F/YR21/1157/F

Applicant: Chatteris Town Council Agent: Mr R Papworth Morton & Hall Consulting Ltd

14 Church Lane, Chatteris, Cambridgeshire, PE16 6JA

Change of use of existing museum/offices (Class F1(c)) & E(g)(i)) to ground floor offices (E(g)(i) and 2 x dwellings (2-bed flats) at first floor level, involving the erection of a first-floor extension

Officer Recommendation: Refuse

Reason for Committee: Referred by the Head of Planning on advice of the

Committee Chairman

1 EXECUTIVE SUMMARY

- 1.1 The application seeks full planning permission to change the use of the existing museum and offices to create an enlarged council chamber, offices, communal areas, kitchenette and community space at ground floor level, a 2-bed flat at first-floor level involving bricking up of existing window openings and erection of a first-floor extension to create a second 2-bed flat.
- 1.2 The principle of the expanded council chamber, offices and community space is supported, however insufficient evidence has been given to provide assurances that the museum, a community, cultural, tourist and visitor facility will be established at 2 Park Street should this application be successful.
- 1.3 There are no concerns regarding the impact of the proposal on surrounding heritage assets, however the proposed extension is considered to be overdevelopment, of poor design, does not respect the scale and design of the host building and introduces a further discordant feature to the significant detriment of the character and visual amenity of the area.
- 1.4 The proposal would result in significant detrimental impacts on the residential amenity of surrounding dwellings and the future occupants of the site and insufficient information has been provided in relation to the use of the commercial element, hence the impact on residential amenity and in relation to parking provision cannot be accurately assessed.
- 1.5 The proposed development is considered to be unacceptable and the recommendation is one of refusal.

2 SITE DESCRIPTION

The application site is located on the southern side of Church Lane, a narrow one-way street, there is also a footpath link to the east of the site that enables pedestrian access through to Church Walk to the south. The building itself is located on the back edge of the footpath with an inset entrance door and is constructed in multi brick (with an element of render to the rear) with a red pantile roof, the rear section is single-storey and with a flat roof and the building encompasses almost the entire plot. There is a close boarded fence separating the rear of the plot from 6 Church Walk (though this is not complete) and a low-level wall and partial hedge along the footpath link to the east with a gate enabling access to the rear. The site is adjacent Chatteris Conservation Area and the grade II listed building of 16 Church Lane.

3 PROPOSAL

- 3.1 The application seeks full planning permission to change the use of the existing museum and offices to create:
 - an enlarged council chamber, offices, communal areas, kitchenette and community space at ground floor level
 - a 2-bed flat at first-floor level involving bricking up of existing window openings
 - erection of a first-floor extension to create a second 2-bed flat.

Both flats are accessed via an external door to the west of the building leading to a shared staircase.

3.2 Full plans and associated documents for this application can be found at:

F/YR21/1157/F | Change of use of existing museum/offices (Class F1(c)) & E(g)(i) to ground floor offices (E(g)(i) and 2 x dwellings (2-bed flats) at first floor level, involving the erection of a first-floor extension | 14 Church Lane Chatteris Cambridgeshire PE16 6JA (fenland.gov.uk)

4 SITE PLANNING HISTORY

F/91/0544/F Change of use of Doctors Surgery (Class D1 - Granted

Use Classes Order 1987) to part D1 and part 27/11/1991

Town Council Meeting Rooms

There are no restrictive conditions in relation to this permission.

5 CONSULTATIONS

5.1 Refuse Team (FDC)

Regarding the bin store area there appears to be sufficient space for storage for the required number of bins for the flats and commercial unit. The standard (and smallest) size bins are 585mm wide and 740mm deep, with the footpath being only 1500mm wide there will be limited space to access to pass to the cycle store.

Also with no direct access from the flats to the rear where the bins are stored residents will have to exit via the front of the building travel along the public footpath and into the bin store area, it is recommended that residents should not have to transport their waste more than 30m to the bin store area. A better alternative for the bin store area may be to the side via the access to the flats?

On collection day bins will need presenting at the boundary on Church Lane for collection (block paved area).

5.2 Town Council

Noted

5.3 Cambridgeshire County Council Archaeology

Thank you for your consultation. We have reviewed the above referenced planning application and have no objections or requirements for this development.

5.4 Environmental Health (FDC)

I have now reviewed F/YR21/1157/F on the Fenland District Council planning tracker.

The National Planning Policy Framework recommends that the planning policy system should contribute to, and enhance the natural and local environment by, amongst other things, preventing both new and existing developments from contributing to or being put at unacceptable risk, or being, adversely affected by unacceptable levels of pollution.

It goes onto recommend that planning policies and decisions should ensure that new development is appropriate for its location taking into consideration the effects of pollution on health, general amenity, and quality of life amongst other things.

In relation to this particular application, I note that it is for the "Change of use of existing museum/offices (Class F1(c)) & E(g)(i)) to ground floor offices (E(g)(i)) and 2 x dwellings (2-bed flats) at first floor level, involving the erection of a first-floor extension".

Matters for consideration for a proposed development of this type would ordinarily include:

- impacts from demolition / construction on existing residents.
- the provision of a satisfactory internal acoustic environment for future occupiers of the dwellings as proposed.
- the potential exposure of future land users to contamination which could be present in the land.

In relation to these matters, I note the following:

- the site is located in an existing residential area.
- notwithstanding the relatively small scale of the development, it is important to acknowledge there is the potential for adverse environmental impacts on existing residents relating to the demolition / construction phase of the development.
- notwithstanding the fact that there are no obvious specific sources of excessive levels of noise in the immediate vicinity, there is no information contained within the application to or supporting documentation detailing how satisfactory internal noise levels of the dwellings will be achieved.
- on the basis of the information submitted and considering the apparent absence of any outdoor amenity space there would appear to be no pathway for any contamination which may be present to cause harm to future users of this space.

If you are minded to approve this application, I would recommend that the following condition is placed on any permission granted:

Operational Hours Condition

No machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site outside the following times:

- a) Monday Friday 0800-1800,
- b) Saturday 0800 1300

nor at any time on Sunday, Bank or Public holidays.

Reason: To protect the amenity of local residents from potential impacts whilst demolition, site clearance, groundworks and construction is underway.

I would also recommend that an informative note should be placed on any permission granted – to ensure the creation of a satisfactory internal acoustic environment free from intrusive levels of noise.

My recommended wording for such an informative would be:

Insulation Against External Noise (Informative)

It is recommended that the development should be designed and built in a way which ensures the creation of a satisfactory internal acoustic environment in accordance with the requirements of the relevant standards and technical guidance (including - but not necessarily limited to - "BS8233:2014 Guidance on Sound Insulation & Noise Reduction for Buildings").

Further advice may be obtained from a suitably qualified person (holding "Member" status with the Institute of Acoustics - or equivalent).

5.5 Conservation Officer (FDC)

I do not consider this application to have any negative impact on either the adjacent listed building, or the conservation area, and so lengthy comments are not warranted in this case. The change of use, and the necessary alterations are wholly supported.

The only detail that will require careful consideration is the brick used to infill the rear windows and to create the first floor extension. The brick used to build the museum is not in keeping with the character or appearance of the conservation area, or the setting of the listed building, but to employ a different brick for the extension or infill, would create a visually jarring extension, and the potential for this should be minimised.

Therefore, the materials used for the external works in the proposal should form a condition of this application, and a sample panel of brick should be viewed on site, and thereafter approved in writing by the LPA.

5.6 Cambridgeshire County Council Highways

I have been out to site on this one and viewed the road and parking conditions at 0800 (today - 15/11/21). The car park had 3 cars in it which given the time were probably overnight. The car park has a 24 hour restriction on it so in theory no cars can park longer than one day without them being moved. This suggests that perhaps it would not be suitable to support an application without its own car parking.

Regardless of this FDC should consider whether they would in any case wish regular parking from a planning permission when that is not its purpose and reduces the capacity when needed to support parking demand from other uses such as from the Church and obviously the Town Council itself. Furthermore, any future change to parking hours by FDC (say a 4 hour limit) would mean it would not support longer term parking at all. It should also be pointed out that I noted extensive on street parking so clearly residents would prefer this to the off street public car park and it's highly likely that this pattern of on street parking would be added to were planning permission be granted.

The agent is stating that this is a town centre location and there is not a requirement for car parking. That statement is not completely accurate. The parking standards state:

"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."

I would consider examples where a nil parking requirement may be appropriate is town centres where there are parking controls to manage instances of inappropriate parking. This is not the case here as the site is within a residential area not covered by parking controls. There is little to discourage car ownership.

5.7 Local Residents/Interested Parties

None received.

6 STATUTORY DUTY

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).

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 National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide 2021

Context – C1, C2 Identity – I1, I2 Built Form – B2 Movement – M3 Uses – U1 Homes and Buildings – H1, H2, H3

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

LP10 - Chatteris

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

Delivering and Protecting High Quality Environments in Fenland SPD 2014

DM3 – Making a Positive Contribution to Local Distinctiveness and Character of the area

DM4 – Waste and Recycling Facilities

8 KEY ISSUES

- Principle of Development and Community Facilities
- Heritage, Design and Visual Amenity
- Residential Amenity
- Highways/parking
- Flood Risk

9 ASSESSMENT

Principle of Development, Economic Growth and Community Facilities

- 9.1 The application site is located within the settlement of Chatteris which is identified within the Settlement Hierarchy as a Market Town; Market Towns are identified within Policy LP3 as the focus for housing growth and wider service provision. This is however on the basis that the development is in keeping with and reflects the character of the area and that there are no significant issues in respect of heritage, residential or visual amenity, design, parking, highways and flood risk.
- 9.2 Policy LP6 of the Fenland Local Plan 2014 seeks to support economic growth, increase employment opportunities to retain community, cultural, tourist or visitor facilities unless there is adequate justification, or an appropriate alternative is provided. Paragraph 81 of the NPPF places significant weight on the need to support economic growth and Paragraph 93 seeks to retain facilities and services.
- 9.3 The application proposes an expanded council chamber, offices, kitchenette and community space (though there is no information regarding how this is proposed to be used) and as such would meet the aims of Paragraph 81 and Policy LP6 in this respect.
- 9.4 However, the scheme also results in the loss of the museum, a community, cultural, tourist and visitor facility. It is acknowledged that planning permission has been granted under F/YR21/1094/F which would enable relocation of the museum to 2 Park Street, Chatteris, the applicant's agent has advised that a Building Regulations application has been submitted and as such there is an indication that this relocation is to proceed, however Policy LP6 seeks to retain such facilities unless an alternative is provided, and until such time that the museum has successfully been relocated and functioning there is no assurance that this would be the case. It was suggested to the applicant's agent that a Unilateral Undertaking be provided which would give legal assurance that should this application be successful it would not be implemented until such time that the

museum was established, as this would not be possible via a planning condition, or alternatively the application could be put on hold/withdrawn until the museum was established. The applicant has chosen not to utilise either of these options and as such the application is considered contrary to Policy LP6 and Paragraph 93 of the NPPF 2021.

Heritage, Design and Visual Amenity

- 9.5 The application site is located adjacent to Chatteris Conservation Area and the grade II listed building of 16 Church Lane and as such is located within their setting, the Conservation Officer does not consider that the proposed development would have a negative impact on the surrounding heritage assets, however does recommend that if the application is successful a condition is imposed to ensure samples of materials are provided for consideration.
- The existing building does not provide any particular enhancement to the area, particularly when viewed from the rear as there is a miss match of render, lean-to rooflights and a flat roofed extension with mesh security panels to the windows. This extension however, due to its single-storey nature, still provides a sense of openness in a particularly densely developed corner; 6 Church Walk has a 2storey side extension which is located right on the boundary and the proposed firstfloor extension would be located in very close proximity, increasing the bulk and massing of built form and creating a sense of enclosure with the limited open views that currently exist from Church Walk and the footpath link being eradicated and resulting in an overdevelopment of the site. Furthermore, due to the need to create a useable height within the extension, the eaves are higher than the eaves of the existing building, resulting in a larger expanse of wall with a very low-pitched roof which is of poor design, does not respect the scale and design of the host building and introduces a further discordant feature to the significant detriment of the character and visual amenity of the area. As such the development is considered contrary to Policy LP16 (d) of the Fenland Local Plan 2014. DM3 of the Delivering and Protecting High Quality Environments SPD 2014, paragraphs 130 and 134 of the NPPF 2021, and C1, I1, I2 and B2 of NDG 2021 which seek to ensure that developments are of a high standard of design, make a positive contribution to the local distinctiveness and character of the area and do not adversely impact, either in design or scale terms on the streetscene.
- 9.7 It is acknowledged that a street scene plan has been provided, however this is as viewed from a section through 6 Church Walk (which would not actually be possible) and as Church Walk is located further east much more prominent views are afforded than indicated, the submitted street scene is therefore considered unrepresentative and misleading.

Residential Amenity

- 9.8 To the front/north of the site on the opposite side of Church Lane is the Fenland District Council car park and walled garden serving The Vicarage, Church Lane. There are not proposed to be any physical alterations to the front elevation and therefore no scope for additional opportunities for overlooking, however the intensification of use and the fact that there is potential occupation 24/7 could result in a perceived lack of privacy and potential for noise and disturbance, that said, The Vicarage is located on a substantial plot with the dwelling being located to the east of this, some distance away and as such there is not considered to be a significant detrimental impact on the residential amenity of this dwelling.
- 9.9 To the east of the site on the opposite side of the footpath link to Church Walk is the 2-storey dwelling of 16 Church Lane. The proposal introduces an additional

window in the existing eastern gable facing towards No.16, there are no first-floor windows in the side of No.16 which could be affected, however there is a single-storey element with rooflights which could experience reduced privacy, this window could be conditioned to be obscure glazed as it is 1 of 3 windows serving the kitchen/living/dining area of the proposed flat, however the others are at the front and would result in the rear of the large room having very little natural light, which is far from ideal. The proposed extension is located approximately 9.5m from the boundary of No.16, as such there is unlikely to be any significant impact in relation to overshadowing, loss of light or outlook, there are however 3 large windows facing towards No.16 which would have views into the orangery and garden, at this distance and with such large windows there will be an adverse impact on the residential amenity of this dwelling.

- 9.10 To the rear/south is the semi-detached, 2-storey dwelling of 6 Church Walk, the proposal is located to the north and as such there are no issues in relation to overshadowing and loss of light to the garden, outlook would be impacted however this this is not considered to be significantly detrimental. There are no windows in the side of the 2-storey extension serving No.6 which could be impacted by the proposal, there is a window in the rear of the proposed extension which could have oblique views of the garden, however as this is not direct this it is not considered to be significantly detrimental.
- 9.11 To the west of the site is the 2-storey detached dwelling of 12 Church Lane, the proposed extension is located between approximately 4.2m-4.5m from the main dwelling, there are 2 windows proposed in the side elevation facing towards No.12, however these are to serve a bathroom and landing and as such could be conditioned to be obscure glazed. There are 4 windows in the side elevation of No.12 which face towards the proposal, these serve a kitchen/breakfast room at ground floor level and bathroom and WC at first-floor level, the proposal is considered to result in a loss of light to all of these windows and a loss of outlook to the ground floor windows, resulting in a significant detrimental impact on the residential amenity of this dwelling.
- 9.12 The proposed flats are not afforded any external amenity space, hence there is no space for the drying of laundry or any covered external storage, meaning to be stored securely all items would need to be stored within the flats. Cycle storage is indicated to the rear, however this is not covered/secure and is unlikely to be usable due to the presence of the bin storage area. Furthermore, in order to access the bins, residents would need to exit the building, walk along the front of the site and along the footpath link to Church Walk, there is no direct access. It has been suggested that it may be possible to utilise the area to the west of the building, however this is not proposed or evidenced and may result in a number of bins being visible in the streetscene. One of the bedrooms serving the rear flat would have an extremely poor and unacceptable outlook due to the 2-storey extension serving 6 Church Walk being located directly in front at a distance of 1.3m.
- 9.13 Environmental Health have recommended conditions in respect of hours of construction etc and in relation to securing a satisfactory internal acoustic environment. At present it is unclear how the proposed ground floor arrangement is to be used, further information was requested from the applicant's agent to enable the potential impact on the residential amenity of surrounding residents to be assessed, however this request was declined and as such there is insufficient information to enable full assessment of the scheme.

9.14 The proposed development is therefore considered to be contrary to Policies LP2 and LP16 of the Fenland Local Plan 2014, DM 4 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014, Paragraph 130 (f) of the NPPF 2021 and H1, H2 and H3 of the NDG 2021 which seek to ensure that developments promote health and wellbeing, provide high quality environments and avoid adverse impacts on residential amenity.

Highways/parking

- 9.15 The application site is located on the southern side of Church Lane, a narrow one-way street, there is also a footpath link to the east of the site that enables pedestrian access through to Church Walk, which is also narrow and offers limited opportunity for on street parking. There is a small public car park on the opposite side of Church Lane which has a 24hr restriction and appears well used as it was almost at capacity when the site was visited, though it is acknowledged that this could alter at different times of the day.
- 9.16 The existing building does not have any off-street parking, and none is proposed due to the constraints of the site. Concerns have been raised regarding the suitability of intensifying the use of the site, altering the character by introducing a residential element and the potential increase in on street parking in this constrained location. Further information was requested from the applicant's agent in relation to the existing and proposed uses of the site, to enable the impact on parking, the highway and residential amenity (in respect of potential for additional on street parking) however this request was declined and as such there is insufficient information to enable full assessment of the scheme.
- 9.17 As such, the scheme is considered contrary to Policies LP2 and LP15 of the Fenland Local Plan 2014 and Paragraph 131 (f) of the NPPF 2021 which seek to avoid adverse impacts, provide a high standard of amenity for existing and future users and require development schemes to demonstrate that there is appropriate parking provision available and that the development would not result in an unacceptable increased burden on the surrounding area.

Flood Risk

9.18 The application site is located within Flood Zone 1 (low risk) and as such the proposal is considered to be appropriate development. Issues of surface water will be considered under Building Regulations; accordingly, there are no issues to address in respect of Policy LP14.

10 CONCLUSIONS

The principle of the expanded council chamber, offices and community space is supported, however insufficient evidence has been given to provide assurances that the museum, a community, cultural, tourist and visitor facility will be established at 2 Park Street should this application be successful. There are no concerns regarding the impact of the proposal on surrounding heritage assets, however the proposed extension is considered to be overdevelopment, of poor design, does not respect the scale and design of the host building and introduces a further discordant feature to the significant detriment of the character and visual amenity of the area. The proposal would result in significant detrimental impacts on the residential amenity of surrounding dwellings and the future occupants of the site and insufficient information has been provided in relation to the use of the commercial element, hence the impact on residential amenity and in relation to parking provision cannot be accurately assessed.

11 RECOMMENDATION

Refuse for the following reasons:

1. Policy LP6 of the Fenland Local Plan 2014 seeks to retain community, cultural, tourist or visitor facilities unless there is adequate justification, or an appropriate alternative is provided and Paragraph 93 of the NPPF 2021 seeks to retain facilities and services.

The scheme results in the loss of the museum, a community, cultural, tourist and visitor facility. It is acknowledged that planning permission has been granted under F/YR21/1094/F which would enable relocation of the museum to 2 Park Street, Chatteris, however Policy LP6 seeks to retain such facilities unless an alternative is provided, until such time that the museum has successfully been relocated and functioning, and without a Unilateral Undertaking there is no assurance that this would be the case. As such the proposal is considered contrary to the aforementioned policies.

Policy LP16 (d) of the Fenland Local Plan 2014, DM3 of the Delivering and Protecting High Quality Environments SPD 2014, paragraphs 130 and 134 of the NPPF 2021, and C1, I1, I2 and B2 of NDG 2021 which seek to ensure that developments are of a high standard of design, make a positive contribution to the local distinctiveness and character of the area and do not adversely impact, either in design or scale terms on the streetscene.

The proposed first-floor extension would be located in very close proximity to the existing 2-storey extension at 6 Church Walk, increasing the bulk and massing of built form and creating a sense of enclosure, with the limited open views that currently exist from Church Walk and the footpath link being eradicated and resulting in an overdevelopment of the site. Furthermore, the extension is considered to be of poor design, does not respect the scale and design of the host building and introduces a further discordant feature to the significant detriment of the character and visual amenity of the area. As such the development is considered contrary to the aforementioned policies.

Policies LP2 and LP16 of the Fenland Local Plan 2014, DM 4 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014, Paragraph 130 (f) of the NPPF 2021 and H1, H2 and H3 of the NDG 2021 seek to ensure that developments promote health and wellbeing, provide high quality environments and avoid adverse impacts on residential amenity.

The proposed development will result in an unacceptable impact on the residential amenity of 12 Church Lane by virtue of the proximity of the proposed extension and impact on light and outlook, 16 Church Lane in respect of overlooking and loss of privacy, and the future residents of the proposed flats due to the lack of amenity space and external/cycle storage, proximity to 6 Church Walk resulting in extremely poor outlook, and inconvenient bin storage arrangements. Furthermore, full assessment of the impact on residential amenity has not been possible as insufficient information has been provided in relation to the proposed use of the ground floor. As such the development is considered contrary to the aforementioned policies.

Policies LP2 and LP15 of the Fenland Local Plan 2014 and Paragraph 131 (f) of the NPPF 2021 seek to avoid adverse impacts, provide a high standard of amenity for existing and future users and require development schemes

to demonstrate that there is appropriate parking provision available and that the development would not result in an unacceptable increased burden on the surrounding area.

Concerns have been raised regarding the suitability of intensifying the use of the site, altering the character by introducing a residential element and the potential increase in on street parking in this constrained location, however insufficient information has been provided to enable full assessment of the scheme and its potential impacts, as such the development is considered contrary to the aforementioned policies.





