OFFICER REPORT

Case No: 25/00026/FUL Full Planning Application

Proposal: Extension to rear to create new commercial E class use space.

Location: 5 Crown Street St Ives PE27 5EB

Applicant: Mr David Bridgens

Grid Ref: 531298 271326

DESCRIPTION OF SITE AND APPLICATION

The application site at 5 Crown Street is occupied by a three storey, terraced Grade II Listed Building located in the town centre of St Ives and sits within the St Ives Conservation Area. The application site also falls within Flood Zone 2 of the Environment Agency's Flood Map for Planning.

This application seeks permission for an extension to the rear to create new commercial E class use space.

It is worth noting that this is an amended scheme to a previously refused application with reference number 21/02516/FUL.

An application for Listed Building Consent is also submitted alongside the current application for the same proposal under reference 25/00238/LBC.

Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.

NATIONAL GUIDANCE

The National Planning Policy Framework (December 2024) (NPPF 2024) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 2024 at paragraph 10 provides as follows: 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).'

The NPPF 2024 sets out the Government's planning policies for (amongst other things):

* delivering a sufficient supply of homes;
* building a strong, competitive economy;
* achieving well-designed, beautiful and safe places;
* conserving and enhancing the natural, built and historic environment.

Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.

For full details visit the government website: https://www.gov.uk

PLANNING POLICIES

Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)

LP1: Amount of Development
LP2: Strategy for Development
LP4: Contributing to Infrastructure Delivery
LP5: Flood Risk
LP7: Spatial Planning Areas
LP11: Design Context
LP12: Design Implementation
LP14: Amenity
LP15: Surface Water
LP16: Sustainable Travel
LP17: Parking Provision and Vehicle Movement
LP21: Town Centre Vitality and Viability
LP30: Biodiversity and Geodiversity
LP34: Heritage Assets and their Settings

Neighbourhood Plan and relevant policies where applicable

Huntingdonshire Design Guide Supplementary Planning Document (2017):

* Place Making Principles parts 3.7 Building Form and 3.8 Building Detailing

Huntingdonshire Townscape and Landscape Assessment Supplementary Planning Document (2022)

* Chapter 7 - St Ives Spatial Planning Area

The National Design Guide (2021)

Huntingdonshire Strategic Flood Risk Assessment (2024)

Local policies are viewable at https://www.huntingdonshire.gov.uk

RELEVANT PLANNING HISTORY

Given the historic nature of the property there is an extensive planning history associated with it. The history from 1977 onwards is available to view on HDC's Public Access Site. The most recent, relevant planning history is detailed below:

1300642FUL - Change of use of office building to 5 residential apartments and ground floor shop (A1 use class) and extension to roof and alterations to doors and windows. (Permission)

1300643LBC - External and internal alterations to building including roof extension. (Consent)

20/01205/LBC - Extension to rear of Number 5 Crown Street, St. Ives, PE27 5EB to provide 1 no. 1 bed flat and 1 no. 2 bed flat with under croft parking. (Refused, Allowed at Appeal)

20/01209/FUL - Extension to rear of Number 5 Crown Street, St. Ives, PE27 5EB to provide 1 no. 1 bed flat and 1 no. 2 bed flat with under croft parking. (Refused, Dismissed at Appeal)

21/02516/FUL - Extension to rear to provide commercial use premises including the creation of residential accommodation with under croft parking. (Refused)

22/00098/LBC - Extension to rear to provide commercial use premises including the creation of residential accommodation with under croft parking. (Consent)

25/00238/LBC - Extension to rear to create new commercial E class use space (Pending Consideration)

CONSULTATIONS

St Ives Parish Council - Recommend approval.

HDC Conservation Team - No objections. See below for comments.

Cambridgeshire County Council Archaeology - No objection, pre-commencement condition required.

Cambridgeshire County Council Highways - No objection, additional comments made are addressed in preceding sections of this report.

HDC Environmental Health - No objection, advise a restriction on external plant.

The Environment Agency - No comment received at the time of determination.

REPRESENTATIONS

6 Crown Mews - Objection, make comments which are summarised below:

o If the application was to be approved, the mews would be even busier with vehicular movement and parking alongside the existing residential use
o There is a risk of damage to the private mews road as it was not built for the movement of large commercial vehicles delivering materials
o Concerns over flood risk due to the previous applications that have been refused on the same application site
o Create unacceptable levels of congestion and traffic hazards with increased parking issues in an already limited capacity

Officer Comments: Officers have taken into account the above comments made, of which are addressed in preceding sections of this report.

SUMMARY OF ISSUES

When determining planning applications, it is necessary to establish what weight should be given to each plan's policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.

As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 47 of the NPPF (2024). The development plan is defined in Section 38(3)(b) of the 2004 Act as "the development plan documents (taken as a whole) that have been adopted or approved in that area".

In Huntingdonshire the Development Plan consists of a number of adopted neighbourhood plans, however, there is not an adopted neighbourhood plan in place for St Ives. Therefore, in this case no neighbourhood plans are given weight in the determination of this application.

The statutory term 'material considerations' has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land:

Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material consideration and significant weight is given to this in determining applications.

The main issues to consider in the determination of this application are:

- The Principle of Development
- Design, Visual Amenity and Impact on Heritage Assets
- Residential Amenity
- Flood Risk
- Biodiversity
- Highway Safety
- Other Matters

*The Principle of Development

The site is located within the built-up area of St Ives town centre and seeks permission for works to the rear of 5 Crown Street involving the erection of a three-storey extension for commercial uses (class E) with a two-storey link element which connects the proposed extension to the host property, alongside undercroft parking at ground-floor level. As such, Policies LP7 and LP21 of Huntingdonshire's Local Plan to 2036 are relevant in this regard.

Policy LP7 states that a proposal for a main town centre use will be supported where it is appropriately located within a built-up area of an identified Spatial Planning Area settlement.

Considering this, the application site is suitably located within The Historic Centre of the St Ives Spatial Planning Area as defined by Chapter 7 of the Huntingdonshire Townscape and Landscape Assessment Supplementary Planning Document (2022).

Additionally, proposals for development within a designated town centre are subject to the provisions of Policy LP21 of the Local Plan to 2036. LP21 states that a development proposal will be supported where the scale and type of development reflects the centre's size, role and character where the development is proposed to be located beyond the primary shopping frontage and primary shopping area.

The area of land within the site proposed to be developed upon is considered to be beyond the primary frontage at the rear of 5 Crown Street, however, falls within the primary shopping area as defined by the adopted policies maps in association with the Local Plan to 2036. Given that the proposed development is to occupy an area currently in use for parking, to be retained as undercroft parking as shown in the submitted plans, it is considered that the scale and type of development reflects the areas character and is acceptable in this regard.

Taking the above into account, the proposal clearly accords with the aims of Policies LP7 and LP21 of the Local Plan to 2036 and is therefore considered to be acceptable in principle subject to compliance with other relevant policies and considerations.

*Design, Visual Amenity and Impact on Heritage Assets

5 Crown Street is a terraced Grade II Listed Building dating from the early 1700's and currently consists of a mixed-use of residential living space alongside commercial units following approval of conversion and redevelopment in 2015. The building is formed of a red brick construction and a pitched tiled roof, with the front of the building involving a symmetrical main frontage design which faces onto Crown Street and consists of traditional sash sliding windows with wooden shutters.

The surroundings of the Grade II Listed Building within the St Ives Conservation Area and town centre depicts a rural character, with Crown Street consisting of a number of Grade II Listed Buildings both adjacent and opposite to the application site. The works proposed are to the rear of the building and as such are not seen from the street, and is accessed by Crown Mews to the rear.

The works to the rear of 5 Crown Street involve the erection of a three-storey extension, alongside a two-storey link element which connects the proposed extension to the host property.

In assessing works to a Listed Building within a Conservation Area, it should be regarded that:

Section 16(2) of the Planning (LBCA) Act 1990 (as amended) requires special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the Planning (LBCA) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Planning (LBCA) Act 1990 (as amended) states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

Para. 212 of the NPPF sets out that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.

Para. 213 states that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'

Local Plan policy LP34 aligns with the statutory provisions and NPPF advice.

Given the above and the Grade II Listed status of the building, HDC's Conservation Team have been consulted. Having reviewed the submitted information, they have no objections to the application and made comment which are summarised below:

The submitted applications are fundamentally the same scheme as the prior schemes (21/02156/FUL and 22/00098/LBC) albeit the use differs. As such, the Conservation Officer goes on to state that they have no objections with the overall design being acceptable.

Having taken into account the comments made by HDC's Conservation Officer, and having undertaken a site visit, officers consider that the proposed scale and design of the proposal integrates well within its surroundings and nearby Listed Buildings. The proposed extension, alongside the two-storey link element connecting the extension to the host dwelling, is to measure 12.1 metres in length and 6 metres in width. Its integration is further supported by the use of materials which match existing, alongside the extension acting subservient to the host building by virtue of its scale, consequently respecting the historical importance of the building.

It is also determined that the proposed extension would sit comfortably between the host dwelling and modern development to the north and would not detract from the significance or special historical and architectural interest of the host Listed Building alongside the surrounding Listed buildings. Additionally, the proposed scale of the extension and its location to the rear results in the

extension being discretely sited, and as such would preserve the character and appearance of the Conservation Area.

Overall, given the level of detail provided alongside the advice from specialists as detailed it is concluded that the proposal therefore accords with sections 16, 66 & 72 of the Planning (LBCA) Act 1990, Policy LP34 of the Huntingdonshire Local Plan to 2036, and the provisions of the NPPF (2024). The proposed development is also considered to be acceptable with regard to design and visual amenity and would not have a significantly detrimental impact upon the character or appearance of the area. It therefore accords with Policies LP11 and LP12 of Huntingdonshire's Local Plan to 2036, Parts C1 and I1 of the National Design Guide (2021) and Chapter 7 of the Huntingdonshire Townscape and Landscape Assessment Supplementary Planning Document (2022) in this regard.

*Residential Amenity

Regarding the amenity of neighbouring residents, the main matters for consideration are potential impacts upon the adjacent residential property of 10 Crown Mews and any potential impacts upon the southern elevation of 11 Crown Mews directly to the north of the proposed extension.

In terms of No. 10 Crown Mews, the proposal lies within 45 degrees in plan and elevation. However, given the arrangement of the existing window and siting of the proposed extension, and having undertaken a site visit, officers consider that the proposal is unlikely to result in a significant loss of daylight to the neighbouring property at No. 10 Crown Mews.

Additionally, given the siting of the proposed extension, it is considered that there would be significant impacts regarding overbearing or overshadowing upon the neighbouring window at No. 11 Crown Mews located to the north of the application site.

It is also worth noting that the proposed elevation plans included as part of the submitted documents incorporate the use of privacy screens and obscure glazing within the development in order to prevent overlooking and loss of privacy to neighbouring properties, and thus ensures a high standard of living for residents.

Environmental Health have been consulted due to the nature of the development as the introduction of Class E commercial use in close proximity to residential housing. They advise a restriction on external plant to ensure that any potential impacts regarding noise and odour are assessed prior to installation. This is considered acceptable to ensure that a high standard of residential amenity is retained for residents within the surrounding area.

Overall, taking these factors into account the development is considered acceptable in terms of overshadowing, overbearing impact, overlooking, loss of privacy, loss of light and would not have a significant impact upon residential amenity and therefore accords with Policy LP14 of Huntingdonshire's Local Plan to 2036 in this regard.

*Flood Risk

The application site lies within Flood Zone 2, as thus is liable to flood. As such, the Environment Agency (EA) has been consulted, and whilst there has been no response at the time of determining this application, it is noted that they did respond to the prior application (reference 21/02516/FUL) which this application has been amended from. Therefore, it is considered acceptable to take into account comments made under the prior application when considering potential flood risk of the proposed development currently being assessed. The EA references the flood risk assessment standing advice to be considered with regard to this development, as the application site falls within Flood Zone 2. Guidance from the EA states that development is exempt from a sequential test if it is a small non-domestic extension with a footprint of less than 250 square metres. In this case, due to the proposed nature of the extension set out in the design and

access statement as commercial use, and the submitted application form stating the development is to be 116 square metres, the proposed application is exempt from the sequential test. However, due to the location of the proposal within Flood Zone 2, it is still necessary to consider any potential impacts with regards to flood risk.

The submitted design and access statement considers flood risk, and it is noted that with the proposal consisting of no ground floor development, with the undercroft parking to be retained, there will be less than substantial impacts upon surface water run-off. Additionally, as a result of no ground floor development, there would be minimal flood risk impacts upon the proposed commercial units, with the first floor located 2.8 metres above ground level. Therefore, the proposal, whilst not considering any flood mitigation measures, broadly accords with guidance set out in Huntingdonshire's Local Plan to 2036 and the guidance of the Environment Agency.

Therefore, taking the above into account the development is considered to be acceptable with regard to its approach to flooding and will not (given its scale and use) result in an increased risk of flooding in the locality. It therefore accords with Policies LP5 and LP15 of the Local Plan to 2036.

*Biodiversity

Policy LP30 of Huntingdonshire's Local Plan to 2036 states that a development should ensure no net loss in biodiversity and achieve a net gain where possible. The application form details that the proposal would be exempt from Biodiversity Net Gain legislation as it would fall within the de minimis category and the LPA view aligns with this. Given the current use of the site as car parking spaces for the host dwelling, and considering the surrounding area use as a town centre, it is considered that the site is low in ecological value and achieving a biodiversity net gain would be challenging.

Having regard to the above assessment, it is considered that the proposal will result in no net loss of biodiversity, and therefore broadly accords with Policy LP30 of the Local Plan to 2036 in this regard.

*Highway Safety

The siting of the proposed extension, as mentioned in the preceding sections of this report, is on an area of land currently in use as car parking for residents of No. 5 Crown Street, following its conversion to 5 residential apartments in 2013. The proposed development seeks to retain the existing parking for No. 5 through the implementation of undercroft parking and proposes no additional parking on site, and as such there would be no intensification on the existing access.

Given that the location of the site falls within the primary shopping centre of the St Ives Spatial Planning Area, it is considered that the site is in a highly sustainable location and within walking and cycling distances to a wide range of facilities and public transport. Due to the nature of the development, the Local Highways Authority has been consulted, and raised no objections providing there is sufficient parking to satisfy additional demand. Taking this into account, there are multiple public car parks in the surrounding area that can be used by occupiers and visitors of the proposed commercial units if required, and of which are in acceptable walking distance. The inclusion of cycle storage also provides a sustainable way for users of the commercial units to access the site, limiting the need for the use of vehicles and prevents any unacceptable levels of congestion and parking issues in the immediate vicinity.

Therefore, the proposed development is considered acceptable with regard to parking provision and vehicle movement and accords with Policies LP16 and LP17 of the Local Plan to 2036 in this regard.

*Other Matters

Internal Amenity

It would appear that only part of the third floor would meet the National Internal Space Standards in terms of head height and therefore usable floor space. However, given that the use class is for Class E, these space standards are not considered relevant for the assessment of this application.

The level of obscure glazing, in order to mitigate overlooking, is considered significant and would impact outlook and daylight for the rooms served by obscure glazing. However, given that the use class is for Class E, this is considered acceptable in this case.

External Amenity

The screening, in order to mitigate overlooking required for the external amenity areas, may result in an enclosed, overbearing space. However, given that the use class is for Class E, this is considered acceptable in this case.

Use Class

Given that the immediate setting of the building is mixed-use, and that the proposed commercial units can only be accessed by going through the existing building and going up to the first-floor level, it is considered necessary to limit the use of the extension to Class E only. This is in order to ensure that the approved uses would be compatible with the surrounding residential properties.

*Conclusion

The proposed development is considered to be compliant with the relevant national and local policy as it:

* Is of an appropriate scale and design;
* Would not have a harmful impact upon the character and appearance of the area;
* Would not have a harmful impact upon the designated heritage assets;
* Would not have a significantly detrimental impact upon the amenity of neighbours;
* Would not have a significantly detrimental impact upon flood risk in the area;
* Is acceptable with regards to the impact on biodiversity;
* Is acceptable with regards to highway safety;
* There are no other material planning considerations which lead to the conclusion that the proposal is unacceptable.

Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that planning permission be granted, subject to the imposition of appropriate conditions.

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CONTACT OFFICER:
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