22 Bridge Street, Chester CH1 1NQ and Commonhall Street Social, Commonhall, Chester.

Planning and Listed Building Applications

**Planning, Design and Access Statement.**

This statement is to be read in conjunction with the HIA produced by Henderson Heritage and contained within the planning application submissions.

Given the detailed contents of the HIA, in relation to the description of the site and its format, this document will outline only the main elements of the site and its surroundings and reflect more on the relevant national and local planning policies and the applications compliance with those provisions.

The Proposal Description.

The proposal is for a “Conversion of the 1st, 2nd, 3rd and 4th floors of 22 Bridge Street to 2 apartments/townhouses, the creation of 8no. hotel rooms in conjunction with Commonhall Street Social, the refurbishment and upgrading of the Commonhall Street Social terraced area including the demolition of existing toilet block and storage areas to the rear, removal of canopy and increase in height of cellar room roof. Retention and refurbishment of existing, stand alone, ground floor shop. Proposed communal bin store in rear alleyway serving adjacent properties.”

# The Site and its Setting and Proposed Development.

22 Bridge Street/Commonhall Terrace Warehouse, is a Grade II listed building and is set within the heart of Chester City Conservation Area. The surrounding streets are a mix of retail and commercial properties with residential uses some with residential uses.

The site forms part of the Dutch House which consists of 22, 24 and 26 Bridge Street and is located within the primary shopping area, Architectural Character Zone 8: The Chester Rows, The Chester and Borough Area of Archaeological Importance and Chester City Centre Conservation Area.

No. 22 forms part of The Dutch Houses, which are No. 22, 24, 26 Bridge Street, and No’s 20 – 24 Bridge Street Row. It was probably built as one large townhouse in the 17th century but has been subdivided several times since. It now forms three townhouses and shops. There is a 19th century warehouse to the rear, which interconnects No. 22 Bridge Street with the rear yard of Commonhall Street Social.

The property extends to 4 floors above street level. Prior to September 2019 the property housed the Steamer Trading Cook Shop and was used as a retail area/shop. i.e. use class E(a), on the ground and first floor, with associated office and storage space on the first, second, third and fourth floor. The Steamer Trading Cook Shop was taken over by ProCook who then occupied and traded until March 2020. Since September 2022 to September 2023 the ground floor retail space has been occupied by PATCH, an art charity, which has opened as a pop up and exhibition space. The Row level shop (Suzi K) is no longer open.

The warehouse to the rear is an independent structure, and not built as an extension to No. 22 Bridge Street, although it forms part of the listing. The warehouse is accessed from both No. 22 Bridge Street and to Commonhall Social. It is a structure that defines the industrial character of development in a small quadrant of the city centre.

 Internally it has been stripped out and has no features of interest. The alteration to the rear of No. 22 Bridge Street involves the removal of a small section of late 19th / early 20th century outrigger to the rear of Rows level so the warehouse and No. 22 are no longer connected at this level.  The purpose of this is to allow for private outdoor space, which would improve the setting and legibility of each structure, where No. 22 is read as a townhouse and the warehouse is read as industrial in character, forming part of the small industrial quarter of the warehouse and Commonhall Street is enhanced.

 This would not appear in any views from Bridge Street and would only be seen in a limited way from the rear of Bridge Street buildings. The alteration will retain and express the legibility of the traditional function and form of each building. The elevational treatment, scale, materiality, and form have been designed to sensitively respond to the built form in the surrounding environment.

The site benefits from extant planning and listed building approvals under references 0/04058/FUL and 20/04059/LBC.

The planning approvals relate to the “Insertion of new partitions and services, and the removal of modern finishes and partitions to convert the retail and associated office space of 22 Bridge Street to a bar/restaurant space on the ground, first and second floor, and residential accommodation on the second, third and fourth floor.”

To the rear of the site lies the Commonhall Street Social, an established and popular bar restaurant. The entrance to property is from Commonhall and leads through to the rear area where there is a terrace used for customers to eat and drink. This terraced area is set at a higher level than the floor level of the main building.

Within the terraced area is an existing, extendable canopy to provide cover for guests and toilet facilities and storage buildings. The toilet/storage buildings are features built many, many, years ago and do not represent the character and appearance of the main listed buildings they are attached to.

Concrete roofs and felt coverings visually blight the area and their removal is seen as a benefit to listed building.

In addition, the rear area contains a building which serves as a cellar for the premises. This building was granted planning approval under a previous planning application.

The rear area has grown incrementally over many years and requires alteration to reflect a character more in line with its immediate neighbours. The terrace is licensed bar area and the proposed change of use of the Warehouse building to the hotel rooms in association with the Commonhall Street Social would seem appropriate in the context and supported by the policies identified later in this text.

The rear area is also adjoined by an alleyway which has become a bin store area as well as a pedestrian access. The current situation cannot continue given the ad hoc nature of the use. The bin storage is unsightly and unkempt and is becoming a security issue for the Council and their anti-social behaviour team.

The applicants, with no commercial return from considerable investment, see the refurbishment of the bin store and alleyway as a positive commitment to the city and the locality. New surface treatment and lighting is proposed and will be based on the same lines as the Feathers Lane and Pierpoint Court bin stores. This echoing of the other 2 bin store sites has been discussed with Council Officers who have offered positive support.

With regards the Row level on this western part of Bridge Street, it has a different character from the Row on the opposite side of the street (East) and other Rows within the city centre.

The report undertaken by Kenney Moore. and submitted with this application, identifies the lack of commercial viability within this part of the Rows and states, “It can be very easily seen that this western row is the most challenged of all the rows in terms of commercial vitality. Retailing requires passing trade and this western Row has very limited destination orientated passing trade.”

Following the closure of the large, former Slaters unit some years ago the site has been continually marketed for retail uses but has remained vacant. It has no connection to the uses on the ground level and its non-occupancy is continuing sign of the lack of retail interest on this Row level.

The connectivity of other Rows is not reflected on the western side of Bridge Street Row and the Kenney Moore report correctly states that,…. “this is an unbroken row running from the Cross south, but crucially - there is no particular reason to walk along it. It simply doesn’t ‘go’ anywhere. If we look at the frontages on this part of the street they are, in the vast majority, connected with ground floor uses, and so play ‘second fiddle’ to the main street level entrances.”

In addition, the character of the Row level does not look commercial in nature. There are no large shop fronts and limited window openings. It is contended that the overall impression the Row gives is more residential than commercial.

The photographs contained within the report clearly show a more domestic appearance which reflects what some of the properties are used for at present and in the past.

The assessment later in this statement will address the nature of the character of the Bridge Street Row West in relation to extant planning policies.

# Relevant Planning Policies

National Planning Policy Framework

Cheshire West and Chester Local Plan (Part One) Strategic Policies (LP1)

Cheshire West and Chester Local Plan (Part 2) Land Allocations and Detailed Policies (LP2)

## LP1 Policies Relevant Policies.

The following policies are identified as being relevant to the proposed development. The elements in bold and underlined are considered to be particularly pertinent to the overall scheme and it is contended that the proposal has been formatted with these policies to the fore.

### Policy ECON 2

**Town Centres - Retail, leisure and other town centre uses**

**Centre hierarchy**

To ensure the long-term vitality and viability of the borough's town centres, the Council will apply a town centre first approach to proposals for retail, leisure and other main town centre uses. Development should be of an appropriate scale that reflects the size and role of each centre and should not have an unacceptable impact on centres in the catchment area of the proposal.

The town centre hierarchy and key proposals for the borough’s town centres is as follows:

**Sub-regional centre:**

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**Retail development must be focused in the city centre to support its sub-regional role as a shopping, leisure and international tourism destination**. A comprehensive, retail-led, mixed-use scheme will be supported on land between Hunter Street and Princess Street (known as Northgate) as shown on the Policies Map. It will include a substantial element of new comparison retail floorspace. Leisure, residential and office uses will also be permitted within the site, complimentary to its primary retail offer.

### Policy ECON 3

**Visitor economy**

**The expansion of existing tourism assets or the creation of new tourism opportunities will be supported where this would enhance the existing tourism offer, benefit the local economy and be of a suitable scale and type for its location.**

**Major leisure, tourism, cultural development proposals and visitor accommodation, which will attract a significant number of visitors, should be located within or accessible to Chester,** Northwich, Ellesmere Port and Winsford town centres. Smaller scale development will preferably be located in urban areas, key service centres or local service centres or in the countryside where proposals are of a suitable scale, type and protect the character of the countryside.

Development proposals will be assessed against the following criteria, subject to any additional controls that will apply in the Green Belt:

* **The proposal would enhance the role of Chester as an international tourist and visitor destination**.
* It would support the vitality of the borough’s other town centres through encouraging greater visitor numbers.
* **It would bring regeneration benefits particularly through the redevelopment of brownfield land.**
* **It would be accessible by sustainable modes of transport and / or proximity to major visitor attractions**.
* It has the potential to improve access to rights of way, green infrastructure and the use of the borough’s waterways in particular the canal network.
* It would support agricultural diversification that is of an appropriate scale and type in rural areas and would support the continued viability of rural businesses.

### Policy ENV 5

**Historic environment**

The Local Plan will protect the borough's unique and significant heritage assets through the protection and identification of designated and non-designated heritage assets\* and their settings.

Development should safeguard or enhance both designated and non-designated heritage assets and the character and setting of areas of acknowledged significance.  The degree of protection afforded to a heritage asset will reflect its position within the hierarchy of designations.

**Development will be required to respect and respond positively to designated heritage assets and their settings, avoiding loss or harm to their significance.  Proposals that involve securing a viable future use or improvement to an asset on the Heritage at Risk register will be supported.**

Development which is likely to have a significant adverse impact on designated heritage assets and their settings which cannot be avoided or where the heritage asset cannot be preserved in situ will not be permitted.

Where fully justified and assessed, the Council may consent to the minimal level of enabling development consistent with securing a building’s future in an appropriate viable use.

Development in Chester should ensure the city's unique archaeological and historic character is protected or enhanced.

\*Heritage assets are defined as a building, monument, site, place, structure, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets include designated heritage assets and non-designated heritage assets identified in the Cheshire Historic Environment Record, including local assets.

### **Policy ENV 6**

**High quality design and sustainable construction**

The Local Plan will promote sustainable, high quality design and construction.

Development should, where appropriate:

* **Respect local character and achieve a sense of place through appropriate layout and design**
* **Provide high quality public realm**
* **Be sympathetic to heritage, environmental and landscape assets**
* **Ensure ease of movement and legibility, with priority for pedestrians and cyclists**
* **Promote safe, secure environments and access routes**
* **Make the best use of high quality materials**
* **Provide for the sustainable management of waste**
* **Promote diversity and a mix of uses**
* Incorporate energy efficiency measures and provide for renewable energy generation either on site or through carbon offsetting measures
* Mitigate and adapt to the predicted effects of climate change
* Meet applicable nationally described standards for design and construction

## LP2 Relevant Policies.

### Policy CH 2.B

Commonhall Street
Development should have regard for the Commonhall Street Development Brief; maintaining green space, and protecting and enhancing the historic fabric and townscape where possible. Support will be given to leisure and tourism related development; and affordable and market housing.

Explanation

2.16 A development brief for the Commonhall Street area has been prepared by Chester Growth Partnership which aims to protect and enhance the character of this area through suggested public realm improvements. **It also identifies key sites or areas within the brief boundary that could be considered for redevelopment in order to improve the connectivity of the area and support residential and commercial uses.**

### Policy CH 5

In line with Local Plan (Part One) policies [STRAT 3](http://consult.cheshirewestandchester.gov.uk/portal/cwc_ldf/adopted_cwac_lp/lp_1_adopted?pointId=1419339111246#section-1419339111246) and [ENV 5](http://consult.cheshirewestandchester.gov.uk/portal/cwc_ldf/adopted_cwac_lp/lp_1_adopted?pointId=1419339111271#section-1419339111271), development within Chester's conservation areas, as identified on the policies map, must meet the requirements of policy DM 46.

Development proposals will be supported where:

1. it can be demonstrated that they have been sensitively designed, to have regard to their location and considering the location of ventilation equipment and plant; fire escapes and service areas;
2. **it can be demonstrated that Chester's key views, landmarks, gateways and historic skyline will not be adversely affected in line with Local Plan (Part Two) policy CH 6;**
3. **they show careful attention to spaces between buildings, scale, height, mass and architectural detail, respecting the building lines, building hierarchy and urban grain;**
4. **they use high quality and durable materials appropriate to the building and its setting;**
5. the proposal, adopts visually appropriate and discreet security fixtures and fittings to minimise their visual impact;
6. they will not result in the loss of any historic routes. Where possible, historic routes should maintain their existing widths and alignments unless historic evidence suggests otherwise. Proposals which would result in the reinstatement of any historic routes will be supported.

Proposals for roof extensions to existing buildings (which may include the installation of conservatories, roof terraces, telecommunications equipment or solar collectors) should be carefully designed so that they do not:

1. adversely affect either the architectural character or unity of a building or group of buildings;
2. be visually intrusive or unsightly when seen in longer public or private views from ground or upper levels;
3. result in the loss of unusual or historically significant or distinctive roof forms, coverings, constructions or features.

Within the city centre, proposals for illuminated signage will only be supported where they relate to night time uses where the level of street lighting and lighting from the shop window is inadequate for trading purposes and the proposal would preserve or enhance the character or appearance of the building and the area.

**The Rows**Development proposals on the Rows will be supported which meet the requirements of policy DM 46 and where they:

* **include new uses for buildings on The Rows which encourage pedestrian footfall, retain the predominant public access to The Rows, improve natural surveillance, and promote commercial viability in accordance with Local Plan (Part Two) policy DM 14;**
* are for two-storey units which have a street level and a Row level presence which sensitively retain or reintroduce access into the retail unit at both street level and Row level;
* ensure that new facades or alterations to existing facades of shops or commercial premises within The Rows preserve or enhance those elements which contribute to the significance of the building or its setting.
* ensure that the design, location and materials used for business signage applied or attached to Row beams or posts are sympathetic to the character and appearance of The Rows.

### Policy DM 14

In line with Local Plan (Part One) policy [ECON 2](http://consult.cheshirewestandchester.gov.uk/portal/cwc_ldf/adopted_cwac_lp/lp_1_adopted?pointId=1419339111257#section-1419339111257), main town centre uses will be supported within the city and town centre boundaries, as identified on the policies map. A1 retail uses will be supported within the primary shopping area, the allocated Northgate site area or Weaver Square Development Area, as identified on the policies map.

The loss of an A1 retail use within the **identified primary shopping frontages in Chester** and Northwich will normally be resisted, unless the unit has been vacant, adequately marketed and meets criteria one to four below.

Within **secondary shopping frontages in Chester** and Northwich or the primary shopping area in the other town centres, the loss of A1 retail uses to A2, A3, A4, A5 or D2 uses will only be supported where the overall vitality and viability is not undermined, they complement the existing retail offer and all of the following criteria are satisfied:

1. a shop window and active frontage is retained;
2. the centre's pedestrian footfall, vitality and viability is maintained and enhanced;
3. the proposal positively contributes to the centre's historic cultural identity and accords with Local Plan (Part One) policies [ENV 5](http://consult.cheshirewestandchester.gov.uk/portal/cwc_ldf/adopted_cwac_lp/lp_1_adopted?pointId=1419339111271#section-1419339111271) and [ENV 6](http://consult.cheshirewestandchester.gov.uk/portal/cwc_ldf/adopted_cwac_lp/lp_1_adopted?pointId=1419339111272#section-1419339111272);
4. ground floor residential use is not included as part of the development

Proposals for alfresco dining / outdoor seating will be supported where this would be located directly in front of a café, restaurant or drinking establishment, not harm the safety of users of a highway, including pedestrians, the vitality and viability of the centre and the character of the centre. Promotion of the evening economy, especially cultural, civic and family activities in the city or town centre will be supported.

Residential development in the city or town centres will be supported, including specialised accommodation, where this meets balanced and mixed communities, subject to criteria one to four above, other relevant development plan policies, and would not prejudice the current or future functions of the town centre.

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Within the historic Rows, as identified on the policies map, new development must encourage footfall and provide interest through active frontages, with the retention of historic frontages as a priority.** The provision of A1, A3 and A4 uses will be supported and the loss of these uses resisted. **Other uses that contribute to the visitor economy will be supported**.

**Residential, office and other main town centre use development on upper floors of the Rows will be supported, providing there is no harm to the character of the historic buildings. Where a proposed use occupies both ground floor and Row level, access and an active frontage must be included at both ground floor and Row level to promote footfall on each level.**

### Policy DM 46

In line with Local Plan (Part One) policy [ENV 5](http://consult.cheshirewestandchester.gov.uk/portal/cwc_ldf/adopted_cwac_lp/lp_1_adopted?pointId=1419339111271#section-1419339111271), development within or affecting the setting of conservation areas, as identified on the policies map, will be expected to  pay special attention to the desirability of preserving or enhancing the character or appearance of that area, taking account of the significance of heritage assets.

Where applicable, development proposals should take into consideration:

1. topography, landscape setting and natural features;
2. existing townscapes, local landmarks, views and skylines;
3. **the architecture of surrounding buildings;**
4. **the quality and nature of materials, both traditional and modern;**
5. **the established layout and spatial character of building plots, the existing alignments and widths of historic routes and street hierarchy (where physically and historically evident);**
6. **the contribution that open areas make to the special character and appearance of the conservation area**;
7. the scale, height, bulk and massing of adjacent townscape;
8. architectural, historical and archaeological features and their settings;
9. the need to retain historic boundary and surface treatments;
10. the local dominant building materials, the building typology that best reflects the special character and appearance of the area and features and detailing; and
11. minimising and mitigating the loss of hedgerows, trees and other landscape features.

Development proposals which will not be supported include the following:

1. demolition of non-listed buildings which make a positive contribution to the character or appearance of conservation areas, other than in exceptional circumstances;
2. the erection of buildings and structures which are unsympathetic in design, scale, mass and use of materials;
3. alterations and extensions which are unsympathetic in design, scale, mass and use of materials;
4. the erection or extension of buildings and structures which will obstruct important views within, or views in or out of conservation areas.

Where consent for demolition is granted, conditions will be attached to ensure no demolition shall take place until a scheme for redevelopment has been approved and a contract for the works has been made. Where appropriate and on a case by case basis, where permission is granted for the demolition of non-listed buildings, they should be appropriately recorded before demolition.

Applicants will be expected to submit a Heritage Impact Assessment for all applications which affect heritage assets, including as a minimum, a description of their significance and the impact which proposals may have upon this.

### Policy DM 47

In line with Local Plan (Part One) policy [ENV 5](http://consult.cheshirewestandchester.gov.uk/portal/cwc_ldf/adopted_cwac_lp/lp_1_adopted?pointId=1419339111271#section-1419339111271), development proposals or works, including alterations, extensions and changes of use  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. Where relevant, development proposals or works will only be supported which would:

1. conserve the significance of a listed building and its setting, securing its optimum viable use;
2. preserve or enhance a listed building or structure, and any curtilage listed structures or features of special architectural or historic landscape interest.

Development proposals or works within or affecting the setting of listed buildings will be expected to achieve a high quality of design, making a positive relationship between the proposed and existing context by taking account of:

1. topography, landscape setting and natural features;
2. existing townscapes, local landmarks, views and skylines;
3. the architecture of surrounding buildings;
4. the need to retain trees;
5. the quality and nature of materials, both traditional and modern;
6. established layout and spatial character;
7. the scale, height, bulk and massing of adjacent townscape;
8. architectural, historical and archaeological features and their settings; and
9. the need to retain historic boundary and surface treatments

In the rare event that permission for demolition is granted, conditions will be attached to ensure no demolition shall take place until a scheme for redevelopment has been approved and a contract for the works has been made. This will also apply to any curtilage buildings of the listed building or structures.

All applications for development proposals or works to listed buildings must be accompanied by a Heritage Impact Assessment which clearly identifies, as a minimum, the significance of the building; the proposed works of alteration; any loss of historic fabric; and the effect on the character and appearance which the proposed works will have. A copy of this statement should also be submitted to the Local Authority's Historic Environment Record.

Principle of the change of use.

Policy DM14 of LP2 indicates that within primary shopping frontages in Chester and Northwich the loss of A1 retail uses will normally be resisted, unless the unit has been vacant, adequately marketed and meets criteria one to four: 1.a shop window and active frontage is retained; 2.the centre's pedestrian footfall, vitality and viability is maintained and enhanced; 3.the proposal positively contributes to the centre's historic cultural identity and accords with Local Plan (Part One) policies ENV 5 and ENV 6; 4.ground floor residential use is not included as part of the development.

# Policy Assessment

## LP1 Policies

Strategic Policies Econ 2 and 3 seek to retain the status the regional and city centres and maintain and enhance certain uses within their boundaries.

It is significant that Chester is regarded as being an international tourist destination and measures have been put in place to ensure that this designation is retained. It is accepted that maintaining retail provision is also seen as relevant within Econ 2.

However, the scale of provision of residential, hotel accommodation and the enhancement to Commonhall Street Social terrace area within the scheme is seen as an overall benefit to City Centre given that the loss of a small part of retail, in an area lacking retail appeal, is not significant.

 Econ 3, in particular, guides that Chester requires more sustainable visitor accommodation should be provided and located within the city itself.

The regeneration benefits of a brownfield site located in an area which is accessible to sustainable forms of transport is both a boost to the local economy and in compliance with the strategic policies.

Policies ENV5 and 6 relate specifically to the historic environment and sets out provisions for retaining and enhancing listed buildings/conservation areas etc.

The submitted HIA covers these aspects in detail states that the proposed development will not harm the designated heritage asset and concludes………………

## LP2 Policies

Policy CH2 B of the extant local plan states that, developments should have regard for the Commonhall Street Development Brief; maintaining green space, and protecting and enhancing the historic fabric and townscape where possible. Support will be given to leisure and tourism related development.

In relation to the specific Commonhall Street element of the development the proposed scheme seeks to remove rear, uncharacteristic elements of the existing building and refurbish the existing terrace of the Commonhall Street Social. Removing these elements will allow the original building form to be seen.

In addition, the scheme proposes to create a bin store in the alleyway to the rear which will service the bar/restaurant and other residential and commercial uses which adjoin the alleyway.

A consultation process has been undertaken by the applicants and the feedback received indicates that the users of the alleyway welcome the formalisation of the waste storage area as indicated on the plans.

The proposed bin store will be a public benefit and improve connectivity of the area and support residential and commercial uses in line with policy CH2 B.

Policies CH5, DM14, 46 and 47 are related in as much they are concerned with both proposed architectural changes to listed buildings/conservation areas and also any proposed changes use of the building.

In relation to the architectural changes (DM 46, 47) and their impacts upon the Grade II listed building the submitted HIA has detailed these changes and looked at their impact on the character and appearance of the listed building and the wider surrounds.

The changes to the building are deemed to be a benefit with the removal of 1970s additions and the proposed design of the town houses and hotel rooms reflecting well on the original historic building.

The findings of the HIA, undertaken by an acknowledged local professional, are a material consideration which the LPA should take into account when making a decision.

In terms of the proposed change of use within the building, the elements of the relevant policies highlighted earlier in this text will be assessed.

Policies CH5 and DM14 have elements within them which seek to encourage footfall, retain public access to the Rows and also to promote commercial viability. In addition, new developments must provide interest through active frontages with the retention of historic frontages as a priority. Uses that contribute to the visitor economy will be supported.

In relation to the above policy requirements the first element to consider is the current situation” on the ground”. The detailed report provided by local property consultants, Kenney Moore, identifies the Bridge Street West rows as being” the most challenged of all the rows in terms of commercial vitality. Retailing requires passing trade and this western row has very limited destination orientated passing trade”.

The photos of the existing row properties clearly indicate that there is little commercial interest in this part of the Rows. The lack of customers in the photos tells its own story. Bridge Street Rows are classed as Primary Shopping Areas, however, in reality Watergate Street Rows, which are designated as secondary Shopping Shopping Areas, are busier and have more commercial uses than Bridge Street Row West.

The two existing shop frontages on the Row are not open. The character of the Row, particularly close to the application site, is considered to be residential in nature. 12 and 14 Bridge Street Row are wholly residential in appearance and are the entrances to apartments.

16 Bridge Street Row is in office use but the frontage could easily be described as “domestic” as could both nos. 32 and 36. 20 Bridge Street Row, part of the proposed development, again does not have a commercial look about it. Any potential retail or commercial use which wants to advertise its presence would find it difficult given the confines of the entrance to the property.

The most glaring example as to the lack of retail/commercial interest is 44 Bridge Street Row. The vacant retail property has been available to let for over 10 years with little or no interest. This property probably has the most open retail frontage of any on this part of the Row but it is still not sufficient to attract a retail, or any other user.

Therefore, when considering the applicable policies CH5 and DM14 in relation to the proposed development , the current pedestrian footfall is very, very low. As contained within the Kenney Moore report Bridge Street Row West is the poorest performing Row within the City. The occupier audit diagram graphically records the vacancies and the limited take up of commercial uses.

It is contended that the character of the Row does not reflect a commercial/retail area and it has gone beyond a turning point in terms of viability for the reason identified in the Kenney Moore report.

To encourage footfall within this part of the Row it is contended that the proposed residential uses would see a vastly improved footfall from residents of the residential uses and improve natural surveillance. The residential use provided will promote overall commercial viability within the City as a whole as local shops benefit from the development.

The design of the apartments is an important element. They are three beds with integral home office space which embraces the working from home ethic plus amenity space for both units provided by the removal of the rear structures. Small one bed units could have been proposed but the ethos behind the scheme looks to provide a genuine “mixed use” element and homes in the City.

It is acknowledged that there is an element of a previous retail use being lost but this is considered to be acceptable given the small scale nature of the loss and the overall benefits to the local economy.

The design of the entrance from the Row level, which sees the removal of the modern fascia with a design more in keeping with the original property, will allow an active frontage to be seen and much more use made of the Rows and, therefore, footfall will be enhanced which is a criterion required within policy DM14.

The extant planning approval for a bar/restaurant and apartments has not been implemented and the reason given is that the commercial element within the scheme does not “stack up” and the scheme is not a viable project.

Vitality and viability is not apparent currently on Bridge Street Row West and the proposed use is contended to be a commercially viable use which can help create a consistent, increased footfall and benefit the local economy as whole.

When the strategic planning policies were adopted in 2015 the retention and expansion of retail provision was seen a goal. At that time there were very few planning applications for apartments within the City Centre and the change of use of retail units was resisted by the LPA.

Since this time the City Centre has adapted and developed to embrace new uses in retail units such as bars, delicatessens, restaurants etc. The night time economy has grown considerably and the Council’s aim to make the historic city of Chester an international tourist destination has worked.

The outbreak of Covid has also lead to change in the character of the City Centre. Prior to covid the number of outside seating areas for bars and restaurants could be counted on one hand. These days there are several such outside seating areas.

The character of Watergate Street and its Rows has changed considerably during this time. Where once there was a preponderance of antique shops and art galleries (which attracted limited numbers) there are now a variety of uses both in the Rows and on the street. Watergate Street is now a vibrant area which attracts tourists and locals alike.

Unlike Watergate Street and Rows the character of the application site and its surrounds does not lend itself to the same kind of changes. There are limited open frontages onto the Row level and, as has been pointed out, there is no destination point within it.

Planning policies take a long time in the making but the economy can change very quickly leaving policies being unable to take into the changes. The changing nature of the City Centre must be a material factor in making a planning decision.

This, in addition to the character and appearance of the application site with its more residential appearance, the proposed uses of residential and hotels rooms in line with the Council’s own desire to keep Chester City as an international destination and increase footfall, the well presented Kenney Moore commercial report’s findings, the benefits of removing visual blight and the safeguarding and sensitive conversion of a Grade II listed building plus the reworking of the rear bin store area, are all material considerations in determining the planning application.

It is contended that these material factors are sufficient to outweigh the provisions of the policies which seek to retain retail uses on the Row level.

## Residential Amenity.

The uses of the upper floors for residential purposes would not lead to a significant loss of privacy over and above what would be expected in a residential/commercial area.

Bearing in mind that some of the rooms are designated as hotel type rooms where residency is on a more temporary basis the proposed fenestration is regarded as in keeping with the city centre location.

There is outside areas provided for the residential units. Whilst this is obviously limited in scale due to its location there are substantial areas of amenity space within a short distance of the application site.

Grosvenor Park, Roman Garden, The Roodee, Edgar Fields are all within easy walking distance and can provide suitable areas for recreation.

## Highways/Parking.

There is no dedicated car parking to serve the site. The site is, however, centrally located within the City centre where there is access to a variety of public transport modes.

In addition there is public parking provision throughout the City centre area. As such, in terms of parking provision, it is contended that the proposal is acceptable at this location.

A dedicated bike storage area is provided and its location is indicated on the submitted plans.

Ecology

A bat and bird scoping survey has been undertaken by Leigh Ecology who concluded that there was negligible potential for bats within the property. The full report is submitted with the application.

## Waste Provision.

As previously documented the proposal includes a remodelled bin store to the rear which will cater for the development and also the surrounding commercial and residential properties. Consultation over this provision has taken place and the improvements provided by the scheme have been welcomed by interested parties.

The two townhouse have separate, dedicated, internal, ventilated waste storage areas. These are clearly shown on the submitted plans.

# Conclusions.

The proposed development will preserve the viability of the building and enable it to contribute to the character and appearance of the Conservation Area. The design has been carefully considered to reflect the original building and has the importance of the listed building at its heart.

The benefits of the proposal also includes the removal of the visual blight to the rear and the provision of an organised bin store of benefit to all users in the locality. The mixed use scheme is considered the best way forward to develop vacant and underutilised city centre properties, especially those whose features reflect non retail elements.

The proposed uses of the building are considered to be appropriate for its location, in keeping with other City centre uses and, importantly commercially viable.

The character of the Row has been carefully examined in the text and it is clear that a more residential/mixed use approach is reasonable.

The applicable local plan policies indicate that commercial/retail uses are to be retained, however, material considerations have been put forward to argue that in this instance the loss of a small area of retail in association with the enhanced footfall created by the development would be acceptable at this location.