

Parish:	Upwell	
Proposal:	Change of use of butchers shop and dwelling to dwelling with alterations to existing premises	
Location:	28 - 29 St Peters Road Upwell Wisbech Norfolk	
Applicant:	Mr & Mrs J Spikings	
Case No:	18/01747/F (Full Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 26 November 2018

Reason for Referral to Planning Committee – The applicant is a Borough Councillor, and the Parish Council response is at variance to the officer Recommendation.

Neighbourhood Plan: No

Case Summary

Full permission is sought for the change of use of the butchers shop to a dwelling, with alterations to the existing building at 28-29 St Peters Road, Upwell.

The premises is that of the former butchers shop J.D. Spikings & Son and associated dwelling and is part of a two storey block of development in the Upwell Conservation Area.

The application is referred to the Planning Committee by virtue of the property and application relating to Cllr Spikings.

Key Issues

- Principle of Development
- Loss of community facility
- Impact on Conservation Area
- Neighbour Amenity
- Highways / Access
- Other material considerations

Recommendation

APPROVE

THE APPLICATION

Full permission is sought for the conversion and change of use of a former butchers shop to a dwelling, with alterations to the existing building at 28-29 St Peters Road, Upwell.

The alterations to the front elevation of the property include the removal of the shopfront and replacement with matching windows and a front door, the installation of new windows in existing openings on the first floor, the removal of a chimney and a lean-to 'fridge' on the ground floor, and the construction of a wall and gate attached to the side of the proposed dwelling. There are also alterations proposed to the rear elevation of the property with new openings, and the internal reconfiguration of rooms.

The premises is that of the former butchers shop J.D. Spikings & Son and associated dwelling and is part of a two storey block of development in the Upwell Conservation Area.

SUPPORTING CASE

Further to our recent communication I have now addressed fully all points in policy DM9, C.I 0.3-C.I 0.5 as follows:-

There are 2 butchers shops and 3 other retails shops who all offer meat products and who are all within one and a half miles of 28-29 St Peters Road. There is also a proposed new Co-operative shop, recently approved under planning reference: 16/01005/F and I understand this will also have meat products for sale.

Additional information about class A1 shop units in Upwell/Outwell. in addition to those shown on the map forwarded on the 23rd November 2018.

1. Four hairdressing shops, one vacant and for sale in Listers Road, Upwell.
2. One nail bar, Town Street, Upwell.
3. One cafe selling sandwiches, Town Street, Upwell.
4. One Funeral Director, Pinfold Road, Upwell.
5. One Flower Shop, St.Peters Road, Upwell. Vacant.
6. One Builders merchant shop and workshop. Vacant.
7. One shop selling fancy clothes (Uptown Fun) in Town Street.
8. One shop selling curtains and antiques Low Side Outwell.
9. One shop/store selling fruit and vegetables, School Road, Upwell.

The decision to close the family business shop was not taken lightly but the owner Mr John Spikings is now 68 years old and the work is far from easy. It has become increasingly difficult to find staff sufficiently qualified to help with the business and as you can appreciate many of the younger population now use supermarkets in nearby Wisbech and Downham Market. The butchers shop and integral living accommodation has been in the Spikings ownership for over 90 years and John Spikings mother lived there until her death, aged 99 in January 2015. It would not be possible to sell the business without selling the family home in which John and Vivienne Spikings now reside. The shop has living accommodation to the rear, side and over the first floor. There is only one rear access which serves both the shop and the living accommodation.

The answer was to see if the shop could be let so in February 2016 the business sales consultants Hilton-Smyth were commissioned to try to find someone to take up the lease.

In the 12 months until January 2017 only one person visited the premises but they were unable to take up the offer as they could not raise the necessary finances. The business has now been taken off the market.

As you can see the Upwell/Outwell area is well served with class A units and the loss of one unit should have little impact on the area as a whole. We trust that we have now demonstrated that the application does comply with policy DM9 as follows:-

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1. There are high levels of provision for the purchase of meat products in the existing community.
2. The business premises were correctly advertised for leasing for a period of 12 months.

PLANNING HISTORY

16/01078/F: Application Permitted: 02/08/16 - Alterations and extension to existing house (amended design) with provision for rear balcony - 28 - 29 St Peters Road

15/01496/OM: Application Permitted: 20/06/16 - Outline application with some matters reserved for 25 dwellings consisting of 18 houses and 7 bungalows. Access, road and plot layout committed - Land South of 21 To 42 St Peters Road

15/00255/DM: DM Prior Notification NOT Required: 05/03/15 - Demolition of redundant butchers shop outbuilding - J D Spikings & Son Butchers 28 - 29 St Peters Road

2/98/0978/F: Application Permitted: 10/08/98 - Erection of single storey side extension - 25 St Peter's

15/01711/F: Application Permitted: 09/12/15 - Alterations and extension to existing house - 28 - 29 St Peters Road

RESPONSE TO CONSULTATION

Parish Council: Upwell Parish Council recommends **REFUSAL** to this application.

1. The loss of another shop in the village will be noticeable. Signage or other indications that these premises were available on the open market have not been present at all.
2. A four bedroom property will inevitably have an impact on the street scene within the village's conservation area.

Highways Authority: NO OBJECTION. While it would be disappointing to lose an A1 class use within the area which helps to offer shorter and more sustainable travel choices to local residents, in relation to highway safety matters only, ultimately less traffic would be generated on the site and therefore recommend a condition is attached.

Conservation Officer: NO OBJECTION. Upwell's historic core is located at the river crossing (Church Bridge) which is almost certainly the site of the original settlement but from C17th it expanded along the river and the majority of the historic fabric dates from the Georgian – Victorian periods. This row appears on the first edition OS of 1886 and the chimneys suggest that it was originally two houses with a warehouse/storage building at the southern end. The pebbledash covering makes it almost impossible to work out the original pattern of openings but the existing shop front is too wide to be completely original and I suspect that it dates from the early C20 so is of limited historic importance. The business which has occupied the shop has now closed and the space needs a new use so conversion to residential accords with the NPPF in terms of ensuring the buildings conservation. I would recommend a condition requiring (i) a sample of the new external render and (ii) door and window details.

REPRESENTATIONS

None received.

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

CS12 - Environmental Assets

CS13 - Community and Culture

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM9 - Community Facilities

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

PLANNING CONSIDERATIONS

Principle of Development

The property lies within the development boundary for the village of Upwell, and also the conservation area. The principle of development is therefore considered to be acceptable subject to the proposal having regard for, and being in harmony with, the building characteristics of the locality; and making a positive contribution to local character and distinctiveness in the conservation area. Issues relating to the loss of a shop are dealt with below.

Change of Use / Loss of Community Facility

The Parish Council objects to the scheme based on the fact that the change of use application results in the loss of a retail facility in the village of Upwell.

The NPPF, Policy CS13 of the Core Strategy (CS), and Policy DM9 of the Site Allocations and Development Management Policies Plan (SADMP) all seek to support the rural economy, and recognise the importance of retaining local services and facilities in rural settlements. In particular policy DM9 states:

'The Council will encourage the retention of existing community facilities and the provision of new facilities, particularly in areas with poor levels of provision and in areas of major growth. Development leading to the loss of an existing community facility will not be permitted unless it is demonstrated that either:

- a) the area currently served by it would remain suitably provided following the loss, or if not
- b) it is no longer viable or feasible to retain the premises in a community facility use.'

In this case, the village of Upwell is considered to be well served with a number of local shops and services still in operation. Although in theory any A1 retail use could come forward here it is also of note that there are two other butchers shops serving this village, which is unusual. The applicant's agent has detailed all of these facilities in the supporting statement. Therefore, based on criteria (a), the village will still remain well served if planning consent is granted for this application. The requirements of policy DM9 have been met and the change of use is considered to be acceptable. Although (b) does not need to be satisfied, the applicants agent has also specified how the premises has been marketed for a period of 12 months, with no interest forthcoming.

Impact on the Conservation Area

The property is situated on the road frontage of St Peters Road and is within Upwell conservation area. It forms part of a larger block of two-storey development. The alterations to the front elevation of the property include the removal of the shopfront and replacement with matching windows and a front door, the installation of new windows in existing openings on the first floor, the removal of a chimney and a lean to 'fridge' on the ground floor, and the construction of a wall and gate attached to the side of the proposed dwelling. These alterations will not have a detrimental impact on the street scene, as the conservation officer has stated the existing render on the building makes it difficult to distinguish the original openings. It is requested that details regarding the render, and window and door types are conditioned to ensure these are appropriate. The design and appearance of the proposed alterations are therefore considered to be acceptable.

Neighbour Amenity

The conversion of the retail unit to a dwelling will not have a detrimental impact on the adjoining neighbouring dwelling.

Highways / Access

The proposal would generate less traffic on site than could be generated by the existing use, and therefore there would be no objection to the scheme subject to a condition restricting the opening of doors/ windows outwards onto the highway.

Other material considerations

While the application site is within Flood Zone 2 of the EA mapping, the property is already a dwelling unit and this application is seeking alterations to effectively alter and extend the existing accommodation.

CONCLUSION

This application seeks conversion of the retail element of the property at 28-29 St Peters Road, to a solely residential use. The main issues in this case are the consideration of the loss of the community facility in the village, and the impact of the alterations to the building on the street scene in the conservation area. Both these issues were raised by the Parish Council in their objections to the scheme.

However the principle of development in this location is acceptable, and the proposal meets the requirements of policy DM9 of SADMP in terms of the loss of facility. The conservation officer is satisfied that the proposed alterations to the property will not have a detrimental impact and the need for further details is conditioned accordingly.

In summary the application is therefore duly recommended for approval, subject to certain conditions identified below.

RECOMMENDATION:

APPROVE subject to the imposition of the following condition(s):

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans (Drawing Nos 18/9/2102/1, 18/9/2102/2, 18/9/2102/3 and 18/9/2102/4).
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: No gate/door/ground floor window shall open outwards over the highway.
3. Reason: In the interests of highway safety.
- 4 Condition: Notwithstanding the details that accompanied the application hereby permitted, no development shall take place on any external surface of the development until the type, colour and texture of render of the building has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
4. Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.

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- 5 Condition: Notwithstanding the details that accompanied the application hereby permitted, no development shall take place on site until full details of the door and window style, reveal, cill and header treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

- 5 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.