
F/YR25/0833/F

Applicant: Mr Jamie Greenwood

**Agent : Mrs Alexandra Patrick
Alexandra Design**

2 Scrimshires Passage, Wisbech, Cambridgeshire, PE13 1AP

Change of use of existing retail to 1no dwelling

Officer recommendation: Refuse

Reason for Committee: Referred by Head of Planning on advice of Committee Chairman.

1 EXECUTIVE SUMMARY

- 1.1 This application seeks planning permission for the change of use of an existing retail unit to 1no dwelling.
- 1.2 The principle of development is acceptable given the site's sustainable location and the proposals raise no concerns in respect of character harm, heritage impacts, highways matters, flood risk or neighbouring amenity impacts.
- 1.3 However, due to the significantly restricted floorspace of the unit, and having regard to the standards set out in national guidance, it is considered that the development would result in a cramped and oppressive environment for future occupiers, thereby failing to achieve high levels of amenity and a high-quality living environment, contrary to policies LP2 and LP16 of the Fenland Local Plan and Chapter 12 of the NPPF in particular, paragraph 135(f).
- 1.4 The application is therefore recommended for refusal.

2 SITE DESCRIPTION

- 2.1 The application site is situated in the market town of Wisbech, on the western side of Scrimshires Passage. The building appears to have been most recently used as a tattoo studio.
- 2.2 The building has an existing shop front at ground floor, and one window at first-floor level which appears to have been installed without planning permission.
- 2.3 The application site is situated within Wisbech Conservation Area and is within the vicinity of numerous Listed Buildings.

3 PROPOSAL

- 3.1 This application seeks the change of use of the existing retail unit to 1no dwelling. No external alterations are proposed, other than the replacement of the unauthorised window at first floor level.

- 3.2 Internal alterations include a bedroom/sitting area at ground floor and a kitchen and shower room at first floor.
- 3.3 Full plans and associated documents for this application can be found at: <https://www.publicaccess.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

No relevant history on this property, however the neighbouring unit, 3 Scrimshires Passage has been the subject of the following application.

Reference	Description	Decision
F/YR23/0818/F	Change of use from retail (A1) to 2-storey 3-bed dwelling (C3) to include external alterations	Granted 20/12/2023

5 CONSULTATIONS

5.1 Wisbech Town Council

That the application be supported.

The Town Council is, however, concerned that the absence of any on-site provision for the parking of residents' vehicles would add to the cumulative impact upon the town centre in terms of vehicle parking

5.2 CCC Highways

Recommendation

Following a careful review of the documents provided to the Local Highway Authority as part of the above planning application, no significant adverse effect upon the public highway should result from this proposal, should it gain benefit of planning permission.

Comments

I note the access is to remain as existing and there is no parking associated with the property.

5.3 CCC Archaeology

Thank you for consulting us again in relation to this scheme following the submission of amended plans.

These now show that the historic fenestration arrangement will be reinstated as part of the submitted scheme. We therefore have no further objections to this development as proposed.

5.4 FDC Conservation Officer

Considerations:

1. *Consideration is given to the impact of the proposal on the architectural and historic interests with special regard paid to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which it possesses according to the duty in law under S16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*
2. *Consideration is given to the impact of this proposal on the character and appearance of Wisbech Conservation Area with special attention paid to the desirability of preserving or enhancing the character or appearance of that area according to the duty in law under S72 Planning (Listed Buildings and Conservation Areas) Act 1990.*
3. *Consideration is given to the impact of the proposal on the architectural and historic interests of a Non-Designated Heritage Asset with special regard paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*
4. *Comments are made with due regard to Section 16 of the National Planning Policy Framework, 2024, specifically, paragraphs 203, 205, 207, 208, and 210*
5. *A heritage statement has been submitted with the application that just about meets the requirements of 207 of the NPPF.*
6. *Due regard is given to relevant planning history.*

Comments:

Scrimshires passage forms a historical and important part of the Wisbech Conservation Area and is highly significant by virtue of its unusual narrow street pattern and shopfronts.

The premises form a commercial use, and it is proposed to change to residential. Scrimshires Passage is not a protected commercial frontage within the Fenland Local Plan.

It is highly important that the shopfront character is maintained to the ground floor rather than being domesticised with the removal of the shopfront. Positively, the proposal seeks to retain the shopfront and fascia, with the removal only the signage.

On the basis that the premises are quite modernized inside and that there is no discernible change to the exterior of the building, this proposal is not objected to from a conservation perspective.

It should be noted that any material change to the exterior elevations such as replacement windows/shopfront features with divergent materials would require planning permission.

It has been noted that an historic timber sash first floor window has been replaced with an unsympathetic plastic casement since 2023 when the premises were marketed. As such, the window requires planning permission and would not be approved as it exists. The applicant needs to amend the current application to re-instate an appropriate window to the first floor.

UPDATE: The plans have been revised to show a re-instated timber sash window

to first floor. Construction details of the windows shall be forthcoming for consideration and approval, and this re-instatement should be implemented prior to first occupation.

Condition: Prior to first occupation of the proposed timber sash window at first floor, details shall be submitted by way of a 1:10 elevation and 1:5 cross section for approval. The window shall thereafter be installed prior to first occupation and retained as such in perpetuity.

Reason - In order to preserve the special architectural and historic character of the Conservation Area 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.

RECOMMENDATION: Support subject to appending of condition to require details of re-instated window to be submitted and agreed and thereafter installed prior to first occupation.

5.5 FDC Environmental Health

I confirm receipt of the above application details and have considered the implications of the proposed development in terms of:

*Noise
Air pollution
Contaminated land
Artificial light*

I conclude that there are no 'No Objections' to the proposal from an Environmental Health standpoint.

5.6 Historic England

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

5.7 Local Residents/Interested Parties

No comments received

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) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

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.

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF) 2024

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 9 – Promoting sustainable transport

Chapter 12 – Achieving well-designed places

Chapter 16 - Conserving and enhancing the historic environment

7.2 National Planning Practice Guidance (NPPG)

Determining a Planning Application

7.3 National Design Guide 2021

Context

Identity

Built Form

7.4 Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP6 – Employment, Tourism, Community Facilities and Retail

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

8 KEY ISSUES

- **Principle of Development**
- **Character, Historic Environment and Change of Use**
- **Residential Amenity**
- **Parking**
- **Biodiversity Net Gain (BNG)**

9 BACKGROUND

9.1 As detailed within the site history section above, an application was approved at No. 3 Scrimshires Passage for the Change of use from retail (A1) to 2-storey 3-bed dwelling (C3) to include external alterations in December 2023. No. 3 is situated immediately adjacent to the application site to the south.

9.2 It should be noted that No. 3 has a greater floor area (81 square metres) than the application building (28 square metres).

10 ASSESSMENT

Principle of Development

10.1 Policy LP16 (a) of the Fenland Local Plan states that proposals for alterations to an existing building will be permitted if it can be demonstrated that the proposal protects and enhances any affected heritage assets and their settings to an extent commensurate with paragraph 210 of the National Planning Policy Framework and in accordance with Policy LP18 of the Fenland Local Plan. The principle is therefore considered acceptable and in accordance with Policy LP16 (a) of the Fenland Local Plan 2014.

- 10.2 LP16 (d) states the proposal should demonstrate that it makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the built environment and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area. Policy LP16 (e) seeks to ensure that development does not adversely impact on the amenity of neighbours through significant increased noise, light pollution, loss of privacy or loss of light.
- 10.3 The principle of the development is therefore acceptable subject to these policy considerations being considered below.

Character, Historic Environment and Change of Use

- 10.4 Scrimshires Passage is one of a number of passageways and narrow lanes in Wisbech town centre that are considered important to the historic character of the conservation area, as set out in the Wisbech Conservation Area Appraisal. The host property has a traditional shop frontage which is considered to provide a beneficial urban character.
- 10.5 The only external alterations proposed are the replacement of the unauthorised window with a re-instated timber sash window, which is considered a positive improvement to the existing façade. The existing shopfront is to be retained.
- 10.6 The Conservation Officer has no remaining concerns/queries subject to conditions regarding window detail. Therefore, the proposed external alterations to the property are not anticipated to harm the character of the area or the historic environment.
- 10.7 Scrimshires Passage has in the past had multiple commercial premises present, many of which have now closed and are vacant. Owing to the minimal alterations proposed, the building would still have a shop front look to the principal elevation. It is considered an improvement to bring people back into Scrimshires Passage with the change of use. Owing to the to the retained shop front look, the change of use is not considered to harm the character of the area or the historic environment.
- 10.8 Therefore, no significant harm to the character of the area is anticipated and the proposal is considered acceptable in terms of Policy LP16 and LP18 of the Fenland Local Plan 2014.

Residential Amenity

- 10.9 Policy LP2 and Policy LP16 seeks to protect and provide high levels of residential amenity. NPPF paragraph 135(f) sets out that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.

Neighbouring amenity

- 10.10 The building on site is existing and no additional fenestration is proposed. It is therefore unlikely that the proposed change of use would introduce any adverse amenity impacts on neighbouring amenity.

Amenity of Future Occupiers

- 10.11 The development proposes one unit of accommodation across two floors (ground and first). The unit would comprise 28 sqm of accommodation.
- 10.12 Referring to NPPF para 135, the footnote to (f) sets out that planning policies for housing may make use of the nationally described space standard (NDSS), where the need for an internal space standard can be justified. The current NDSS (Technical housing standards – nationally described space standards, DCLG, updated 2016) sets out that minimum gross internal floor areas for 2-storey, one bedroom dwellings should be at least 58m². It is sometimes reasonable, having regard to benchmarks set out by Homes England used across the affordable housing sector, to relax this minimum to 85% of the standard, i.e., approx. 49.3m². Certainly, the nature and scale of the development proposed may be considered to be a more affordable type of accommodation.
- 10.13 In respect of the proposal however, the application form suggests the internal floor area is 28m², which equates to 48.28% of the NDSS.
- 10.14 It is important to note that the Planning Practice Guidance (PPG) states that where a Local Planning Authority wishes to require an internal space standard is met, they should only do so through adopted policies in the Local Plan. The Development Plan does not contain a policy which details any specific requirement to comply with NDSS standards, or any other similar standard. Therefore, to assess proposals against strict requirements of the NDSS may be considered unreasonable in the absence of any policy to direct otherwise.
- 10.15 Policies LP2 and LP16 of the Fenland Local Plan 2014 do however seek to ensure that development promotes high levels of residential amenity. The NDSS standards are a material consideration and clearly set out the Government's vision of what comprises acceptable standards for living accommodation, therefore setting out a useful benchmark for new housing. Furthermore, and as set out above, the affordable housing sector will have regard to this standard when designing units of accommodation. In addition, 3(9A) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) also does not grant permission for, or authorise any development of, any new dwellinghouse (a) where the gross internal floor area is less than 37 square metres in size; or (b) that does not comply with the NDSS. It is therefore not unreasonable to use the NDSS standards to underpin the assessment of residential amenity under Policies LP2 and LP16. As such, it is considered that weight can be afforded to the Government's view of what comprises acceptable standards for living accommodation and can be reasonably referred to in applying planning judgement to residential schemes.
- 10.16 Having regard to the proposal and the above material considerations, whilst the residential accommodation would benefit from natural light, it is considered that the limited floorspace will result in a cramped, oppressive living environment. There is also no external yard space for the storage of bins, bikes etc, which exacerbates the above referenced residential amenity issues. As such, the development would fail to secure high standards of amenity as required under Local Plan policies LP2, LP16 and the NPPF.
- 10.17 The approval at No. 3 Scrimshires Passage (planning reference F/YR23/0818/F) is acknowledged. However, it should be noted No. 3 has a floor area approximately 189% greater than No. 2. No concerns were therefore raised regarding residential amenity on the previous application.

Parking

- 10.18 This scheme makes no provision for on-site car parking. 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.
- 10.19 The 'special circumstances' in this case are deemed to be optimising the floorspace of the premises to provide small scale residential accommodation within a sustainable location within one of the Primary Market Towns of the District.
- 10.20 Notwithstanding the residential amenity concerns highlighted above the delivery of an additional residential unit in this location must be given significant weight and the proposal aligns with the aims of Chapter 11 of the NPPF which promotes the effective use of land, the need to 'promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively [..].
- 10.21 It is considered there is appropriate justification for delivering this scheme with a nil parking provision and as such there are no matters to reconcile with regard to car parking provision or accessibility; the scheme is therefore considered compliant with Local Plan policies LP15 and LP16.

Biodiversity Net Gain (BNG)

- 10.22 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.23 There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions / transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required to be approved before development is begun because the development is de-minimis for the purposes of BNG.
- 10.24 A development that does not impact a priority habitat and impacts less than:
- 25 square metres (5m by 5m) of on-site habitat
 - 5 metres of on-site linear habitats such as hedgerows
- 10.25 The application does not impact on any priority habitat as it seeks a change of use of the building only.

11 CONCLUSIONS

- 11.1 The proposal would provide an additional unit of accommodation, in an accessible, established town-centre location and would reuse a current empty part of a building and make efficient use whilst providing additional housing choice.
- 11.2 The policies in the Development Plan and the NPPF seek to both deliver a

sufficient supply of homes and achieve well-designed places. However, the creation of high-quality places is central to what the planning and development process should achieve. Even with a need for smaller units to meet the needs of particular housing groups, living accommodation should meet minimum standards to ensure acceptable living standards for all occupants, and a high standard of amenity is provided for existing and future users.

11.3 Whilst the LPA cannot insist that minimum NDSS standards are met, Policies LP2 and LP16 of the Fenland Local Plan seek to ensure that development promotes high levels of residential amenity. The NDSS indicates the Government's view of what constitutes acceptable standards and as identified, the proposal results in a significant shortfall of these standards, thereby leading to failure to secure a high level of residential amenity and thus would be contrary to the aforementioned policies of the Local Plan.

11.4 As such, the limited benefits of the scheme are not considered to be sufficient to outweigh the conflict with local or national planning policy and in conclusion the development is considered to unsustainable having regard to the development plan when taken as a whole.

12 RECOMMENDATION

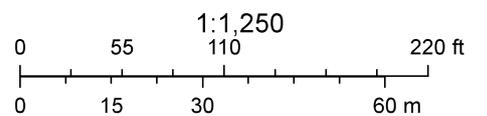
12.1 **Refuse;** for the following reason:

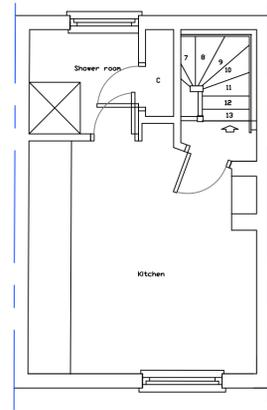
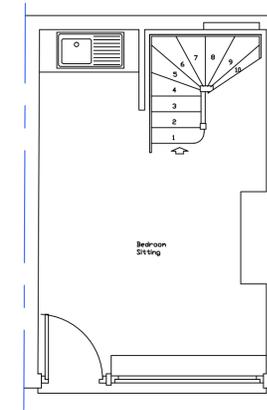
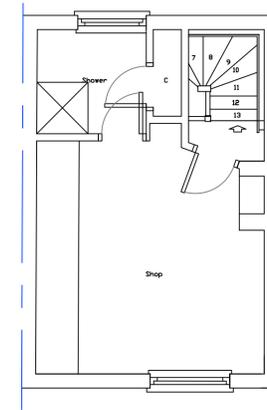
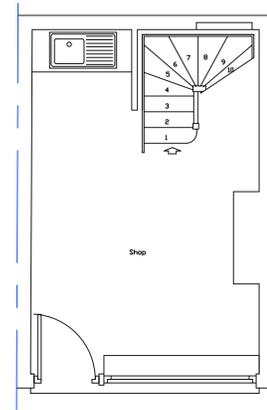
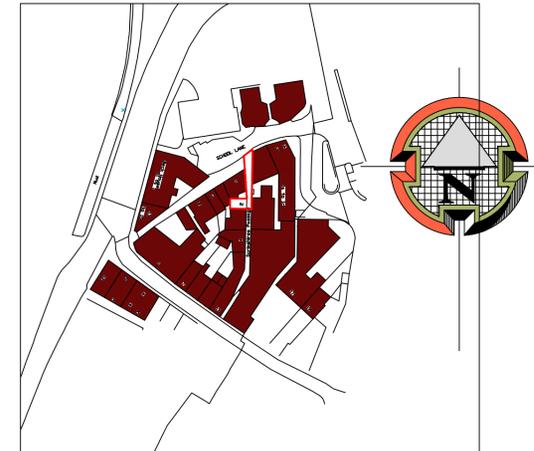
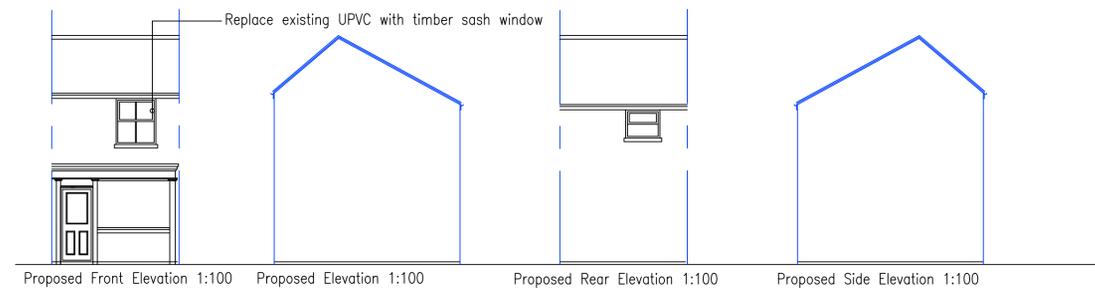
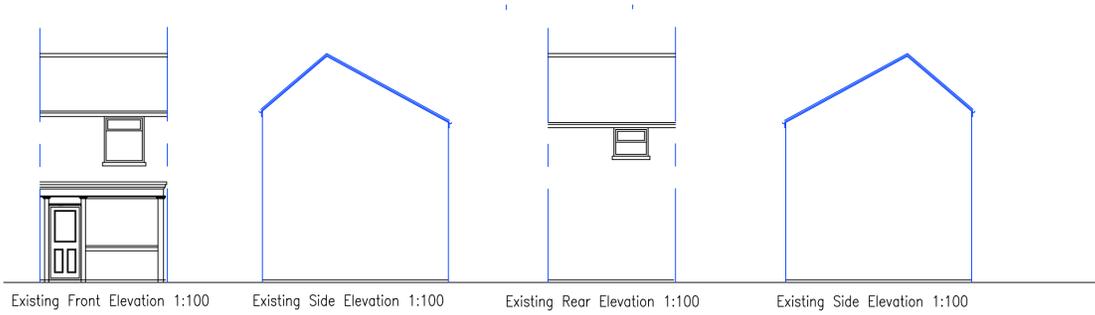
1	<p>Policies LP2 and LP16 of the Fenland Local Plan (2014) require developments to provide high levels of residential amenity for both existing and future occupiers, with this being reinforced by the National Design Guide and the National Planning Policy Framework which seeks to ensure high-quality living environments.</p> <p>Having regard to the limited internal floor area of the unit, it is considered that the development would result in cramped and oppressive living conditions, thereby failing to achieve high levels of amenity or a high-quality living environment, contrary to policies LP2 and LP16 of the Fenland Local Plan (2014) and the aims of NPPF paragraph 135(f).</p>
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11/6/2025, 2:39:38 PM

 Fenland District Boundary





General Notes:
 -Dimensions on all drawings are shown in "mm".
 -The contractor,sub-contractor and supplies must verify all dimensions before commencement of any works on site.
 -This drawing is to be read in conjunction with any relevant engineers and specialist sub-contractor drawings and specifications.

Revisions:

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Reference: PL01/218/A	Pages: 1
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Scale:
as shown

Project:
Proposed COU from shop to dwelling situated within a conservation area

Site Address:
no.2 Scrimshires Passage
Wisbech
Cams

Client:
Mr J Greenwood



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 Seadyke Bank
 Murrow
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