

APPLICATION NO PA/2013/0734

APPLICANT Mr C McGurran

DEVELOPMENT Planning permission for the conversion and extension of a former public house into 3 dwellings, erection of 4 new dwellings, and associated access and landscaping (including demolition of part of former public house)

LOCATION Ferry Boat Inn, 24 High Burgage, Winteringham

PARISH WINTERINGHAM

WARD Burton Stather and Winterton

CASE OFFICER David Wordsworth

SUMMARY RECOMMENDATION **Subject to a Section 106 agreement, grant permission subject to conditions**

REASONS FOR REFERENCE TO COMMITTEE Objection by Winteringham Parish Council

POLICIES

National Planning Policy Framework: Paragraphs 19, 32, 49, 56, 96, 103, 131, 132, 186 and 187.

North Lincolnshire Local Plan: Policies ST3, H8, H9, H10, T2, HE2, HE5 and DS1.

SPG10

North Lincolnshire Core Strategy: Policies CS1, CS2, CS3, CS5, CS6, CS7, CS8, CS9 and CS23.

CONSULTATIONS

Highways: No objections subject to conditions (4 to 6).

English Heritage: No comments.

Environment Team (Ecology): No objections subject to conditions.

Strategic Housing: Requests a commuted sum towards an affordable housing contribution.

Public Open Space Co-ordinator: Requests an off-site contribution of £4,349.48 towards the upgrade and improvement of recreational facilities at the parish council's playing field on Frost Close, Winteringham.

Environmental Protection: No objections subject to a condition regarding contaminated land.

Historic Environment Record: Previously objected but further information has been provided regarding the potential impact of the development on archaeological heritage assets and the objection has been removed.

Humberside Police Advisor: Makes recommendations to make the site more secure.

Conservation Officer: No objections subject to conditions regarding construction materials and scale drawings of windows and doors.

PARISH COUNCIL

Objects on the following grounds:

- Six dwellings would have been preferable to the eight that are now proposed.
- The proposed houses on Back Lane are too high and will be overwhelming, particularly as they are opposite older people's bungalows and adjacent to buildings of a lower height.
- Insufficient parking is provided: two and three-bedroom houses should have in-curtilage parking for two or more vehicles.
- Back Lane is too narrow. High Burgage is a bus route. There is no available space for parking.
- All new properties should have a soakaway. There are existing problems due to there being no main water drains on Back Lane.
- Not enough space is provided for waste bins.
- The dwelling on plot 3 only has one external door: there should be two for safety reasons.
- The kitchen windows of the dwellings on plots 4 and 5 overlook the front garden of 22 High Burgage.
- Two, two-storey houses with additional parking would have been preferred on plots 6, 7 and 8.

PUBLICITY

The original proposal was advertised by site and press notice, and neighbouring properties were notified by letter. The following objections were received:

- There was a lack of consultation by the applicant and a failure to consult with neighbours.
- The design and access statement contains inaccurate information as it states that The Ferry Boat Inn was unviable and the victim of competition. The pub has recently been run successfully as an eating and drinking establishment.

- loss of amenity
- over-development of a small site that will adversely affect surrounding people's homes and roads
- The proposed vehicular access to and from the public highway is dangerous because vehicles cannot turn round in the site and will have to reverse onto the road; High Burgage is a very busy route through Winteringham with poor visibility when leaving the site.
- overlooking of numerous surrounding properties therefore reducing privacy for existing residents
- Properties fronting Back Lane are very high and will overwhelm surrounding properties.
- A public right of way between the two roads has not been incorporated into the site layout.
- Insufficient space is provided for bins and recyclable waste because in practice eight new dwellings would require 24 wheelie bins and 16 recycling boxes.
- Loss of The Ferry Boat Inn will affect the community in terms of loss of potential jobs and recreation.
- The houses proposed on Back Lane will be overlooked and they only have a front garden.
- no off-road parking for the houses on Back Lane

Comments received as a result of consultation on amended plans:

- no objection to the development of The Ferry Boat Inn but in order to maintain privacy a 10 feet high boundary wall should be constructed rather than 6 feet
- Access through the site to demolish buildings at the end of the gardens would be required, the position of the western boundary of 26 High Burgage is incorrect and there is a right of access through the development from the garage of this property to Back Lane.
- The road is very narrow and unsafe.
- Accidents will happen unless the road is widened.

ASSESSMENT

Full planning permission is sought for the conversion and extension of a former public house (Ferry Boat Inn) into three houses and the erection of four dwellings comprising a pair of semi-detached houses (plots 4 and 5) to be sited in the middle of the rectangular-shaped plot and a further pair of semi-detached houses (plots 6 and 7) to be located at the rear of the site facing Back Lane. A key characteristic of the site is its dual access provided from High Burgage at the eastern end and Back Lane to the west. The site is located within the development limit for Winteringham as shown in the North Lincolnshire Local Plan.

Winteringham falls within the settlement designation of a rural settlement under policy CS1 of the North Lincolnshire Core Strategy which allows residential development inside the development limit providing it is limited and should take into account levels of local service provision, infrastructure capacity and accessibility. Additionally development should be in keeping with the character and nature of the settlement. The site is bounded to the north and south by residential properties with access provided to the east and west. The site is located within the conservation area of Winteringham and policy CS6 of the North Lincolnshire Core Strategy is therefore relevant which requires development in conservation areas to conserve and enhance North Lincolnshire's historic environment as well as the character and setting of designated areas.

The key issues in determining this proposal are whether the loss of a community facility is acceptable in principle, whether the development conserves and enhances the Winteringham conservation area, whether the development would adversely affect the residential amenity of any occupants of adjacent properties, and whether sufficient on-site parking has been provided.

Policy C2 of the North Lincolnshire Local Plan requires proposals that would lead to the loss of key village services (including the change of use of vacant premises) in rural local centres to only be permitted where it can be demonstrated that these facilities are not economically viable and that all options for their continuance have been fully explored. The public house has been vacant for a considerable length of time and the applicant states that the property has been marketed for rent or for sale with immediate possession for over 12 months with little or no interest. Winteringham has one other public house as well as a private restaurant and the applicant states that The Ferry Boat has been a victim of competition. The loss of The Ferry Boat public house would not mean the village would be left without a vital part of the community. These arguments put forward by the applicant are considered to meet the policy requirements under policy C2 of the North Lincolnshire Local Plan and it is felt that the marketing of the public house for a period of 12 months is sufficient to demonstrate that the business is not economically viable and therefore conversion of the building is acceptable in terms of policy.

The original proposal that was submitted consisted of the erection of five dwellings as well as the conversion of the public house into three units, making a total of eight units. This has now been reduced to seven units by reducing the number of plots on Back Lane from three to two. Whilst the original proposal was considered to be over-development and unacceptably reduced the levels of private amenity space for occupants of adjacent properties, this proposal is considered to be more sympathetic and does not reduce levels of privacy to an unacceptable degree for the following reasons.

Firstly, the row of houses that access Back Lane has been reduced from three to two and the height has been significantly reduced to remove the use of the roofspace for habitable rooms. Consequently the height of these dwellings has been reduced by 1.5m from 9m to 7.5m. Furthermore, the dormer windows that were in the roof slope facing the bungalows on the opposite side of Back Lane have been removed from the scheme. This design of dwelling is considered to be acceptable both in terms of its character and appearance and impact upon the conservation area, but also because the smaller scale of dwelling is more appropriate to its setting and location.

The proposed dwellings on plots 4 and 5 possess three window and door openings within their northern elevation at ground-floor level and, whilst the dwelling may be close to the northern boundary, it is felt that the existing boundary wall, at 1.8m high, will prevent views

from within the new dwellings at ground-floor level and within the garden areas towards the existing properties' private amenity areas to the north of the site. At first-floor level two windows in the northern elevation are proposed and these will serve bathrooms/WCs and will therefore be obscure glazed which can be controlled by a condition. The northern-facing roof slope of plots 4 and 5 do possess two pairs of rooflights but these are located at such a height above the floor level of the first floor that there is no possibility of overlooking out of these windows when the occupants are stood at first-floor level. With regard to the northern elevation of plot 1, two first-floor windows are proposed. This is considered to be an improvement from the original proposal whereby it was proposed that three first-floor windows would face north, one of which would be obscure glazed. The amended proposal blocks up an existing window and obscure glazes the window that had the potential to reduce privacy to occupants of those properties that overlook the site to the north (namely 3, 5, 7 and 22 High Burgage). Consequently it is felt that the objections received regarding loss of privacy and overlooking have been fully considered and the amended scheme addresses these concerns adequately to ensure residential amenity will not be significantly reduced to an unacceptable level by the proposal.

Consideration has been given to whether the proposal constitutes over-development of the site. The original proposal did not include any rear garden space for the three units in the former public house. The amended scheme does achieve some rear garden areas for each of the plots and although this space is limited, the provision of private amenity space is essential to ensuring occupants have an outdoor area. Whilst the development is compact, the density is considered to be acceptable and is similar to an area directly to the north of the application site.

Highways and parking

The amended proposal includes seven on-site parking spaces – one for each dwelling. One of the objections raised by residents is that this provision is not sufficient, particularly given that residents in surrounding properties use the site to park their vehicles overnight and that High Burgage is a very busy street with little parking space. The proposal has been considered by Highways officers who have advised that, subject to the imposition of conditions, they have no objections. The proposed site provides for vehicular access to plots 1 to 5 from High Burgage and plots 6 and 7 from Back Lane. It should be noted that a through route for vehicles and pedestrians from Back Lane to High Burgage will not be permitted.

Other matters

There is a requirement for a commuted sum to be paid by the applicant towards off-site recreational improvements at Winteringham playing field and this is to be controlled through a Section 106 agreement. The council's Strategic Housing team requires the provision of a commuted sum or one affordable unit on site to be provided, however, due to the viability issues of the development, it is considered that no affordable housing need be provided.

Other matters needing clarification are that there is no public right of way through the site. Heights of boundaries, particularly the northern boundary wall, can be controlled by condition.

RECOMMENDATION

Subject to the completion of a formal agreement under Section 106 of the Town and Country Planning Act 1990 providing for a commuted sum towards off-site recreational improvement, the committee resolves:

- (i) it is mindful to grant permission for the development;**
- (ii) the decision be delegated to the Head of Development Management upon completion of the obligation;**

if the obligation is not completed by 30 October 2014 the Head of Development Management be authorised to refuse the application on grounds of the development having an adverse impact upon the community, contrary to the provisions of policy H10 of the North Lincolnshire Local Plan and SPG10; and

- (iii) the permission so granted be subject to the following conditions:**

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: 249.01 rev B, 249.02 rev A, 249.03 rev B, 249.04 rev B and 249.05 rev A.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

The development shall be carried out in accordance with the amended details received by the local planning authority on 11/06/2014.

Reason

In the interests of protecting the residential development.

4.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking spaces serving it have been completed and, once provided, the vehicle parking spaces shall be retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

5.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to

and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

6.

The site shall be set out and established in accordance with drawing number 249.03.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

7.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

8.

Bat and swift boxes should be incorporated into this development and their type, positioning and long-term maintenance should be described in a concise management plan. The boxes should be installed before the completion of the development and they should be maintained thereafter in accordance with the management plan.

Reason

To comply with National Planning Policy Framework Guidelines and the NERC Act.

9.

No development shall take place until a full schedule of all external facing materials has been submitted to and approved in writing by the local planning authority to include all bricks, joinery products, roof coverings, rainwater goods and external finishes, and only the approved materials shall be used.

Reason

To ensure the development preserves and enhances the character and appearance of the conservation area in accordance with policy CS6 of the North Lincolnshire Core Strategy.

10.

Prior to the commencement of development scaled drawings shall be submitted to and agreed in writing by the local planning authority of the new and replacement windows and doors and only the agreed windows and doors shall be used within the development.

Reason

To ensure the development preserves and enhances the character and appearance of the conservation area in accordance with policy CS6 of the North Lincolnshire Core Strategy.

11.

No development shall take place until details of the positions, design, materials and type of boundary treatment to be built/planted have been agreed in writing by the local planning authority. The agreed boundary treatment shall be built/planted before the dwellings are occupied, and once built/planted it shall be retained.

Reason

To provide an appropriate level of screening in accordance with policies H8 and DS1 of the North Lincolnshire Local Plan.

12.

No development shall take place until proposals for landscaping have been submitted to and approved by the local planning authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development.

Reason

To enhance the appearance of the development in the interests of amenity.

13.

All the approved landscaping shall be carried out within twelve months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

Reason

To ensure the implementation and maintenance of the submitted scheme of landscaping for the proposed development.

Informative 1

This application must be read in conjunction with the relevant Section 106 Agreement.

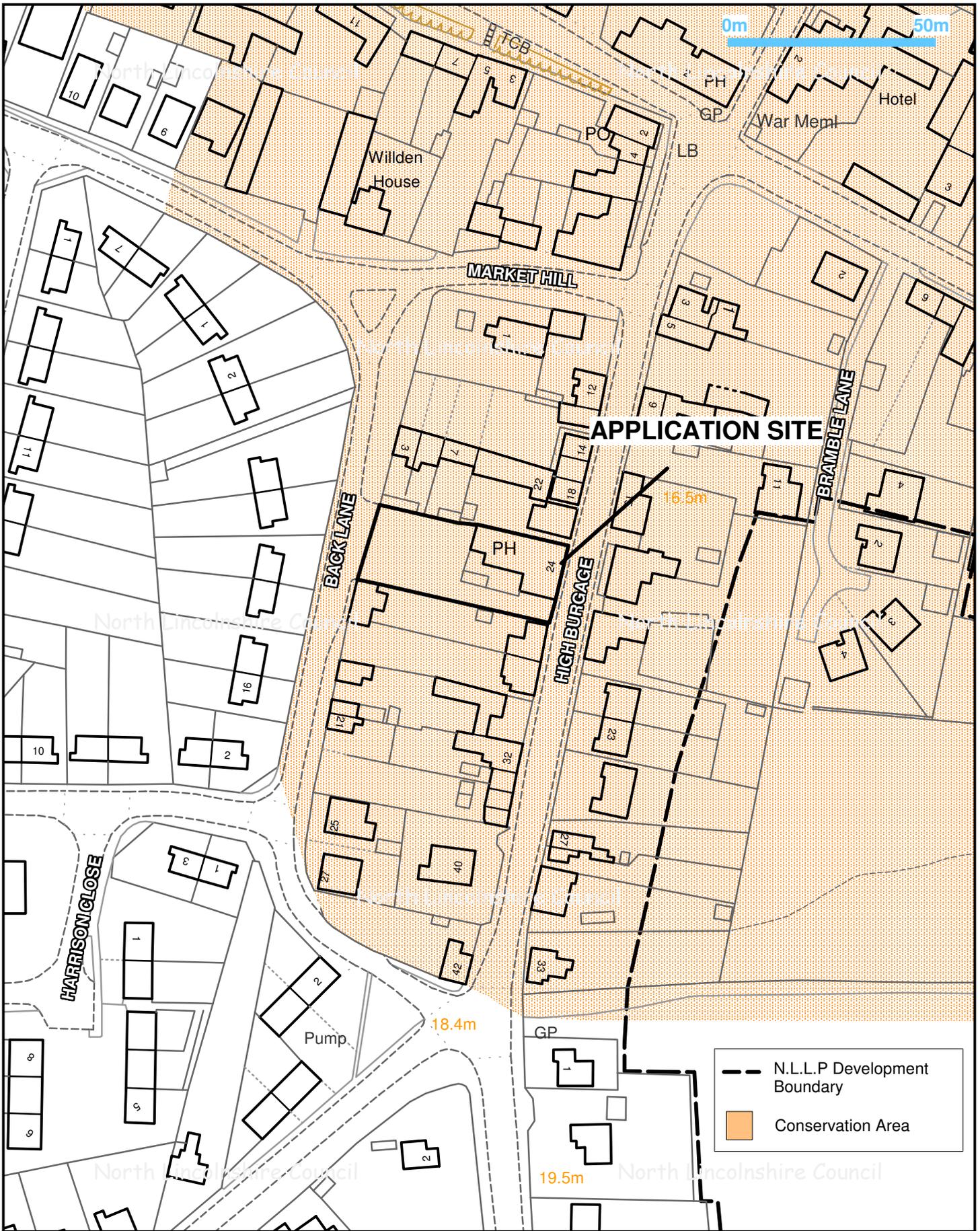
Informative2

The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

Informative 3

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



Title: PA/2013/0734

Drawn by: Sue Barden

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Scale 1:1250



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Ordnance Survey 0100023560



Director of Places
Peter Williams
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PA/2014/0734 Layout Plan

Not to scale



Plots 1-3
Proposed East Elevation



Plots 6-7
Proposed West Elevation