

PLANNING OFFICER REPORT

F/YR18/0391/F

Applicant: Whittlesey Town Council

**Agent : Mr Jamie Burton
Swann Edwards Architecture Limited**

Police Station, Queen Street, Whittlesey, Peterborough

Change of use from sui generis to mixed use of B1 (offices), Financial and Professional Services (A2), Council Chamber (D1) including the erection of a single-storey rear extension and removal of garage door and insertion of fire door and windows and 2 x 3-bed dwellings (C3)

1 SITE DESCRIPTION

The application site is the former Police Station which is presently vacant, it comprises of a detached part 2-storey, part 3-storey flat roofed building constructed circa late 1960s in brick with white render detailing and large roof terrace to the rear accessed via the building and an external staircase. There is parking to the front and rear accessed via an undercroft. The site is located on the eastern side of Queen Street adjacent to Whittlesey Conservation Area and the Listed buildings of 2 Market Street and the war memorial.

2 PROPOSAL

The application seeks full planning permission to change the use of the existing building from a Police Station to 2 x 3-bed dwellings on the first and second floors, a Council Chamber for Whittlesey Town Council (including a single-storey flat roofed extension to rear), offices and financial and professional services (precise uses are not confirmed) involving relocation of the lift shaft, blocking up of the existing garage door and replacement with a personnel door and high level windows.

3 SITE PLANNING HISTORY

F/YR09/0040/F	Change of use of 2 flats to office use	Granted 03/03/2009
F/YR02/0427/F	Installation of 1 no. 6.8 metre high antenna support pole and 1 no. 0.6 metre diameter dish at 3.0 metres above roof level	Granted 27/05/2002
WD/71/53/D	Erection of an aerial mast	Granted 13/05/1971

WU/66/52/D	Rebuilding of police station with housing accommodation	Granted 09/08/1966
OA/2413	Rebuilding of police station with housing accommodation	Granted 22/3/1965

4 CONSULTATIONS

Cambridgeshire County Council Highways Authority (6/6/2018)

To accord with FDC's parking policy the applicant should be providing the following spaces as part of their development:

C3 - 2 x 3 bedroom dwellings - 2 parking space each (total of 4)

B1/A2 - office/financial professional services - 4 spaces (I've based this on worse case)

D1 (Council Chamber) - 52 spaces

There is a significant shortfall in parking to accord with FDC's parking policy. If the applicant believes that there is an equivalent trip generation between the former police station and that now proposed then they should come forward with some evidence to support this statement. Failing that a parking survey should be carried out to demonstrate where the shortfall will be accommodated.

Defer for additional information/ amended plans. However if the LPA is minded to grant permission I suggest that the existing frontage parking is allocated to the residential and B1/A2 use classes.

Cambridgeshire County Council Highways Authority (22/5/2018)

The application is for the change of use of an existing police station(Sui Generis) to mixed use including B1 offices, A2 Financial and professional services, D1 Council chamber and C3 two 3 bedroom dwellings.

Can the applicant confirm if there is likely to be an intensification of use as part of this development as there appears to be a lot going on as part of this development.

The parking will need to be allocated on the plan per use class.

Whilst I am able to assess the parking needs for the two 3 bedroom dwellings I will need to know what the floor area is for each of the remaining use classes to ensure that the development complies with FDC's parking policy. I note that at present there is likely to be a shortfall in the parking and there is likely to be some reliance upon kerbside parking or parking in the town centre. If this is the case then the applicant will need to carry out a parking survey to ensure that there is the availability of parking within the area.

Defer for amended plans.

Environment & Health Services (FDC) (14/6/2018)

In view of the agent's response to my original comments , I have no further objections to the proposed scheme. However, a plant noise compliance condition needs to be imposed to the approved scheme to safeguard the future residents from any residual structure/airborne noise transmission from plants.

If you require any further assistance, please do not hesitate to contact me.

Environment & Health Services (FDC) (11/5/2018)

I refer to your request for comments in of the above proposed change of use. There is ambiguity concerning potential noise causing significant adverse harm to the quality of life and the amenity of future occupiers of the proposed residential units. The submission does not provide sufficient information and no adequate assessment has been made of potential noise impact to allow an informed decision to be reached on the suitability of the site or indeed the proposed mixed use. The developer should be able to demonstrate that significant or any other adverse noise impact can be avoided or otherwise reduced to an acceptable level as a result of the mixed use development.

These are fundamental material considerations that should be addressed prior to determination. There needs to be a reasonable degree of certainty that they can be mitigated to an acceptable level and to secure high quality design and good standard of amenity for all future occupiers and nearby residents, in particular in view of the proposed D1 use. Clarification needs to be provided to Environmental Health for consideration, the extent of use of the D1 application element as there may be potential noise issues from such use affecting the future occupants of the C3 element and other residential amenities.

The following conditions are likely to be recommended if adequate information can be submitted to address the outstanding concerns if planning are minded to grant permission. The conditions are not suggested as an alternative to the recommendation.

Plant/commercial noise

It is requested that a noise assessment be carried out to assess impact of the proposed plants on the ground floor in accordance with the principles of BS4142: 2014 "Methods for rating and assessing industrial and commercial sound"

Room layouts may require alterations with non-habitable rooms on the plant/commercial noise affected façade and/or non-opening windows with adequate ventilation to serve these rooms to protect future occupants from noise but allow sufficient control of thermal comfort and ventilation. It is poor acoustic design and undesirable to prevent the opening of windows due to subjecting future occupants to unreasonable commercial plant noise. Redesign of the residential units and/or mitigation at the noise source is preferable to allow acceptable internal noise levels with windows open for ventilation

The assessment should be undertaken and submitted prior to determination of this application.

If residents have the option to open habitable room windows (if provided it is reasonable to assume they can be opened at any time, most residents value the ability to open windows at will for a variety of reasons) and be exposed to excessive plant noise, then they are entitled to make complaints to the local authority and we have a legal duty to investigate as a potential statutory noise nuisance. When considering if a statutory nuisance exists a range of factors are considered and it is unlikely that the fact that residents can close their windows and use the provided mechanical ventilation system will be significantly relevant or can be required.

Balconies/amenity areas

The plans indicate balconies.

BS 8233:2014 advises that it is desirable that the external noise level does not exceed 50 dB $L_{Aeq,T}$ with an upper guideline value of 55 dB $L_{Aeq,T}$ which would be acceptable in noisier environments. The BS 8233:2014 recommended values are not achievable in all circumstances. However, the guidance states that the development should be designed to achieve the lowest practicable levels in these external amenity spaces. Acoustic mitigation will be required if these figures cannot be achieved to attain the lowest practicable level.

Careful consideration also needs to be given to day and night time single individual instantaneous noise events - L_{Amax} levels (the maximum level per event: A-weighted Maximum Sound Levels) associated with the passage of road vehicles. It is recommended that night 42 dB $L_{Amax, inside}$ in accordance with World Health Organisation "night noise guidelines for Europe", 2009 are achieved within bedrooms.

An increase of 5dB for internal noise levels specified within BS8233:2014 will be acceptable if the windows are open to provide comfort ventilation. Therefore the following levels will be considered acceptable:

- 40 dB L_{Aeq} bedrooms and living rooms during day, windows open.
- 35 dB L_{Aeq} bedrooms at night, windows open.
- Individual L_{Amax} levels to be justified

Where windows are required to be kept closed to achieve acceptable noise levels inside, a ventilation system is required to provide sufficient comfort ventilation to enable the occupant adequate ventilation rates for thermal comfort without the need to open windows due to external noise. During warmer weather the ventilation system needs to be able to cope with the need for increased ventilation. This necessitates an increase control for the occupier which may result in elevated noise levels. Acoustic treatment of the extract system needs to be taken into consideration in these cases.

It is important to note this is not a request for air conditioning. It is a requirement to offer the option of alternative adequate ventilation with windows closed due to the local noise climate.

An alternative to mechanical ventilation could be an acoustic passive system which provides sufficient air changes per hour, as discussed below.

It is important to note that Part F requirements for ventilation are separate to the amenity requirements for comfort ventilation. Purge ventilation is generally used for the rapid removal of pollutants such as when painting or in the case of burning food and in many cases is achieved by opening windows. Purge cannot be solely relied upon for thermal comfort control in noisy environments as it would compromise the façade insulation.

Ventilation strategy reports that have been assessed in previous planning applications to appease amenity requirements recommend 2 - 4 air changes per hour (ACH) to achieve comfort ventilation during warmer weather. A partially open window has been considered to achieve 2 ACH. The alternative ventilation system is required to achieve at least that of a partially open window.

I recommend the noise insulation scheme condition to request a full building envelope and ventilation scheme is provided to achieve the above recommendations.

Full details / specifications of the exact windows to be installed and the sound reduction performance / quantities are required. The exact alternative ventilation system details / specifications are also required including calculations of room volumes and extract/intake rates to prove that an acceptable air change rate can be achieved with windows closed. The operational noise of any internal mechanical ventilation system will also need to be assessed and considered to ensure that such noise does not discourage / dissuade use.

Glazing

The glazing specification of the residential unit may require upgrading. To achieve recommended internal noise levels with windows closed, the glazing sound reduction index will be required to achieve at least $Rw+Ctr$ of 30-35 dB.

Lighting

If any lighting schemes are proposed, the impact on the surrounding environment needs to be considered. Artificial lighting impact assessment is undertaken with predicted lighting levels at proposed and existing residential properties. Artificial lighting on and off site must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light - GN01:2011 (or as superseded).

Parish/Town Council

All Members declared an interest and did not comment on this application.

Senior Archaeologist (CCC)

We have reviewed the above planning application and have no objections or requirements for this development.

The Whittlesey Society

The Society have no objections to the proposed change of use to mixed use and the erection of a single-storey rear extension to the former police station, Queen Street, Whittlesey. At least the building will not remain empty but it is a pity that it could not be demolished and replaced with something more in keeping with the area. Thank you for consulting us on this application.

Local Residents/Interested Parties

None received.

5 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.

6 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Fenland Local Plan 2014; LP1, LP2, LP3, LP4, LP5, LP6, LP11, LP14, LP15, LP16, LP18

7 KEY ISSUES

- **Principle of Development**
- **Heritage, design considerations and visual amenity of area**
- **Residential Amenity/Health and wellbeing**
- **Economic Growth**
- **Parking and Highways**
- **Flood Risk**

8 ASSESSMENT

Principle of Development

The application site is located within the settlement of Whittlesey which is identified within the Settlement Hierarchy as a Market Town; Market Towns are identified within Policy LP3 as the focus for housing, employment growth and wider service provision, accordingly there is a presumption in favour of development within this location.

Policy LP6 seeks to increase employment opportunities within the District and direct office proposals to the centre of Market Towns such as this site; the site is located within the Town Centre Boundary and Primary Shopping Area where retail proposals are sought, however this is an existing vacant building in a prominent location, not previously used for retail, and the proposal brings this back into use.

The above 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 residential or visual amenity, heritage, design, parking, highways and flood risk.

Heritage, design considerations and visual amenity of area

The proposal utilises the existing structure with the only external alterations being a single-storey rear extension, the blocking up of the garage door and introduction of a personnel door and high level windows, relocation of the lift shaft and replacement of a window with a window and door. Aside from the alterations to the existing garage door the proposals are located to the rear and not visible from the streetscene; the materials used are to match those existing.

The re-development of this site did offer an opportunity to replace the existing building with a structure more in keeping with its surroundings and adjoining conservation area, the existing building being noted within the draft Whittlesey Conservation Area Appraisal as 'incongruous'; nevertheless the proposals are considered to be reflective of the existing building and are not considered to create any additional harm on the adjoining heritage assets, character and visual amenity of the area.

Residential Amenity/Health and wellbeing

The application site is surrounded by existing buildings including residential properties and does overlook these, particularly from the rear roof terrace, however this harm is existing and is not considered to be exacerbated by the proposed development.

The proposed extension is 3m in height, flat roofed and infills the existing courtyard; there is an existing 2m high boundary wall in this location and the additional height is not considered to significantly impact the surrounding properties.

The scheme does introduce a D1 use (council chamber) which has the potential to create noise and disturbance along with the option to change the use to an alternative use within this class which could create additional harm, nevertheless given the sites town centre location, other purpose built facilities nearby, it is unlikely to be used for any other purpose and it is not felt that restricting the hours of use would be reasonable given that meetings could run into the evening.

The proposed residential units are likely to experience some level of noise and disturbance given the town centre location and late night opening of surrounding facilities, along with the commercial use of the remainder of the building, in this location it is to be expected and there are existing dwellings surrounding the site which would experience this and coexist with the commercial uses.

Environmental Health have provided comments raising concerns regarding the impact of noise, however these have in the main been overcome following additional comments from the applicant's agent, any complaints regarding noise would be dealt with by way of separate legislation, nevertheless it is still felt necessary to condition an assessment of the noise from plant to enable this establish the potential impact and ensure mitigation is provided if necessary. There will be some overlooking/loss of privacy to the units given the shared roof terrace and proximity of adjoining buildings with openings facing onto the site however this is not considered to be significant enough to warrant a refusal in this regard particularly given the town centre location where a level of overlooking would be expected. The dwellings do not have any specific amenity space, however have access to the balconies and flat roofed terrace to the rear, along with a bin store and residential store on the ground floor (which could be used for cycles/buggies etc as the dwellings are on the first and second floors) which is considered to be acceptable in this town centre location. Access to the flats can be achieved via lift if necessary.

Economic Growth

Policy LP6 seeks to increase employment opportunities within the District and direct office proposals to the centre of Market Towns such as this site; the site is located within the Town Centre Boundary and Primary Shopping Area where retail proposals are sought, however this is an existing vacant building in a

prominent location, not previously used for retail, and the proposal brings this back into use to the benefit of the local economy.

Parking and Highways

The application utilises the existing access and parking; 9 parking spaces are available to the front of the site and a more informal parking arrangement is available in the rear yard if required. The level of parking is less than is required by Policy LP15 and Appendix A of the Fenland Local Plan, as stated by the Local Highways Authority, however in town centre locations such as this a reduction in parking provision is considered to be acceptable, the site is in a central location in close proximity to services and facilities with large public car parks nearby.

Flood Risk

The application site falls within Flood Zone 1 (low risk) and as such the proposal is considered to be appropriate development and does not require the submission of a flood risk assessment or inclusion of mitigation measures. Issues of surface water will be considered under Building Regulations; accordingly there are no issues to address in respect of Policy LP14.

9 CONCLUSIONS

The proposal is considered acceptable and accords with Policies LP1, LP2, LP3, LP4, LP5, LP6, LP11, LP14, LP15, LP16, LP18 it is considered that the proposal would not have a detrimental impact on the adjoining heritage assets, character and visual amenity of the area and brings into use a prominent building in the town centre which is presently vacant, supporting economic growth. Whilst it is acknowledged that residential amenity could be impacted in terms of noise and disturbance and that parking provision is limited, the situation is not considered to be worsened by the proposal when compared with the previous use of the site; a favourable recommendation may therefore be forthcoming.

10 RECOMMENDATION

Grant

Case Officer <i>Nicki Carr</i> Date: <i>20/6/18</i>	Team Leader <i>DCC</i> Date: <i>20/6/18</i>
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