2 The application does include amendments to the fenestration on site. This includes the addition of 1 window and the replacement of a fire door with a window

at first-floor level facing east and the addition of 2 windows and a bi-folding door at ground-floor level, also facing east.

- 3.3 Full plans and associated documents for this application can be found at:
[F/YR21/1449/F | Change of use of premises to 3 x dwellings \(1 x 2-storey 3-bed house and 2 x 2-bed flats\) involving the demolition of rear existing extension | The Letter B Public House 53 - 57 Church Street Whittlesey Peterborough Cambridgeshire PE7 1DE \(fenland.gov.uk\)](#)

4 SITE PLANNING HISTORY

Reference	Description	Decision
F/99/0242/F	Formation of 4 guest bedrooms on first-floor	Granted 09/09/1999
F/91/0537/F	Erection of a first-floor extension to form additional living accommodation	Granted 04/12/1991
F/0516/78/F	Alterations to front and side elevations Dwelling to rear of Letter B P.H. Church Street Whittlesey	Permitted 18/08/1978

5 CONSULTATIONS

5.1 Whittlesey Town Council (14.1.22)

The Town council recommends refusal on the grounds inadequate parking and does not conform to FDC regulations for bedrooms in the house.

5.2 FDC Environmental Health

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposed development, as it is unlikely to have a detrimental effect on local air quality and the noise climate, or be affected by ground contamination.

5.3 CCC Minerals and Waste

We did not need to be consulted on this application. Although the application site is within a MSA for sand & gravel it is within the settlement and MWLP Policy 5 exclusion (a) applies.

5.4 CCC Highways

The site does not have sufficient space to provide each residential unit with its own car parking space. There are some limited on street parking spaces close by and public car parking options are within a few minutes walk from the site. In the vicinity of the site there are on street parking controls to manage any instances of inappropriate parking activity.

The existing use of the site as a public house and as a B&B would have generated demand for car parking so I am not expecting there to be any significant additional demand for car parking from the change of use and potentially at times there may be a reduction in demand.

I have no objections to the change of use.

5.5 CCC Ecology

The proposed scheme will result in limited loss of habitats and therefore has little potential to impact on species and habitats of biodiversity interest. We suggest the following recommendations set out on page 4 of the Ecology Survey are secured through suitably worded conditions:

-To enhance biodiversity a Beaumaris bat box, or equivalent should be installed on the south facing elevation of the dwelling at a height of at least three meters.

- To enhance biodiversity a nest box for House Sparrow, House Martin and Swift should be installed between north and east elevations.

5.6 Historic England

On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

5.7 Local Residents/Interested Parties

One letter of objection was received from a resident of Churchfield Way, Whittlesey. The reasons for objection are as follows:

- Object to change of premises from pub to residential
- Has been a pub for many years and should remain so
- Changing the use of pubs in Whittlesey will result in no pubs being left and the character will no longer be the same

5.8 The application was originally submitted in November 2021. During this time, the premises has been sold and is operating by a new owner. As such, an amended application form and Design and Access statement were provided detailing these changes and re-consultations undertaken. The following comments were provided with regard to the amended Design and Access statement:

5.9 Whittlesey Town Council (24.7.23)

The Town council have no objection and therefore recommend approval.

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 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

Para 2 - Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

Para 10 - So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development

Para 47 - Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Para 111 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para 119 - Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

7.2 National Planning Practice Guidance (NPPG)

Determining a Planning Application

7.3 National Design Guide 2021

Context
Identity

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

LP6 – Employment, Tourism, Community Facilities and Retail

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

LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland

LP16 – Delivering and Protecting High Quality Environments across the District

LP18 – The Historic Environment

LP19 – The Natural 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:

LP5 – Health and Wellbeing

LP7 – Design

LP8 – Amenity Provision
LP16 – Town Centres
LP22 – Parking Provision
LP23 – Historic Environment
LP24 – Natural Environment
LP32 – Flood and Water Management

7.6 Whittlesey Neighbourhood Plan 2021-2040

Policy 2 – Local Housing Need
Policy 7 – Design Quality
Policy 8 – Historic Environment

8 KEY ISSUES

- **Principle of Development**
- **Visual and Heritage Considerations**
- **Residential Amenity**
- **Parking and Highways**
- **Flood Risk**
- **Ecology**
- **Other Matters**

9 ASSESSMENT

Principle of Development

- 9.1 Whittlesey is identified as a market town within Policy LP3 of the Fenland Local Plan 2014, and as such, is identified as the main focus for the delivery of housing and services.
- 9.2 Policy LP16 supports the principle of development, subject to the significance of, and the likely impact upon, the amenity of neighbouring properties and users in its design and appearance.
- 9.3 Policy LP6 requires criteria to be met where development would lead to the loss of a community facility e.g. public house and states that such loss will only be permitted if:
1. It can be demonstrated that the retention of the facility is no longer financially viable and an appropriate marketing exercise has been carried out, and it can be demonstrated that there is a lack of community need for the facility, or
 2. An alternative facility is provided

The original submitted Design and Access statement notes that the public house was put up for sale in 2018, with advertisement in local and national sales magazines with little interest. The price of the property was reduced twice in that period and the applicant felt that there was no other option than to seek an alternative use of the building. The statement also notes that if consent is gained, it will provide security to prospective buyers of the public house.

- 9.4 The amended Design and Access statement submitted June 2023 states that the applicant has since sold the premises in mid-2022. The public house is still operational under the Letter B Public house, albeit external signage refers to “BBQ and Brews”.

- 9.5 Whilst it is noted that the original owner of the premises had difficulty in selling the premises, ultimately the property has sold and is currently running as a public house. As such, it is considered that the retention of the facility is financially viable given that the public house is in operation. No demonstration has been provided to suggest that there is a lack of community need for the facility. The scheme is therefore considered to be contrary to Policy LP6.

Visual and Heritage Considerations

- 9.6 The application site is situated within Whittlesey Conservation Area and is within the vicinity of a Grade II Listed Building. The external alterations proposed to the building are minimal. These include the removal of the signage, demolition of the small cellar storage building and the removal of the external staircase. In terms of fenestration, 2 new windows and bi-folding doors are proposed to the rear elevation at ground floor level and the existing fire escape door will be replaced with a window and an additional window will be inserted at first-floor level upon the rear elevation.
- 9.7 The alterations proposed are situated to the rear of the existing building and therefore will not be highly visible from the street scene. As such, it is unlikely that they will introduce any significant impacts upon the character of the surrounding Conservation Area or the Listed Building.

Residential Amenity

- 9.8 Policy LP2 and Policy LP16 seeks to protect and provide appropriate levels of residential amenity for both existing and proposed residential occupiers; this includes those located within the host property and those within the immediate vicinity.
- 9.9 The additional fenestration proposed at ground floor level will overlook the rear of the building and therefore are unlikely to impact upon neighbouring properties. The additional windows at first floor level will face onto neighbouring property to the east of the site. Notwithstanding this, there is existing fenestration at first-floor level and therefore it is unlikely that the additional windows will introduce any additional adverse overlooking impacts than the existing arrangements on site.
- 9.10 Apart from the demolition of the cellar store to the rear of the building, the footprint of the building is to remain the same as existing, therefore there will be no adverse overbearing or overshadowing issues introduced to the surrounding neighbouring properties.
- 9.11 Whilst the scheme will introduce 3 new dwellings on site, it is unlikely that activity associated with these dwellings will introduce adverse impacts upon surrounding residential amenity in comparison to the existing activity associated with the operation of a public house on site.
- 9.12 All habitable rooms with the property itself (as defined by the GDPO as any room used or intended to be used for sleeping or living which are not solely used for cooking purposes, but not including bath or toilet facilities, service rooms, corridors, laundry rooms, hallways or utility rooms) will have natural light.
- 9.13 The “Technical housing standards – nationally described space standard” set out requirements for Gross Internal (floor) Area of new dwellings at a defined level of

occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms.

- 9.14 The technical requirements state the following:
- A dwelling with two or more bedspaces has at least one double (or twin) bedroom
 - In order to provide one bedspace, a single bedroom has a floor area of at least 7.5m² and is at least 2.15m wide.
 - In order to provide two bedspaces, a double (or twin bedroom) has a floor area of at least 11.5m².
 - One double (or twin) bedroom is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide.
- 9.15 Plot 1 is the ground floor 2-bedroom flat. Plot 1 has a floor area of approximately 104m². Plot 1 provides 2 bedrooms which are classed as double (or twin) given that they exceed a floor area of 11.5m² and are of a width greater than 2.75m. The Technical standards state that a 1 storey dwelling, with 2 double (or twin) bedrooms should have a minimum gross internal floor area of 70m². Plot 1 is considered to meet the national space standards.
- 9.16 Plot 2 is the first-floor 2-bedroom flat. Plot 1 has a floor area of approximately 83m², including the stairwell. Plot 2 provide 2 bedrooms, however these bedrooms fail to meet the national space standards as both bedrooms would be classed as single bedrooms. Notwithstanding this however, given that the remainder of the accommodation in this unit is acceptable in terms of national space standards, the shortfall in terms of the bedroom accommodation is unlikely to be so significantly adverse with regard to residential amenity to justify the refusal of the application.
- 9.17 Plot 3 is the 2-storey, 3-bed dwelling. Plot 3 has a floor area of approximately 111m². Plot 3 details 3 bedrooms, however the smallest bedroom does not comply with the national space standards. The dwelling does however provide 1 double (or twin) and 1 single storey bedroom. The Technical standards state that a 2-storey dwelling, with 1 double (or twin) and 1 single bedroom should have a minimum gross internal floor area of 70m². Plot 3 is considered to meet the national space standards in this regard.
- 9.18 Provision is made for bin storage within the rear gardens of the properties.

Parking and Highways

- 9.19 The scheme includes the retention of parking spaces to the south of the existing building which will be designated to Plot 3.
- 9.20 Appendix A of the Fenland Local Plan notes that 1.5 spaces should be provide for each flat and 2 spaces should be provided for the 3 bedroom dwelling. The scheme offers no parking provision for the proposed flats. However, Appendix A also notes 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.
- 9.21 The premises are well located to existing public parking and there is also on-street parking nearby. There is also a trade-off to be had between the parking generated by the existing use i.e. staff and visitor parking and the likely impact is therefore negligible and may in fact result in a net reduction in parking demand. There are therefore no grounds to resist the scheme on the basis of Policy LP15 and Appendix A of the Fenland Local Plan 2014.

Flood Risk

- 9.22 The application site is located within Flood Zone 1 the lowest risk of flooding. No additional built footprint is proposed and as such no additional surface water impacts are anticipated.

Ecology

- 9.23 The application will result in a limited loss of habitats and therefore has little potential to impact on species and habitats of biodiversity interest. Upon consultation with CCC Ecology, recommended conditions were provided to ensure that bat and bird boxes are provided.

Other Matters

- 9.24 A letter of objection was received with regard to the potential loss of the pub. Policy LP6 seeks to retain community facilities, such as public houses, and proposals will only be supported subject to a demonstration that the retention of the facility is no longer financially viable and that there is a lack of community need for the facility. This is discussed in greater detail within the Principle of Development section above.

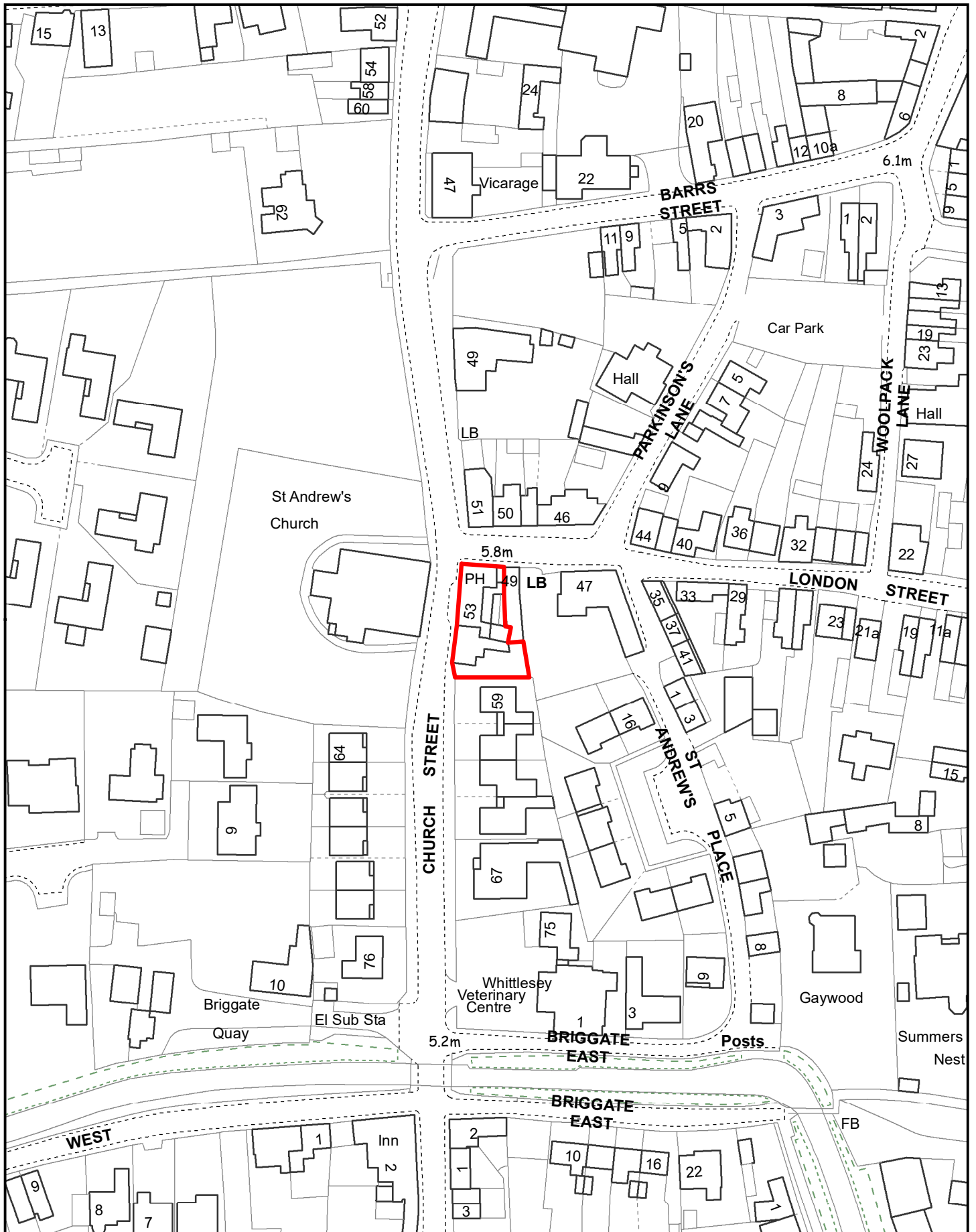
10 CONCLUSIONS

- 10.1 The change of use of the existing public house to 3 x dwellings would result in the loss of a community facility. Whilst it is noted that the original owner of the public house faced some difficulties in selling the premises, ultimately the public house has been sold and is operating successfully, which suggests that the use of the building is financially viable. Permitting such development would be contrary to Policy LP6.
- 10.2 In addition to the above, 1 of the 3 dwellings proposed fails to meet the requirements set out within the National Space Standards with regard to bedroom sizes, which is therefore likely to result in poor levels of residential amenity for future occupiers. As such, the scheme is considered to be contrary to Policy LP2 and LP16.

11 RECOMMENDATION

Refuse; for the following reasons:

1	<p>Policy LP6 of the Fenland Local Plan (2014) seeks to retain community facilities, such as public houses. Proposals will only be permitted where it can be demonstrated that the retention of the facility is no longer financially viable, or it can be demonstrated that there is a lack of community need for the facility.</p> <p>The public house has recently been sold and is currently operational and there is no evidence to suggest that the use of the premises as a public house is not financially viable, nor is there any evidence to suggest that there is a lack of community need for the facility. As such, the proposal to change the use of the existing public house is considered to be contrary to Policy LP6 of the Fenland Local Plan.</p>
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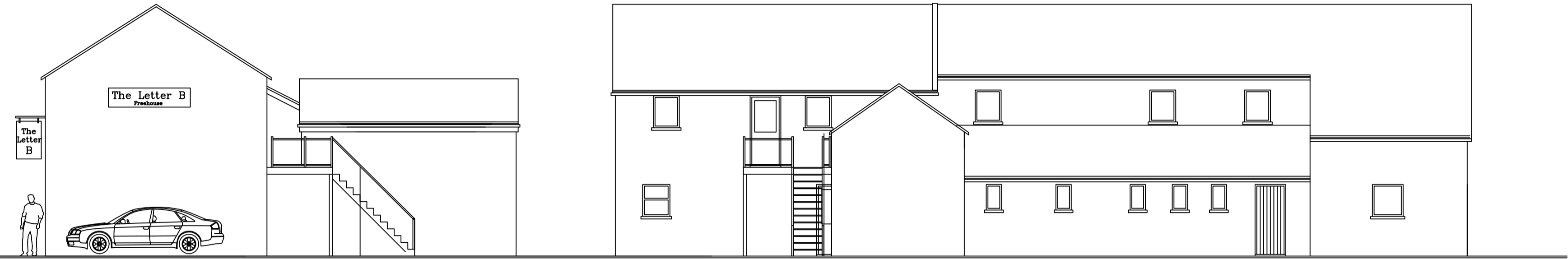
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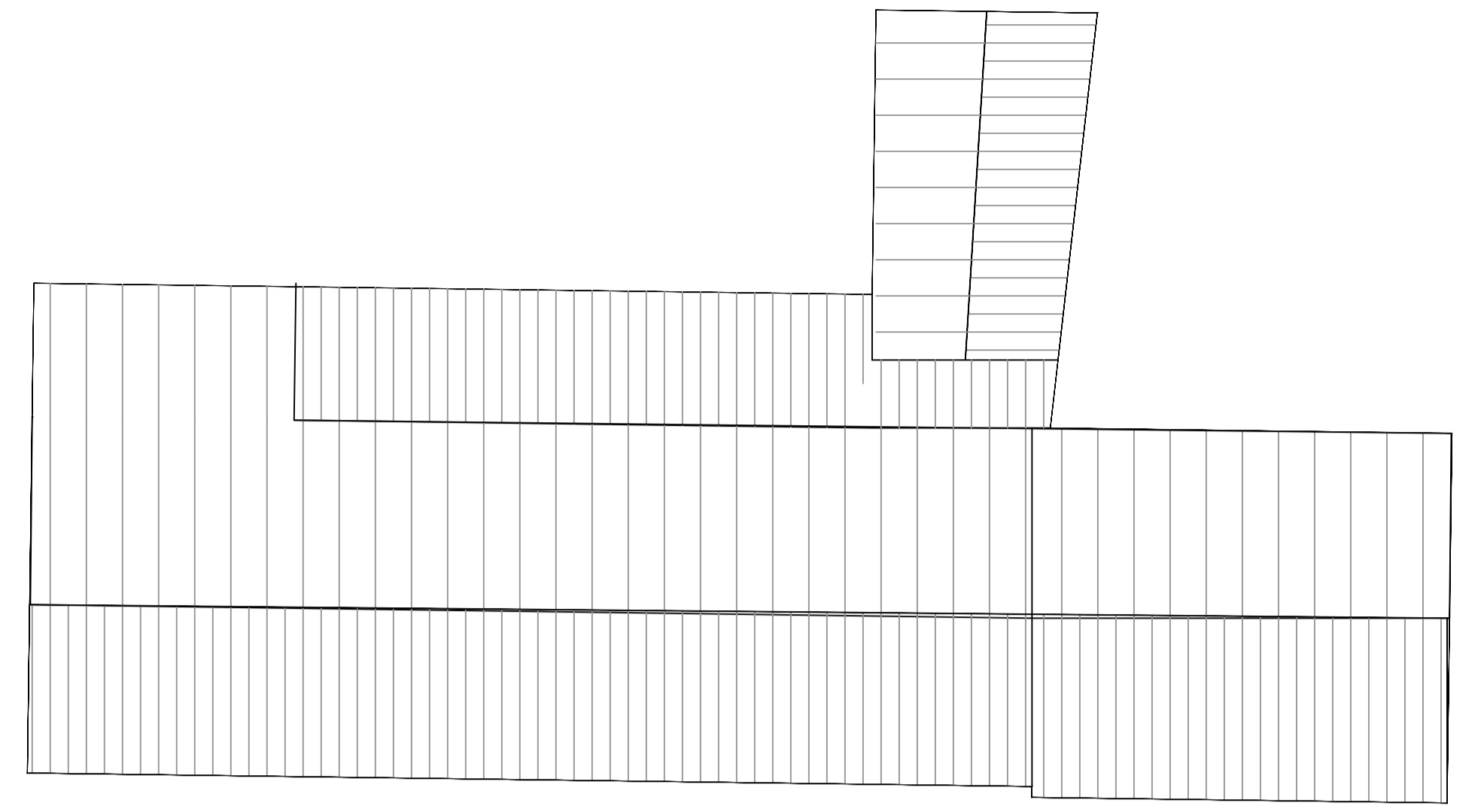
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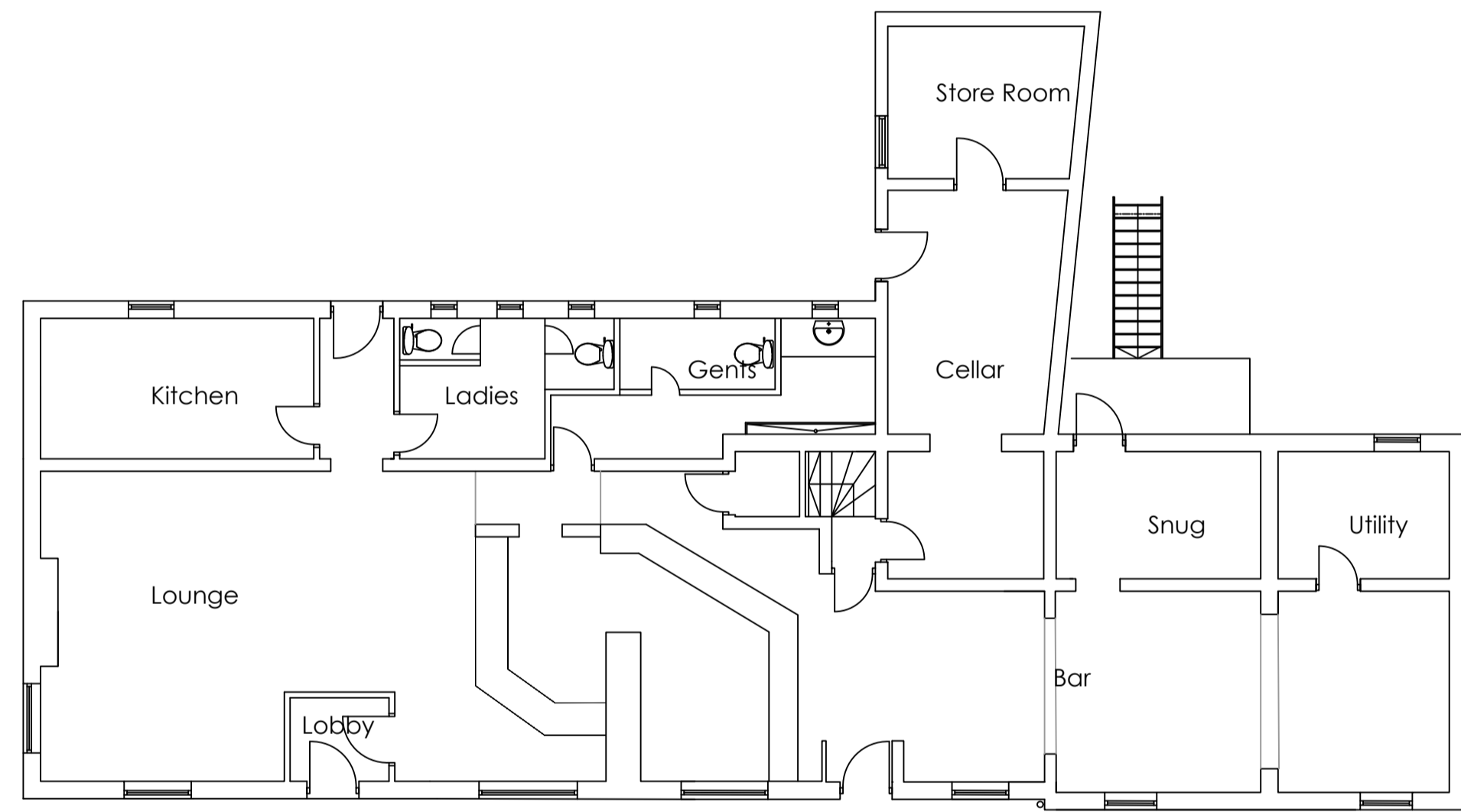


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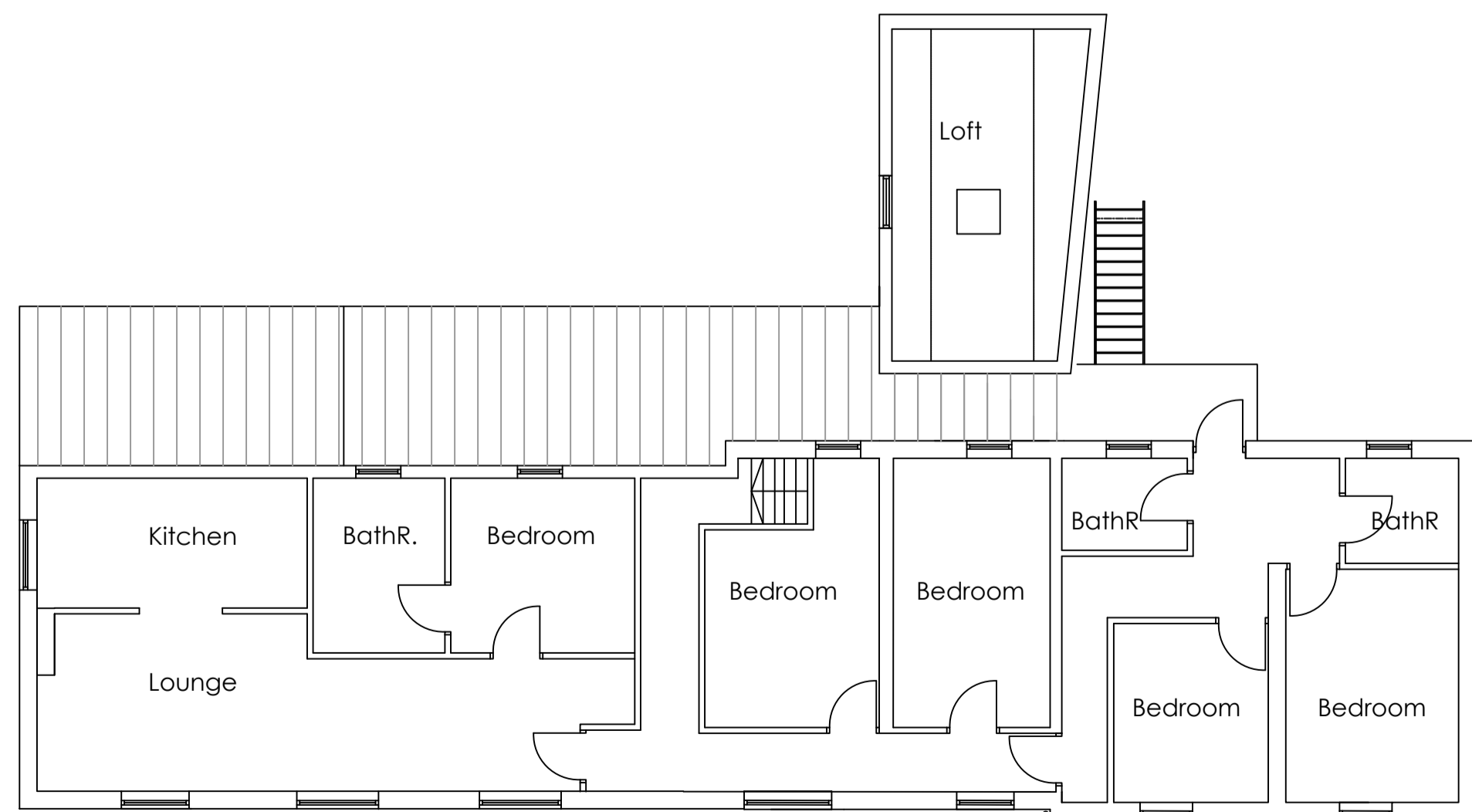
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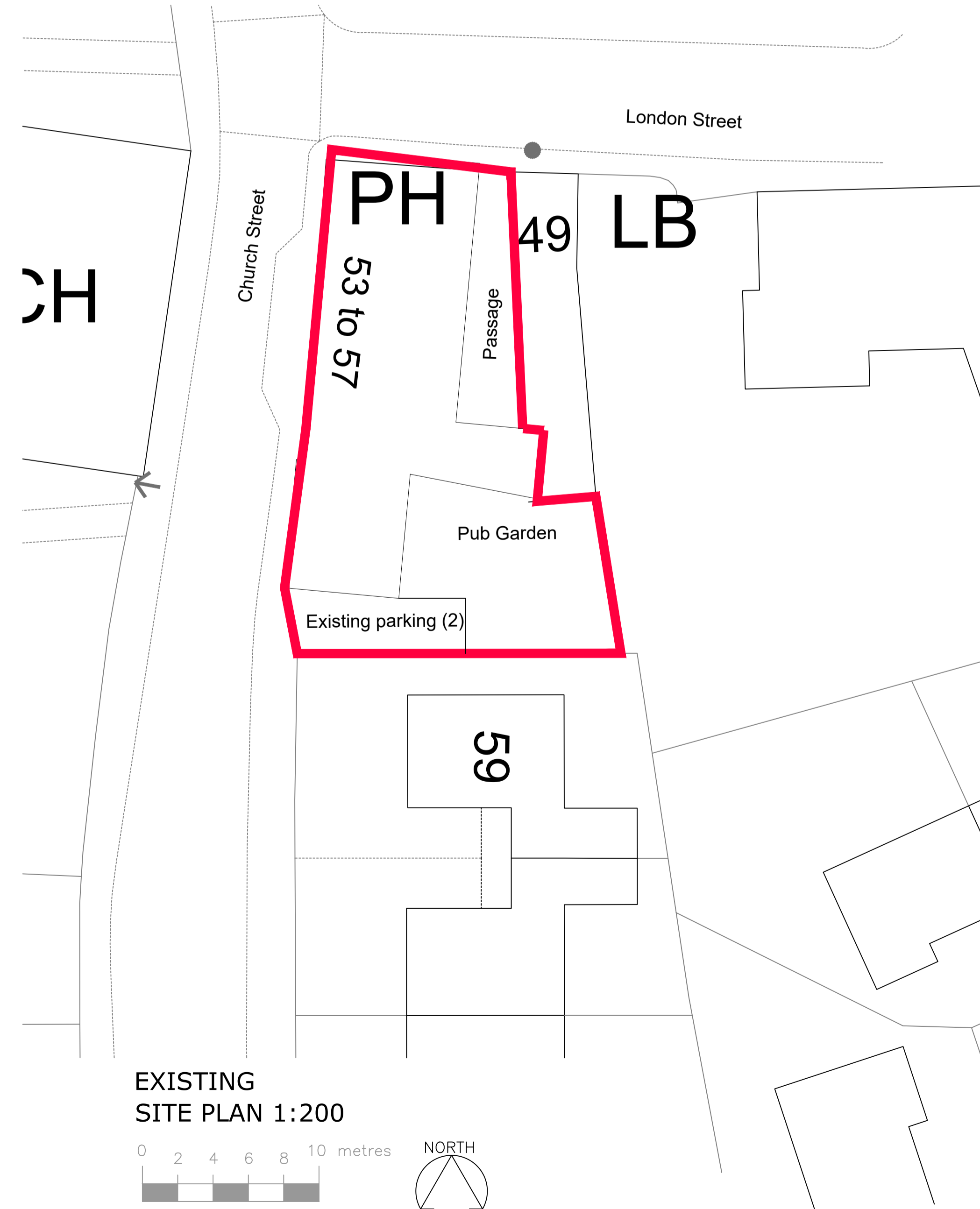
Existing Roof Plan 1:100
0 1 2 3 4 5 meters



Ground Floor Existing 1:100
0 1 2 3 4 5 meters

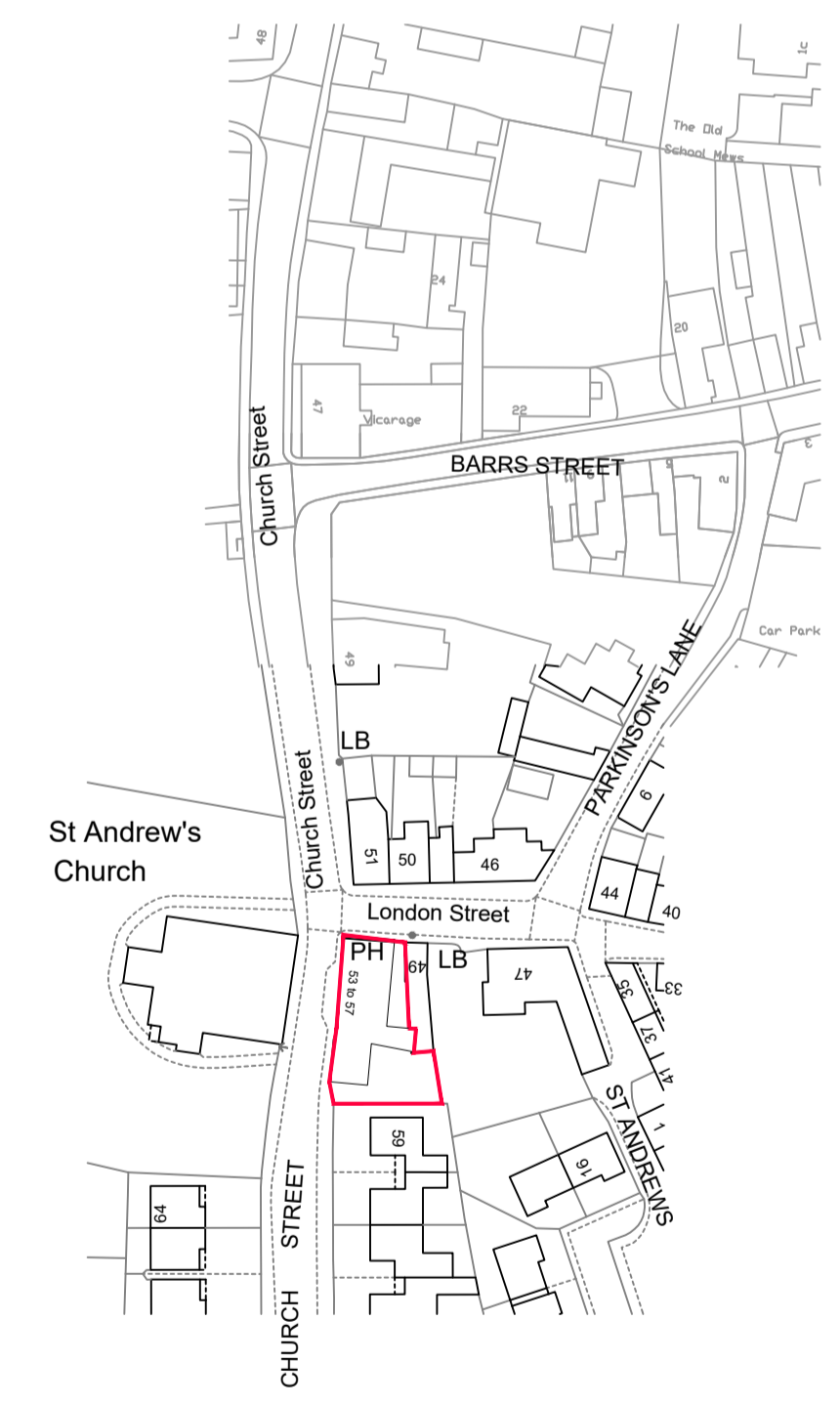


First Floor Existing 1:100



EXISTING SITE PLAN 1:200

0 2 4 6 8 10 metres NORTH



LOCATION PLAN 1:1250

0 10 20 30 40 50 metres NORTH

Revision:	
Project:	Letter B Whittlesey
Description:	Existing Plans
Date:	04-11-2021
Scale & Sheet Size:	VAR @ A1

Drawing Ref:
PL01

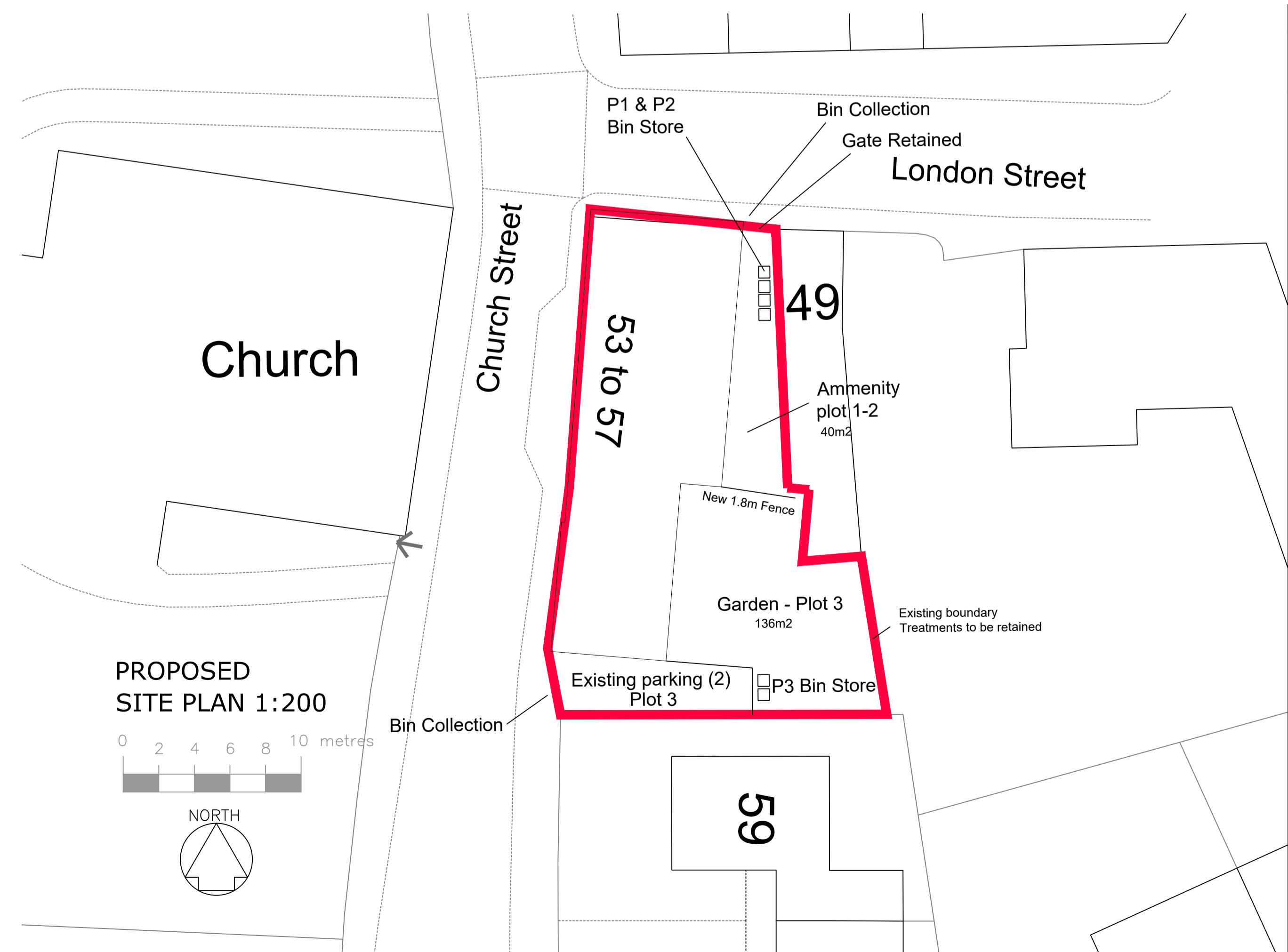
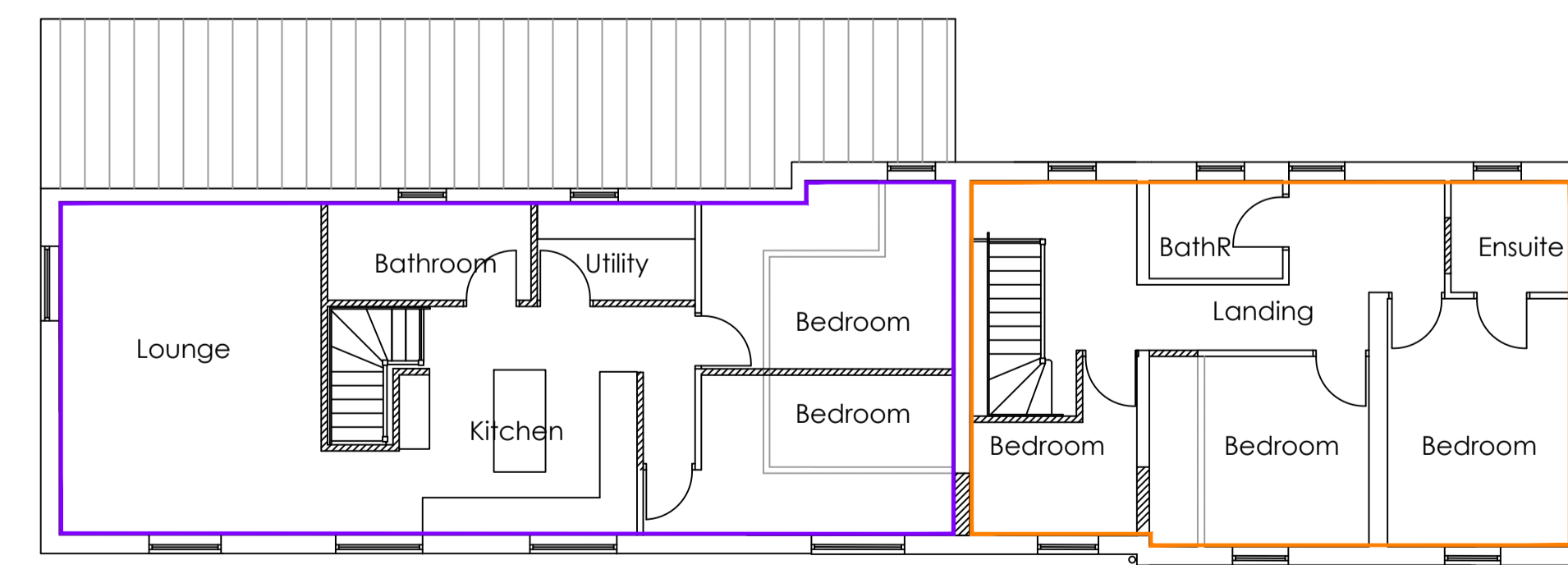
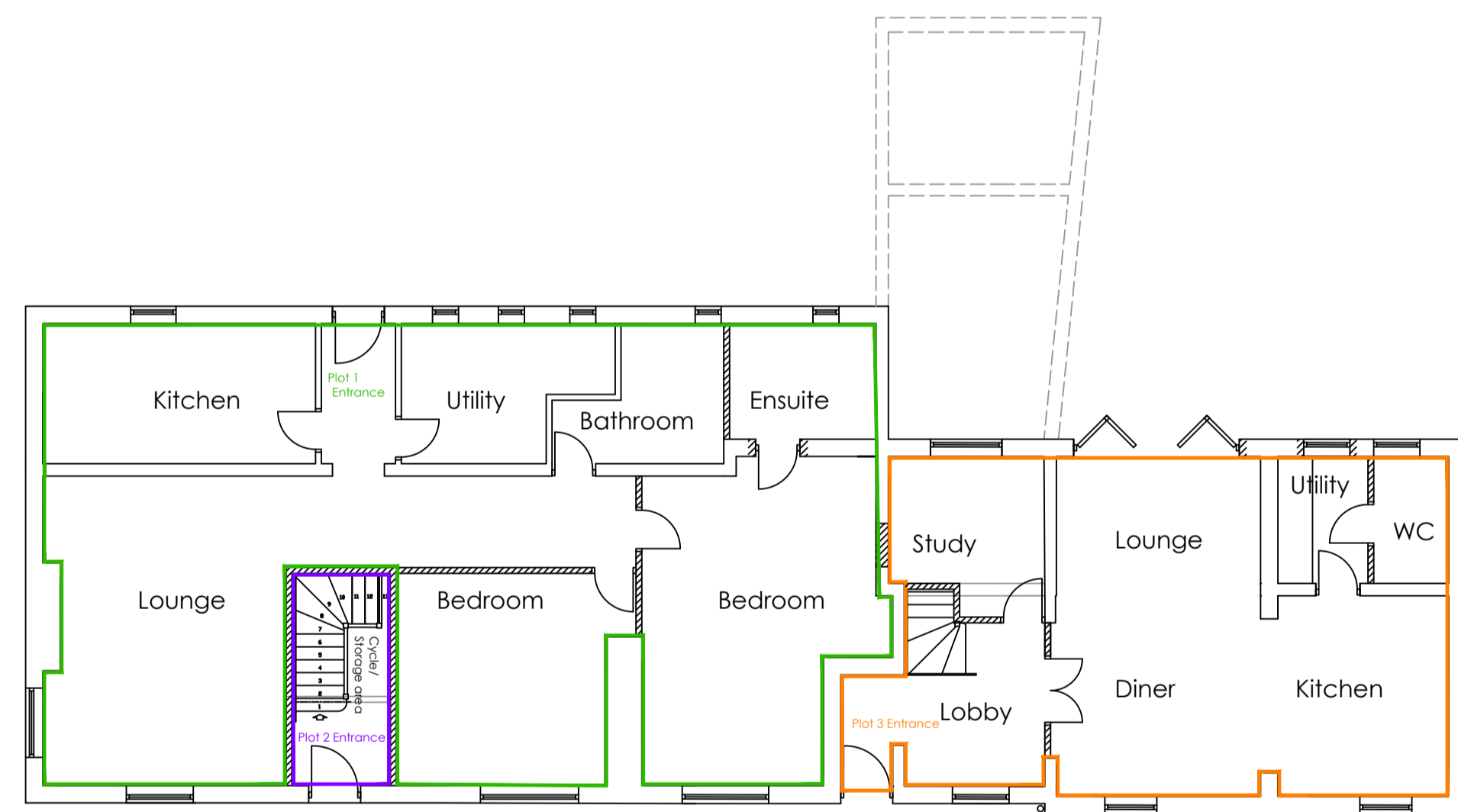
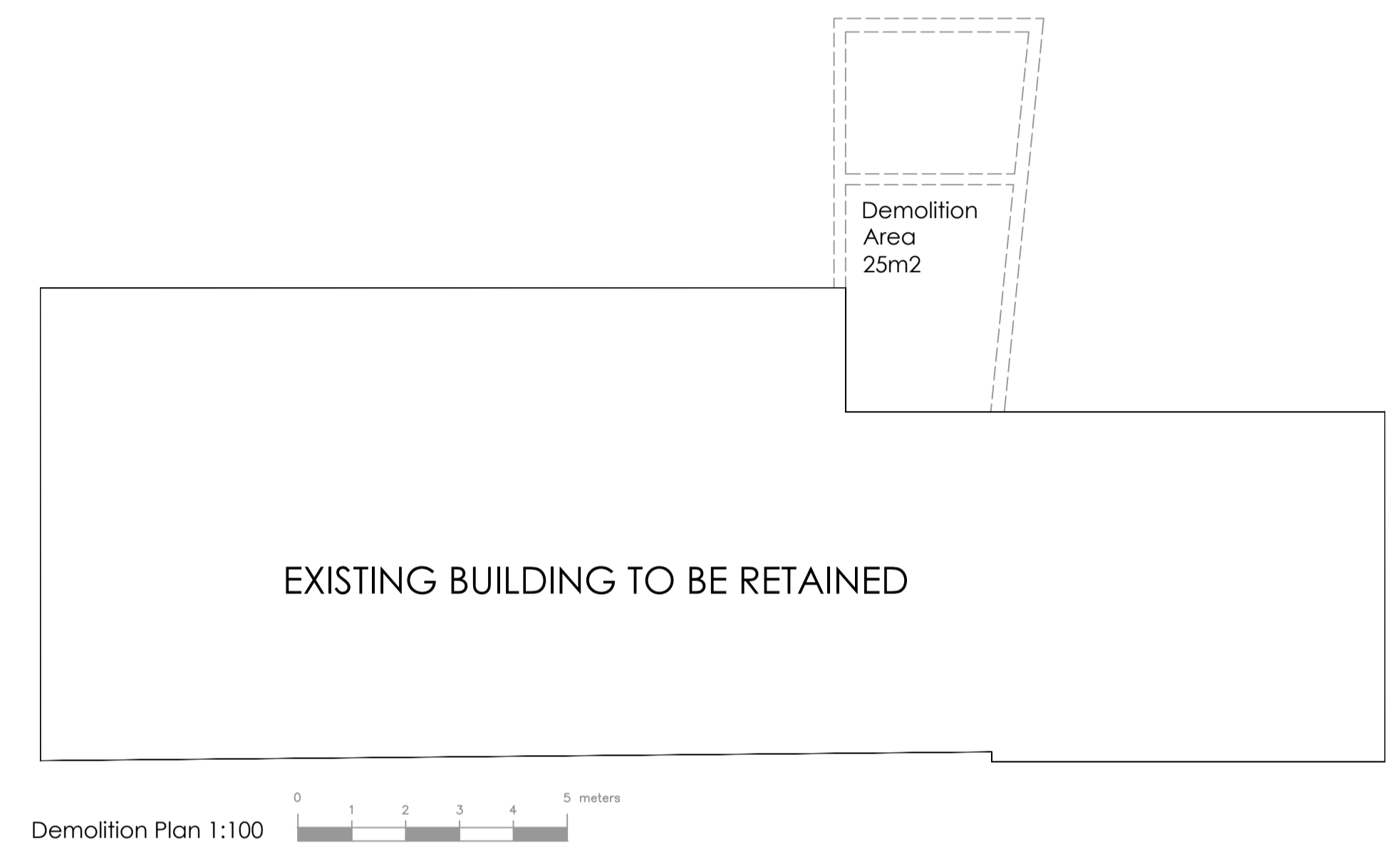
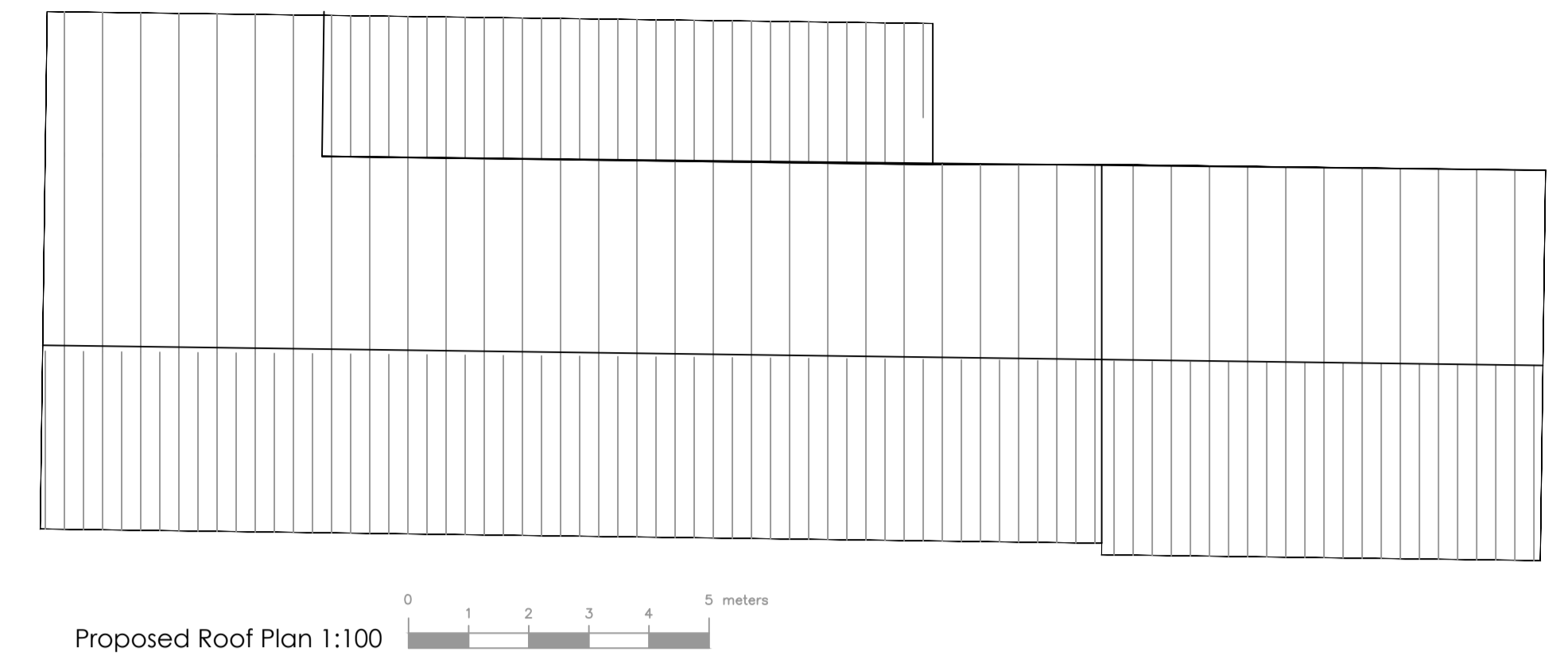
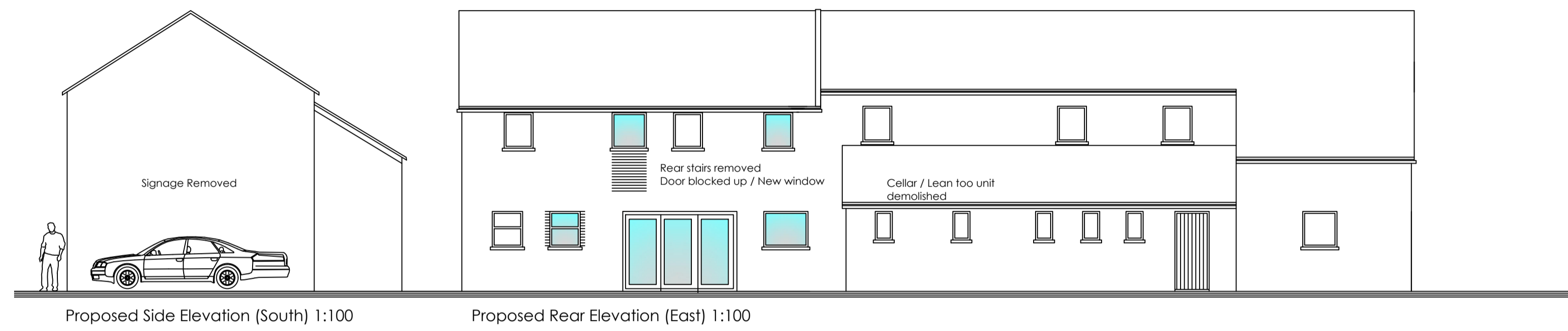


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Revision:

Project: Letter B Whittlesey

Description: Proposed Plans

Date: 04-11-2021

Scale & Sheet Size: VAR @ A1

Drawing Ref: **PL02**

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