

Application No: 22/1303N

Location: The Gables, 55, BEAM STREET, NANTWICH, CW5 5NF

Proposal: Demolition of existing two storey and single storey rear extensions and construction of a 2.5-storey rear extension; conversion of the ground floor and basement for use as a beauty salon; conversion of first and second floor to 4 no. flats and ancillary works

Applicant: Mr Richard Lee, Richard Lee Ltd

Expiry Date: 12-Jan-2024

SUMMARY

The application site is a two and a half storey period building situated in a prominent position on Beam Street within Nantwich Town Centre and Conservation Area. To the rear is a later two storey flat roof extension.

The proposal is for the demolition of existing two storey and single storey rear extensions and construction of a 2.5-storey rear extension with flat roof and stairwell; conversion of the ground floor and basement for use as a beauty salon; conversion of first and second floor to 4 no. flats and ancillary works to an existing building situated within the Nantwich Town Centre and Conservation Area which is acceptable in principle providing that the design is appropriate, and that the development does not give rise to any detrimental impact on the amenities of adjacent properties, the surrounding Conservation Area or the street-scene in general.

Policy EG.5 of the CELPS states that the council will support the following hierarchy of retail centres in Cheshire East:

The Principal Towns will be the main focus for high quality comparison retail, supported by a range of retail, service, leisure, tourism, office and other town centre-type uses, including residential.

Town centres will be promoted as the primary location for main town centre uses including retail, leisure, cultural and office development.

The proposed use and extension of the basement and ground floor as a beauty salon is considered to be an appropriate use for the location and will not have any detrimental impact upon existing businesses or services in the locality. As such, this part of the proposed development is considered to be in accordance with Policy EG.5 of the CELPS.

Policy RET.8 of the SADPD states that:

1. The provision of additional residential accommodation in principal town centres and town centres, as defined on the adopted policies map, will be supported in principle, including through:

i. the conversion of under-utilised upper floors of commercial buildings into flats;

2. In line with Policy ENV 15 'New development and existing uses', proposals for new residential accommodation in the town centre should be integrated effectively with existing businesses and community facilities.

3. Proposals for residential accommodation in the town centre should ensure:

i. appropriate and safe access arrangements;

ii. secure, well designed and accessible cycle parking; and

iii. appropriate and well-located waste and recycling facilities.

With the above in mind, the residential element of the proposed will be to the upper two floors of the application building above the proposed commercial use. These floors have previously been used as offices and storage, as such there will be no loss of any commercial or retail provision within the Town Centre.

Therefore, it is considered that the principle of development is acceptable, given that the proposal accords with the above Policies.

SUMMARY RECOMMENDATION

Approve with conditions

REASON FOR REFERRAL

This application had been referred to the Southern Planning Committee as the application has been submitted by an immediate family member of a staff member employed by Development Management and representations objecting to the application have been received.

DESCRIPTION OF SITE AND CONTEXT

The application site is a two and a half storey period building with an associated car parking area situated in a prominent position on Beam Street within Nantwich Town Centre and Conservation Area. To the rear is a later two storey flat roof extension.

The building is currently empty having been previously used as a community club with offices and storage to the first and second floors.

DETAILS OF PROPOSAL

The application seeks approval for the demolition of existing two storey and single storey rear extensions and construction of a 2.5-storey rear extension with flat roof and stairwell;

conversion of the ground floor and the extension of the existing basement for use as a beauty salon; conversion of first and second floor to 4 no. flats and ancillary works.

RELEVANT HISTORY

4/3/1344 - Conversion to 2 flats – approved 1965

4/3/1238 - Change of use. 2 semi-detached houses to shop premises and living accommodation – approved with conditions 1964

POLICIES

Cheshire East Local Plan Strategy

MP1 – Presumption in Favour of Sustainable Development
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE1 – Design
SE3 – Biodiversity and Geodiversity
SE7 – The Historic Environment
SE13 – Flood Risk and Water Management
EG1 – Economic Prosperity
EG5 - Promoting a Town Centre First Approach to Retail and Commerce

Site Allocations and Development Policies Document

PG9 – Settlement Boundaries
GEN1 – Design Principles
HER1 – Heritage Assets
HER3 – Conservation Areas
HER7 – Non-Designated Heritage Assets
HER8 - Archaeology
HOU8 – Space, Accessibility and Wheelchair Standards
HOU11 – Extensions and Alterations
HOU12 – Amenity
HOU13 – Residential Standards
RET1 – Retail Hierarchy
RET7 – Supporting the Vitality of Town and Retail Centres
RET8 – Residential Accommodation in the Town Centre

Neighbourhood Plan

There is no Neighbourhood Plan in Nantwich

National Planning Policy Framework

CONSIDERATIONS (External to Planning)

Environmental Health: No objection subject to the imposition of conditions relating to contaminated land, and low emission boilers and noise.

Head of Strategic Transport: No objection.

Archaeology: No objection.

Public Rights of Way: No objection subject to the imposition of an informative.

VIEWS OF THE PARISH / TOWN COUNCIL

Nantwich Town Council: Nantwich Town Council have no objections or comments in relation to this planning application.

OTHER REPRESENTATIONS

One letter of objection has been received which raises the following points:

- Disruption
- Non-residents parking on Lady Helen Walk

One letter of general observation received which raises the following points:

- That the proposed extension will remove their rear entrance exit including parking facilities.

OFFICER APPRAISAL

Principle of Development

The proposal is for the demolition of existing two storey and single storey rear extensions and construction of a 2.5-storey rear extension with flat roof and stairwell; conversion of the ground floor and basement for use as a beauty salon; conversion of first and second floor to 4 no. flats and ancillary works to an existing building situated within the Nantwich Town Centre and Conservation Area. The principle of development is acceptable providing that the design is appropriate, and that the development does not give rise to any detrimental impact on the amenities of adjacent properties, the surrounding Conservation Area or the streetscene in general.

Policy EG.5 of the CELPS states that the council will support the following hierarchy of retail centres in Cheshire East:

The Principal Towns will be the main focus for high quality comparison retail, supported by a range of retail, service, leisure, tourism, office and other town centre-type uses, including residential.

Town centres will be promoted as the primary location for main town centre uses including retail, leisure, cultural and office development.

The proposed use and extension of the existing basement and ground floor as a beauty salon is considered to be an appropriate use for the location and will not have any detrimental impact upon existing businesses or services in the locality. As such, this part of the proposed development is considered to be in accordance with Policy EG.5 of the CELPS.

There is also support within Policy RET7 of the SADPD which advises that development proposals for use class E(a) retail development or investment to enhance the existing use class E(a) retail provision will be supported in principle. In this case a beauty salon would not fall within use class E(a) but is a use which is appropriate within a town centre and it would support investment.

Policy RET.8 of the SADPD states that:

1. The provision of additional residential accommodation in principal town centres and town centres, as defined on the adopted policies map, will be supported in principle, including through:

i. the conversion of under-utilised upper floors of commercial buildings into flats;

2. In line with Policy ENV 15 'New development and existing uses', proposals for new residential accommodation in the town centre should be integrated effectively with existing businesses and community facilities.

3. Proposals for residential accommodation in the town centre should ensure:

i. appropriate and safe access arrangements;

ii. secure, well designed and accessible cycle parking; and

iii. appropriate and well-located waste and recycling facilities.

With the above in mind, the residential element of the proposed will be to the upper two floors of the application building above the proposed commercial use. These floors have previously been used as offices and storage, as such there will be no loss of any commercial or retail provision within the Town Centre.

Following on from the above, the access arrangements are considered to be appropriate and safe.

With regard to cycle parking and waste/recycling facilities, a revised site plan has been submitted to show that these can be provided within the car park. Notwithstanding this, conditions can be attached to any permission requiring details of these to be submitted and approved prior to the first occupation of the proposed development.

Overall, it is considered that the proposed development is acceptable and in accordance with Policies EG.5 of the CELPS and RET. 7 and RET.8 of the SADPD.

Design and Conservation Area

The application site is located on Beam Street within Nantwich Town Centre and Conservation Area.

Policy HER.3 (Conservation Areas) states that:

'Development within or affecting the setting of a conservation area must pay special attention to the desirability of preserving or enhancing the character or appearance of the area.'

Proposals should take account of the established townscape and landscape character of the area and its wider setting', and

'Proposals for the demolition of a building or group of buildings that positively contribute to the character or appearance of a conservation area will not be supported unless the harm or loss is outweighed by the public benefits of an approved replacement scheme'.

Following on from the above, Policy HER.7 states that:

'When considering the direct or indirect effects of a development proposal on a non-designated heritage asset (including locally listed buildings), a balanced judgement will be required, having regard to the significance of the heritage asset and the scale of any loss or harm'.

The proposed development involves the demolition of an existing two storey rear extension. This extension was constructed some time ago and does not have any architectural merit in its own right.

The application building is a distinctive building which will be put forward for local listing via the current consultation program. It is an important and prominent building in this part of the Nantwich Conservation Area.

Following considerable discussions with the applicant and their agent the scheme has been reduced in massing and scale and redesigned to better fit with the character of the existing building. As such, the Council's Conservation Officer is satisfied that the proposed development, as revised, will not have any detrimental visual impact on either the application building or the surrounding Conservation Area. Furthermore, it will serve to remove the rather unsightly existing two storey rear extension, as such the proposal will enhance the Conservation Area. Notwithstanding this, conditions relating to the submission of details of all external materials, windows and doors shall attached to any permission.

Therefore, the proposed development is in accordance with Policies SE7 of the CELPS, and HER.3 and HER.7 of the SADPD.

In general design terms, the proposed development will be to the rear of the host building and will have limited public viewpoint, mainly when travelling along Beam Street from the east. As such, it is not considered that the proposed extension will have any significant visual impact on the streetscene of Beam Street or the locality in general when viewed from this perspective.

The proposed development will also be viewed from the north on Lady Helen Walk, however it will be viewed against the backdrop of the existing development allow it not to appear as visual discordant in the streetscene from this perspective. Furthermore, it will replace the existing two storey rear extension which currently detracts from the visual appearance.

It is therefore not considered that the proposed development will have any detrimental visual impact on the streetscene. The proposed development is considered to be in accordance with Policies SE.1 of the CELPS and GEN.1 of the SADPD.

Archaeology

The application sits within the area of archaeological potential as defined in the Cheshire Historic Towns Survey (1997-2002) report for Nantwich, which forms part of the Key Evidence supporting Policy SE7, Historic Environment in the Cheshire East Local Plan Strategy, 2010-2030 (adopted July 2017). Having reviewed the supporting documentation along with the information held on the Cheshire Historic Environment Records, the proposed development will demolish part of the extant structure.

The building is evident on the second edition OS Map of the area (1894) and is located on the southwest corner of a former timber yard, seen on the first edition OS map (1874). The Council's Archaeologist considers that it is likely that the construction of the current building destroyed any below ground remains relating to the timber yard in this section and therefore it is unlikely that there will be any significant below ground remains relating to the timber yard. Therefore, it is unlikely that this current proposed development will have any archaeological implications.

Amenity

Policy HOU.12 of the SADPD states that development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive uses, or future occupiers of the proposed development due to:

1. loss of privacy;
2. loss of sunlight and daylight;
3. the overbearing and dominating effect of new buildings;
4. environmental disturbance or pollution; or
5. traffic generation, access and parking.

In terms of the amenity of neighbouring residential amenity there are existing dwellings to the north and one to the west attached to the application building.

The closest dwelling to the north is No 2 Lady Helen Walk (a bungalow) with the closest point being approximately 2.6 metres away from the proposed development. The rear elevation of the proposed extension includes 2 doors and 3 windows. All 3 windows would serve stairways/landings and could be obscure glazed. However, the neighbouring facing elevation at 2 Lady Helen Walk is staggered and does not contain any principal windows serving habitable rooms. As such there would not be any significant amenity impacts from this perspective.

Following on from the above, in terms of visual impact the first two storeys of the proposed rear extension will have a height of approximately 6.2 metres while the existing flat roof projection has a height of approximately 5.6 metres. The third storey of the proposal will be stepped back from the storey below by approximately 2.1 metres and will not be readily visible from the ground level below. Therefore, it is not considered that the proposed development will have an overbearing impact on the neighbouring dwellings to the north of the site.

To the west of the application site is a two-storey terraced dwelling (53A Beam Street) sandwiched between the application building and a former dwelling which is now a dental practice. This neighbour dwelling has two windows to the rear elevation, one to the first floor

and one to the ground floor. The window to the first floor does not appear to serve a habitable, while the window to the ground floor serves a kitchen which is not classed as a habitable room.

Following on from the above, this neighbouring dwelling has an outdoor amenity area to the rear with the windows of the existing building overlook this area. The existing relationship to the small yard area at 53A Beam Street is below standard, and this would be worsened via the increase the bulk and mass of development onto this boundary which would cause some harm to this small yard area. In response, revised plans have been submitted to show obscure glazing to the three existing windows in the west elevation and the two nearest windows in the same elevation of the proposed extension. This will mitigate any potential overlooking of this amenity area caused by the proposed development. Notwithstanding this, a condition requiring the obscuring glazing of these windows, as shown on the plan, will be attached to any permission.

Therefore, the proposed development will have increased bulk and mass onto the boundary with 53A Beam Street, but this harm would be outweighed by the provision of obscure glazing to the windows within the existing side elevation which represents an improvement from a privacy point of view. On balance the proposed development is acceptable from a residential amenity point of view.

The property to the east is in commercial use and as such there would be no amenity harm to this side.

With regard to the future amenity of the occupiers of the proposed residential units, all habitable rooms will be served by at one clear glazed window.

The use of the ground floor of the proposal as a beauty salon is considered to low impact and an appropriate use for the location and will not raise any significant amenity issues to any neighbouring dwellings.

Overall, it is not considered that the proposed development will have any significant impact on neighbouring residential amenity. As such, the proposed development is in accordance with Policies HOU12 and HOU13 of the SADPD.

Space Standards

Policy HOU.8 of the SADPD states that:

'Proposals for new residential development in the borough should meet the Nationally Described Space Standard'.

The above standards require:

- A one-bedroom single storey dwelling with two bed spaces to have an internal floor area of 50sq metres. Apartments 2 and 4 are one-bedroom units and have an internal floorspace of approximately 70sq and 67sq metres respectively.
- A two-bedroom single storey dwelling with four bed spaces to have an internal floor area of 70sq metres. Apartments 1 and 3 are two-bedroom units and have an internal floorspace of approximately 103sq and 98sq metres respectively.

Therefore, the residential element of the proposed development is in accordance with Policy HOU.8 of the SADPD.

Highways

The application building has an existing car park on the opposite side of Lady Helen Walk in which six parking spaces will be allocated to future residents. This is a private car park and not for public use.

The Council's Highways Officer considers that, relative to the existing use, the net highways impact would be minimal, and the site is located within a sustainable location. Off-road parking provision will also remain and there will be no changes to access.

Overall, the Council's Highways Officer does not raise any objections to the proposed development.

With regard to the parking issues highlighted by the submitted representation, this is an existing separate situation and not a material planning consideration. In any event there is sufficient public parking provision within walking distance of the site.

Contaminated Land

The application is for a proposed use that would be particularly vulnerable to the presence of contamination. Residential properties are a sensitive end use and could be affected by any contamination present or brought onto the site.

The application area has a history of saw mill/timber yard use and therefore the land may be contaminated. The application area and area to the north and east has been prioritised for further inspection under Part 2A of the Environmental Protection Act 1990 due to the former use of the area.

The basement is proposed to be a beauty salon, which is likely to be more heavily occupied compared with the current use. Any volatile contaminants present from the previous saw mill use may pose a risk to the proposed use of this area.

There is the potential for unexpected contamination in the ground associated with the site's former use. This should be considered during excavation works.

With the above in mind, a Phase I Preliminary Risk Assessment has been submitted in support of the planning application. No significant contaminant linkages have been identified.

The basement is proposed to be extended underneath the whole building, and tanked. As made ground underlying the property is proposed to be removed in its entirety, there is a limited potential for any volatiles present to build up and pose a risk to future occupants. Made ground may still be present adjacent to the basement, as such the Council's Environmental Protection Officer would expect information to be provided to the LPA prior to development commencing which should describe the proposed works and confirm that the tanking will also prevent ingress of vapours in line with BS 8102. Evidence of the tanking works shall be provided to the LPA

prior to first occupation/use to ensure this potential contaminant linkage has been satisfactorily addressed.

A watching brief for signs of contamination during the excavation of the basement is proposed. The results of this watching brief should be provided to the LPA prior to first occupation/use of the development. Should any adverse ground conditions be encountered, all work in that area should cease and we should be contacted for advice.

Condition relating to the above have been recommended by the Council's Environmental Protection Officer and will be attached to any permission granted.

Air Quality

The Council's Environmental Protection Officer considers that, whilst this scheme itself is of a small scale, and as such would not require an air quality impact assessment, there is a need for the Local Planning Authority to consider the cumulative impact of a large number of developments in a particular area.

Nantwich has an Air Quality Management Area and, as such, the cumulative impact of developments in the town is likely to make the situation worse, unless managed. Therefore, in order to minimise the proposed development's impact on the surrounding air quality a condition relating to the installation of ultra low NOX emission boilers is recommended to be attached to any permission.

Noise

In terms of potential noise generation caused by the proposed commercial use of the application building a noise assessment has been submitted in support of the application. The Council's Environmental Protection Officer has considered the report and found that while addresses potential ancillary equipment for the commercial use, it does not have any with regard to noise transmission from the retail unit on the ground floor to the flats on the first floor. In addition, there is no mention of the acoustic attenuation of the windows of the flats on all the upper floors as they are in a town centre location. However, there is no objection to the proposed development subject to the following conditions:

- Ancillary mounted equipment not to be used (except for the purposes of undertaking an acoustic assessment) until acoustic assessment has been carried out, submitted to and approved by the LPA.
- Prior to the occupation of the first floor and once the beauty salon is operating an acoustic assessment to be carried out in relation to the proposed first floor flat. This assessment to be submitted to and approved by the LPA prior to the first occupation of the first floor flat.
- Prior to occupation of the flats a suitable acoustic assessment and where required suitable glazing and other relevant attenuation should be installed. The details of the acoustic assessment and any associated attenuation works required should be submitted to and approved by the LPA prior to occupation.

With the above in mind, it is not considered that the proposed development, subject to the recommended conditions, will have any significant impact on the future occupiers or existing neighbouring residents in terms of noise.

Other issues

With regard to the issues raised regarding the neighbouring 53A Beam Street the rear access to this property will not be affected by the proposed development. In any event this is a separated civil issue between the interested parties.

Following on from this, the parking space being used by the occupiers of this dwelling appears to be in the ownership of the application building, as such this is not a material planning consideration.

CONCLUSIONS

It is considered that the proposal is of an acceptable design that would not have visual harm to the surrounding Conservation Area or the building itself. No significant harm would be caused to the amenities of the surrounding residential properties or highway safety. Furthermore, the commercial use of the basement and ground floors is considered to be acceptable given the location.

RECOMMENDATIONS

APPROVE with conditions

1. **Three-year time limit**
1. **Approved Plans**
2. **Submission of material**
3. **Submission of window and external door details**
4. **Details of basement tanking measures**
5. **Electric Vehicle Infrastructure**
6. **Low emission boilers**
7. **Land contamination**
8. **Unexpected contaminated land**
9. **Obscure glazing – All windows within the North facing elevation and those within the west facing elevation identified on the approved plan**
10. **Bin storage details**
11. **Cycle storage details**
12. **Acoustic assessment – ancillary equipment**
13. **Acoustic assessment – beauty salon & first floor accommodation**
14. **Acoustic assessment – glazing**
15. **Public Rights of Way Standard conditions**

In order to give proper effect to the Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.



OFFICIAL