

<b>Parish:</b>	<b>Downham Market</b>	
<b>Proposal:</b>	<b>Conversion of ground floor commercial hall into 4 x self-contained studio apartments</b>	
<b>Location:</b>	<b>43 High Street Downham Market Norfolk PE38 9HF</b>	
<b>Applicant:</b>	<b>Mr Reynolds</b>	
<b>Case No:</b>	<b>19/01079/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr K Wilkinson</b>	<b>Date for Determination: 13 August 2019 Extension of Time Expiry Date: 6 September 2019</b>

**Reason for Referral to Planning Committee** – The views of the Town Council are contrary to the Officer Recommendation

**Neighbourhood Plan:** No

**Case Summary**

The application site is that of the former cinema No.43 High Street, Downham Market. It has frontage onto High Street and rear facing onto Church Road.

The front part of the building contains two lock-up shops with a two bedroomed residential flat above in the first, second and third floors; there is a central commercial hall used and a gym above.

This proposal seeks to convert the commercial hall into four residential studio apartments/bedsits.

The building is not listed but considered to be an undesignated heritage asset and lies within the Conservation Area of the town.

**Key Issues**

- Principle of development
- Impact upon character of the building
- Parking
- Impact upon adjoining properties
- Other material considerations

**Recommendation**

**APPROVE**

## **THE APPLICATION**

The application site is that of the former cinema No.43 High Street, Downham Market. It has frontage onto High Street and rear facing onto Church Road.

The front part of the building contains two lock-up shops with a two bedroomed residential flat above in the first, second and third floors; there is a central commercial hall used and a gym above.

This proposal seeks to convert the commercial hall into four residential studio apartments/bedsits.

The building is not listed but considered to be an undesignated heritage asset and lies within the Conservation Area of the town.

The plans show three apartments served from the side access point and a fourth unit with access via the former fire escape to the northern side of the building with pedestrian access onto Church Road. Existing window openings are to be used and modified with composite panels and high level to obscure views into a suspended ceiling area. There is one window per apartment.

## **SUPPORTING CASE**

The agent makes the following statement in support of the application:

### *“Proposals*

To convert the existing ground floor premises into four studio apartments. After several years of marketing the commercial area and several failed attempts to grow the commercial aspect of the Old Cinema (see supporting document from Russen and Turner) my client is seeking change of use to small residential units which will be easy to market and tenant for the working professional or couples looking for easy train links and employment in the local area.

### *Layout and Design*

The proposed layout makes the best use of the existing rooms within the current building with minor visual impact on the external finish of the building. However several of the existing windows will require replacement with modern double glazed units and composite panels where glazing would normally fall above the suspended ceiling.

The downstairs rear space would be accessed from the existing fire escape from the commercial area from the high street, one from Church Road (see floor plan and block plans for reference).

Each apartment will comprise of living/sleeping & kitchen area with separate bath/shower room. Bin storage will be provided by 2 large Biffa bins in the alleyway to the entrance of the building (1 bin general waste/ 1 bin recycling) – One apartment with access from Church Road will have the standard black and green wheelie bin positioned behind the gated access off Church Road.

### *Scale and Appearance*

The external of the building will not change apart from the replacement windows as mentioned previously.

Internally the space is more than adequate to house the four proposed apartments. Each apartment will have its own window for light and ventilation, ample sized kitchen with generous sofa and bed space (see floor plan for reference).

Planning Committee  
2 September 2019

### *Access*

As previously mentioned three apartments will be accessed from the Downham Market High Street, which will then lead to a communal corridor with individual entrance doors off that. One apartment will be accessed via Church Road through the gate to the top of the existing steps.

### *Parking*

There will be no allocated parking for any of the proposed apartments, however it is assumed that the use of the local car parks within the close vicinity will be utilised i.e. Cannon Square car park, Bridge Street pay and display, Paradise Road carpark etc. There is also an assumption for the apartments to be let by working professionals using the local rail service for commuting with the train station only 1 mile or a 5-6 minute walk from the proposed development, and the bus station 0.2 miles or 2-3 min walk from the High Street.

### *Conclusion*

The proposed development is seeking change of use for an unused non-viable business premises and creation of four self-contained apartments within the existing ground floor commercial space.

Looking at the planning history of the site and the various planning applications, a flat conversion of the old building has historically looked likely with 2 approved applications for flats permitted.

The proposed changes will not degrade the visual appeal of the building, with very minimal external changes to be made.”

## **PLANNING HISTORY (Relevant)**

18/00738/F: Application Permitted: 17/07/18 - Renovation of existing building creating 1 residential dwelling (3 storey flat) and change of business use for the ground floor rear to A1 and B1 business use, first floor rear of the building to have D2 Assembly and leisure

15/00465/F: Application Permitted: 06/08/15 - Conversion of building back into a cinema with three screens, a bar and a wine bar

2/03/1467/F: Application Permitted: 28/07/04 - Construction of 20 flats after partial demolition of cinema

## **RESPONSE TO CONSULTATION**

**Parish Council: REFUSE** - The proposed development by reason of loss of business/leisure/retail floor space, would adversely affect the vitality and viability of Downham Market Town Centre. It would be sad to see an iconic building converted for residential usage in the long term due to an inability to attract a leisure/retail partner(s) in the short term. Furthermore, the application was made purposefully with a lack of car parking for any residents. This would be likely to give rise to additional on-street parking which would be detrimental to highway safety and create offsite parking problems elsewhere in the town; therefore being contrary to the general principles of sustainable development.

**Highways Authority: NO OBJECTION** - I note that the application does not include off-street car parking provisions, but this would be acceptable to the highways authority in this case on balance given the existing class uses, the matter that parking on the highway in the area is controlled through parking restrictions, and that the site has very good access to

Planning Committee  
2 September 2019

public service providers and transport provision. As a result I would not seek to restrict the grant of permission.

**Environmental Health & Housing – CSNN:** No response at time of writing report.

**Conservation Officer: NO OBJECTION** – Positive and suitable use with minor alteration to the exterior of the building (considered to be a non-designated heritage asset) and minimal impact upon the Conservation Area. Details of windows could be secured via condition.

## **REPRESENTATIONS**

**ONE** item of **OBJECTION** received raising the following concerns:

- Means of disposal of waste; and
- Already problems with existing waste disposal from flat.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS04** - Downham Market

**CS08** - Sustainable Development

**CS12** - Environmental Assets

**Policy F1.1** - Downham Market Town Centre Area and Retailing

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM1** – Presumption in Favour of Sustainable Development

**DM2** – Development Boundaries

**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.

## **PLANNING CONSIDERATIONS**

The key issues in considering this application are as follows:

- Principle of development
- Impact upon character of the building
- Parking
- Impact upon adjoining properties
- Other material considerations

### **Principle of development**

The site lies in the town centre of Downham Market as defined in Inset F1 of the Site Allocations & Development Management Policies Plan (SADMPP). Policy F1.1 applies which states inter alia:

“...2. The Borough Council will promote this area as the prime focus in the town for retail, community and professional services, leisure, culture and entertainment. The historic character, local distinctiveness, facilities, amenity and vibrancy of the area will be maintained and enhanced, both for their own sake and to strengthen the appeal of the town centre...”

...4. Other uses which contribute to the character and vibrancy of the town centre will be encouraged, including residential (C3), and offices/light industry (B1). The development of high quality housing in the town centre would be particularly welcomed for its contribution to its architectural quality, social mix, and economic health...”

The application is accompanied by correspondence from Russen & Turner (estate agents) which states:

“The commercial area has been actively marketed since the 6th September 2016. The property has been marketed on Rightmove, the Russen and Turner website and advertised in ‘Your Local Paper’. A marketing board has also been erected at the property since the marketing commencement date.

The last enquiry we had in regards to the premises was in December 2018.”

This indicates that the commercial hall has not been viable for some considerable time. The alternative use appears to be compatible with F1.1 as reported above and would contribute to the vibrancy of the town centre.

### **Impact upon character of the building**

There would be limited alterations to the appearance and character of this non-designated heritage asset. The changes would be mainly internal with the erection of stud walling and a false ceiling. Only the window and fire escape door to the northern elevation would be changed, and then this would not be open to direct public views.

As stated above, this building is considered to be a non-designated heritage asset and, in accordance with the provisions of Paragraph 197 of the NPPF, the scale and harm of the proposal is concluded to be negligible. Also given the limited public views of the altered part of the building, the character and appearance of the Conservation Area would not be subjected to any harm. This would also constitute a viable use consistent to the conservation of the overall building. This opinion is shared by our Conservation Officer.

The detailing of the new fenestration may be secured via condition.

Planning Committee  
2 September 2019

## **Parking**

The development does not provide any allocated parking spaces to be associated with the apartments. This is a town centre site and the Local Highway Authority raises no objection to the proposal. It states that in this case given the existing class uses, the matter that parking on the highway in the area is controlled through parking restrictions and that the site has very good access to public service providers and transport provision, then there would be no justification to restrict the grant of permission.

Paragraph 109 of the NPPF states: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact upon highway safety, or the residual cumulative impacts upon the road network would be severe."

SADMPP Policy DM17 – Parking Provision in New Development also states inter alia: "...Reductions in car parking requirements may be considered for town centres, and for other urban locations where it can be shown that the location and the availability of a range of sustainable transport links is likely to lead to a reduction in car ownership and hence need for car parking provision..."

Whilst the concerns of the Town Council are noted, the views of the technical consultee are noted and shared by your officers. This is a highly sustainable location for residential units within easy walking distance from bus stops and railway station. Prospective residents will be aware of the lack of allocated parking and restrictions in the locality.

Indeed there are numerous examples of town centre residential/flat developments in Downham Market which have been approved without associated parking facilities.

## **Impact upon adjoining properties**

As stated above the only physical alteration to the building would be the insertion of new windows within existing openings. The windows to the three apartments served from the front would be positioned in the kitchen areas and would not therefore overlook the adjoining property to such an extent as to warrant obscure glazing. The inter-relationship with the adjoining property to the north is therefore considered to be acceptable.

As stated above, the detailing of the windows will be secured via condition.

## **Other material considerations**

There are no significant crime and disorder concerns raised by this proposal.

The means of waste disposal are outlined in the agent's statement of support – i.e. communal Biffa bins for the three units served from the front and wheelie bins for the apartment served to the rear off Church Road.

For the avoidance of doubt the waste bin provision as described may be secured via condition.

## **CONCLUSION**

Whilst the concerns of the Town Council are noted, the proposed change of use, with very minor physical external alterations to the building, would constitute additional housing in the town centre which would contribute to its character and vibrancy. The proposal therefore

accords with the provisions of the NPPF, Core Strategy Policies CS01, CS02, CS04, CS08 & CS12 of the LDF and Policies DM1, DM2, DM15, DM17 & F1.1 of the SADMPP.

The application is therefore duly recommended for approval subject to certain conditions stated 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: CIN-08 Studio Conv Revision A & CIN-09 Studio Conv Revision A.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: The use of the apartments shall not commence until full details of the window style, sections, reveal, cill and composite panels has been submitted to, and approved in writing by, the Local Planning Authority, and inserted as agreed.
- 3 Reason: To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
- 4 Condition: Prior to occupation of the apartments hereby approved, the waste bin facilities shall be provided as described in the Design & Access Statement submitted with the application, unless otherwise agreed in writing by the Local Planning Authority.
- 4 Reason: In order to secure appropriate waste disposal facilities in the interests of the amenities of this locality; in accordance with the NPPF & Policy DM15 of the SADMPP.