

<b>APPLICATION NO</b>	<b>PA/2015/0991</b>
<b>APPLICANT</b>	Mrs P Coyle
<b>DEVELOPMENT</b>	Planning permission for change of use from commercial to residential
<b>LOCATION</b>	Post Office, 58 Main Street, Bonby, DN20 0PW
<b>PARISH</b>	Bonby
<b>WARD</b>	Brigg and Wolds
<b>CASE OFFICER</b>	Joanna Heweth
<b>SUMMARY RECOMMENDATION</b>	<b>Refuse permission</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objections from Bonby and Saxby All Saints Parish Councils Member 'call in' (Councillors Rob Waltham and Carl Sherwood – significant public interest)

## **POLICIES**

**National Planning Policy Framework:** Paragraph 28 states that local authorities should support a prosperous rural economy. Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;
- promote the development and diversification of agricultural and other land-based rural businesses;
- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and
- promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

**North Lincolnshire Core Strategy:** Policy CS2 (Delivering Sustainable Development)

Policy CS22 (Community Facilities and Services)

**North Lincolnshire Local Plan:** Policy C2 (Community Facilities in Minimum Growth Settlements and Rural Hamlets and Village, in the Open Countryside)

Policy S6 (Small Local Centres and Corner Shops)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

Policy DS14 (Foul Sewage and Surface Water Drainage)

## **CONSULTATIONS**

**Highways:** Does not wish to restrict the grant of planning permission.

**Environmental Health:** Recommends a condition regarding contaminated land.

**Estates Officer:** Considers that the property has been marketed for too high a price.

## **PARISH COUNCILS**

**Bonby Parish Council:** Voted unanimously to object to the application. The parish council is concerned about the loss of a valued community facility and how much this will affect the village. Especially worried about the problem this will cause for the elderly and those without cars. The parish council strongly believes there should be a post office and shop to serve Bonby and the wider Low Villages as from Elsham to Horkstow there is only this one until South Ferriby. Rural communities need facilities like this, especially when there is such poor public transport. It is felt that if sold as a commercial concern it could once again be a thriving and well-supported business.

**Saxby All Saints Parish Council:** Voted unanimously at its September meeting to object to the application to change the post office and shop in Bonby from commercial to residential. The parish council is most concerned about the loss of a valued community facility and especially about the problems this will cause for the elderly and those without cars. The parish council strongly believes there should be a post office and shop to serve the Low Villages as from Elsham to Horkstow there is only this one until South Ferriby. Rural communities need facilities like this, especially when there is such poor public transport provision. It is felt that if sold as a commercial concern it could once again be a thriving and well-supported business.

**Worlaby Parish Council:** No objections or comments.

## **PUBLICITY**

Neighbouring properties have been notified. The following comments have been received:

**Ropery House, 60 Main Street:** Strongly objects. Relies on the shop and post office as unable to drive. There is no parking area, as the lane between number 60 and the post office is solely for access to number 60, the post office and access to the farm and needs to be kept open at all times.

**Hawthorn Cottage, 56 Main Street:** Concerned at the devastating effect the loss of the post office/shop would have on the village community. It has a central position in the village

and is a natural 'meeting point' for local people. The nearest such facility is several miles away so would be inconvenient for Bonby residents. Elderly or infirm people, who have no means of their own transport, would suffer even more and the restricted bus service would not be a viable option. On a personal level would be concerned about: (a) disposal of surface water; (b) road safety issues; and (c) unknown whether drainage would be connected to the existing drainage system.

**Owner of adjoining land:** The post office is the only shop and post office from South Ferriby to Brigg. This business offers vital services to the local community, particularly the post office. Not only does this provision include the ability to collect for retired, elderly and disabled residents, but also offers prescription deliveries etc. The change of use would be a great detriment for the residents in all the lower villages. Considers that the post office has not sold because of the inflated price. Also concerned that converting the property to residential could create confusion and conflict as no parking exists with the current building and surrounding land.

**Letter of objection from a nearby resident:** Expresses concern that the shop is not just a convenient one-stop for the village and the four lower villages, it is also the only post office serving all of these villages and is a vital asset to all, especially the vulnerable, OAPs and those with limited modes of transport. There has been plenty of interest from people wanting to buy the business but unfortunately the current owners have placed it on the market at an inflated, unrealistic price, beyond reasonable consideration. This is not the right practice when a shop like this should be considered for continued service to the community and sold on at a reasonable value.

**Letter of objection from local resident:** The shop and post office has been a great asset to the lower villages, especially since over the years Saxby and Worlaby have both lost their shops and post offices. The shop and post office is used by a growing number of elderly people to get their pensions and groceries. If the shop closes this could make them more vulnerable.

**Letter of objection from local resident:** Only post office from Brigg to South Ferriby and believes that this facility is extremely important for the elderly. The objector also considers that the property has been over-priced. The lower villages are seriously lacking in amenities and to lose the shop for many miles would be a concern.

## **ASSESSMENT**

The application relates to Bonby Post Office and shop on the east side of Main Street. The property is two-storey with the ground floor being used for a post office and shop and the first floor is used as ancillary living accommodation. The application is for the conversion of the ground floor from shop and post office to residential in conjunction with the existing first-floor accommodation.

In detail the proposal involves the conversion of the ground floor from shop, post office/store and sun room to lounge, dining room, utility room and sun room, and conversion of the first floor from bedroom/lounge, kitchen, bathroom and three bedrooms to four bedrooms, bathroom and office. The proposal also includes a new window in the side elevation to serve the new dining room, together with an opening window within the front bay window.

There is a detached building to the rear of the property which is used as a games room but was originally built as a domestic garage.

**The material planning considerations are policy and principle, and amenity and car parking.**

### **Policy and principle**

The National Planning Policy Framework supports the rural economy and states that local plans should promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

The Core Strategy promotes sustainable development and policy CS22 (Community Services and Facilities) states that the provision of new community facilities, or the improvement of existing community facilities, which meet the needs of local residents will be supported in principle. The policy sets out where new facilities should be located and goes on to state that they should meet the needs of local communities and should be accessible by public transport, cycling or on foot. The policy also states that the loss of community facilities or land allocated for such purposes will be resisted, unless there is no longer a need for the land or building in any form of community use, or there is an acceptable alternative means of meeting such need. Developers will be expected to make an appropriate contribution towards necessary improvements or additional provision for community services and facilities arising from their development proposals.

Local plan policy C2 (Community Facilities in Minimum Growth Settlements and Rural Hamlets and Villages in Open Countryside) is relevant to this application and states that proposals which would lead to the loss of key village services (uses falling under Classes A1, A2, A3, C1, C2, D1 and D2 of the Town and Country Planning (Use Classes) Order) including the change of use of vacant premises to uses outside these classes located in rural local centres will 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, and/or an accessible replacement facility exists elsewhere in the local centre.

Local plan policy S6 (Small Local Centres and Corner Shops) states that the change of use of corner shops and shops in small local centres from retail to non-retail will be permitted provided that:

- (i) the existing use is not a convenience goods store which is required to meet the day-to-day shopping needs of local residents; and
- (ii) it can be demonstrated that the unit is no longer viable and reasonable efforts have been made to dispose of the property for a retail use; and
- (iii) it can be proven that the proposed use would be a significant benefit to the local community.

The council's Research and Intelligence Officer has advised that Bonby Post office was nominated as an Asset of Community Value (ACV) by Bonby Parish Council in September 2014 and was successfully listed as an ACV at the end of October 2014. Although it is not a requirement for the ACV status to be taken into account as a material consideration during the decision process, government guidance advises that it is up to the planning

officer to apply whatever weight is considered appropriate to the ACV listed status on an individual case basis.

The applicant has submitted a range of documents to show that the shop and post office have been advertised for sale over a period of two years. The applicant has also submitted details of the shop and post office accounts.

The applicant has confirmed that the property has been on the market for £270,000 with EEMOVE from 2013 and there were no enquiries until 10 October 2015. This interest has not progressed, however, because the applicant has confirmed that the potential purchaser could not obtain a business loan for the property and could not therefore proceed.

The property has also been advertised for sale through RIGHTBIZ and was first advertised in 2014. A local resident approached Rightbiz with a view to purchasing the property but could not secure a business loan. There were requests from another person for more information but this enquiry did not progress. The property is currently on the market for £250,000 on this site.

A more recent offer in January was accepted by the applicant but again this has not progressed.

The applicant has also been in contact with the Post Office Field Change Officer regarding the potential for relocation. The officer has confirmed that she would do everything possible to help and has confirmed that the business has been advertised for sale by the Post Office on their website for over 18 months.

The Council's Estates Officer has been requested to provide an independent valuation of the property given concerns expressed by objectors that the asking price was too high. The officer advises that a post office of this nature would probably be classed as a 'lifestyle business'. These are usually businesses that do not provide large incomes or investment returns but afford the owner a chance for a comfortable income in a pleasant location with their own on-site accommodation. Such village post offices are quite often viewed like this and consequently are frequently sold on this basis. With a lifestyle business the valuation is therefore not solely on the basis of the business returns but also on the location, accommodation and perceived lifestyle benefits.

There are similar post office businesses on the market within Lincolnshire with decent sized accommodation in the upper £250,000 to £300,000 price region but they appear to be in generally much better trading and/or desirable locations. The Estates Officer also comments that even though this is a lifestyle business there is still the fundamental requirement that the business has to be profitable and provide an income for the owners. The owners themselves have justified the conversion on the basis that the business has slumped and will soon be unviable. On that basis as a lifestyle business at least the property would have to be considered overpriced in comparison to those others available.

In terms of the proposed conversion to residential, the Estates Officer has advised that from looking at other properties sold in Bonby and nearby locations over the last couple of years it appears clear that those commanding prices around, or in excess of, the current asking price are substantially superior. Generally they are either character cottages or larger, more modern builds with a combination of better internal layouts, very high standard internal condition and usually a good sized plot of land with good vehicular access. The

Estates Officer concludes, therefore, that the asking price is considered to be too high and a more realistic valuation would be around £160,000 to £180,000.

Bonby Parish Council and Saxby All Saints Parish Council are concerned about the loss of a valued community facility and how much this would affect the village. The parish councils are especially concerned about the problems which would be caused for the elderly and those without cars. They strongly believe that the post office and shop should serve Bonby and the wider Low Villages, as from Elsham to Horkstow there is only Bonby Post Office until South Ferriby. The parish councils consider that if sold as a commercial property it could once again be a thriving and well-supported business.

Six letters of objection have been received from local residents who are also concerned at the loss of the post office and shop as this is the only facility in the area.

Whilst the objections to the loss of the post office and shop have been considered, the property has been on the market for a considerable time and is still on the market. The applicant has received two offers from potential purchasers in all the time the property has been on the market. The potential purchasers have advised that they would need business loans to operate the post office and shop and such loans have not been forthcoming. One of the interested parties offered to lease the property but this option would not be viable for the applicant given their need to buy somewhere else.

The applicant has submitted a statement in support of the application and comments that the parish council nominated the Post Office as a Community Asset, only to announce that, because most councillors are co-opted, they could not bid. The parish council did not let the community know what their options were to mount a bid in the time available, nor were they concerned enough to explore the possibilities of encouraging such a bid. The applicant also states that since the property was advertised for sale turnover has declined by approximately 15% and continues to do so. In the past five years the business has dwindled by approximately 30%.

The applicant considers that the post office, once the lifeline of pensioners, is largely not needed as most pensioners have their pensions paid directly into their bank accounts. The applicant lost 90% of post office customers when given the choice of post office or bank. Regular users of the post office to draw their pensions amount to five householders from Bonby. Nobody from Saxby or Worlaby uses the post office to draw their pensions. The applicant states that other post offices have been lost due to lack of support, with Wrawby closed and Winteringham on the brink of closure.

The applicant comments that the need for village facilities has dwindled in recent years as consumer habits change. During the past couple of years the supermarkets offer home deliveries and the Tesco bus shuttles out of the villages on a loop between Brigg and Barton. The applicant comments that she cannot compete with supermarkets.

Whilst the efforts to sell the business have been investigated and the applicant's submissions have been carefully considered, it appears from the information provided by the council's Estates Officer that the asking price of between £250,000 to £270,000 is too high for this property and a more realistic price would be in the region of £160,000 to £180,000. There are no plans for an alternative post office service within the village, even on a part-time basis or in the form of a mobile service. It is therefore considered that the proposal fails policies CS22 of the Core Strategy and policies C2 and S6 of the local plan.

## **Amenity and car parking**

The applicant has confirmed that she purchased the property in 2003 and the detached building to the rear of the post office was used as a garage and has been used as such for over 80 years with unrestricted access, although it is now designed for use as a games room. The neighbour at 56 Main Street has raised road safety concerns about the car parking needed in relation to a residential use. The applicant has advised that, according to her own research, nobody owns the road adjoining the side of the property as it does not appear on any deeds. If the property is converted to a single dwelling, the garage building could provide adequate parking for one dwelling.

The proposed new windows to the lounge and to the dining room would not result in any significant loss of amenity to nearby residents and are considered to be acceptable, but further details would be required, if an approval was forthcoming, to secure suitable designs to be in keeping with the property. A condition could be attached to any permission to secure this.

The neighbouring occupier at 56 Main Street is concerned at the drainage implications following any change of use to residential and is specifically concerned at the disposal of surface water as there are existing problems with this drainage. The neighbour has also raised a concern about the proposed drainage of foul sewage as the application form states that it is not known whether the drainage would go to mains drainage or otherwise. It is considered, however, that the drainage arrangements would be the same as existing. A condition could be attached to any permission to secure further details of the proposed drainage to protect the neighbouring occupier and the future occupiers.

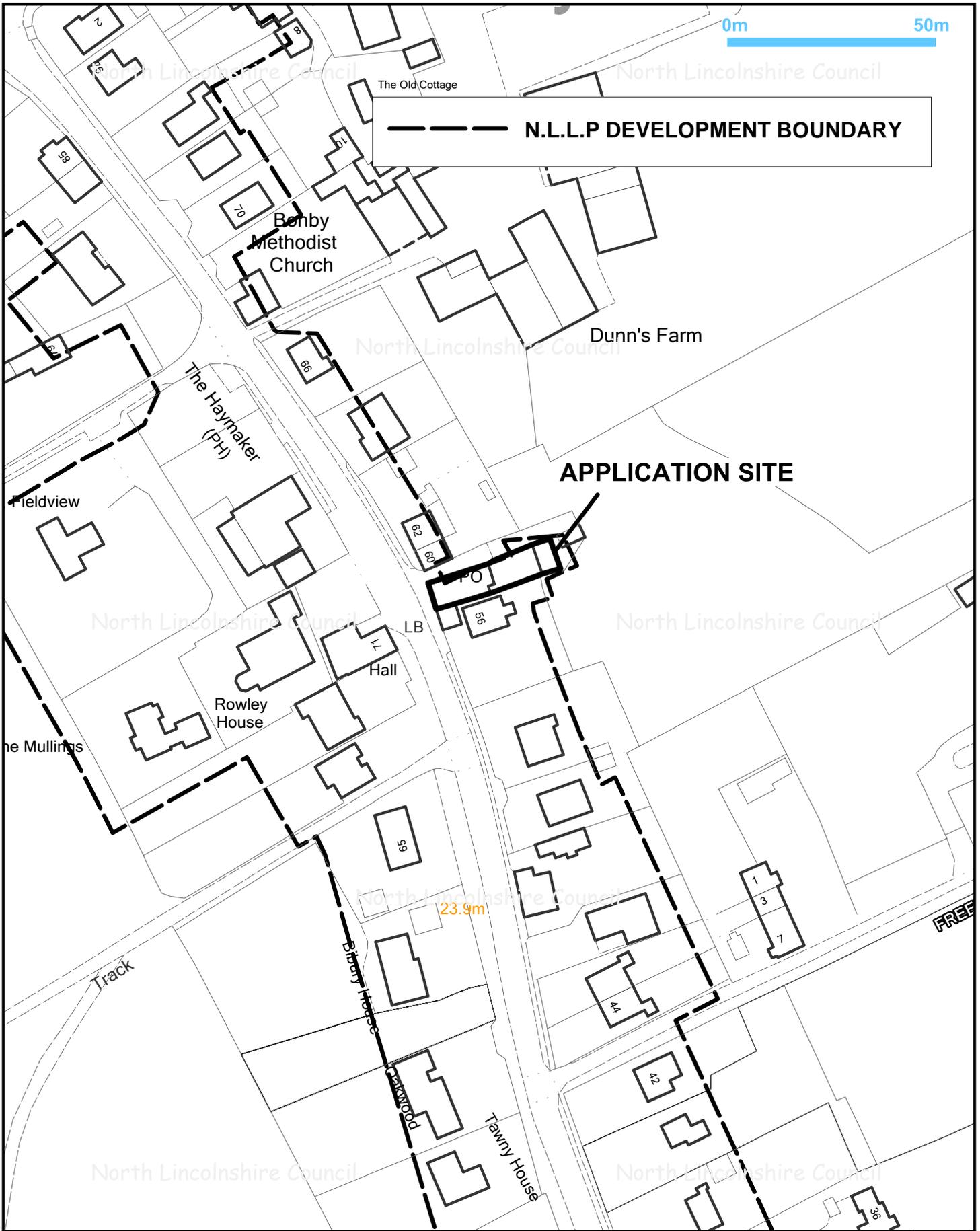
In conclusion it is considered that the application does not demonstrate that sufficient measures have been taken to secure a continued use of the property as a post office and shop in order to satisfy the policies contained within the Core Strategy and local plan which aim to protect such facilities for rural communities.

## **RECOMMENDATION      Refuse permission for the following reasons:**

The application fails to demonstrate that the property has been marketed for a post office and shop at a realistic price. No alternative post office and retail facilities have been arranged for Bonby village and the loss of such facilities would detrimentally affect the local community contrary to policy CS22 of the North Lincolnshire Core Strategy, and policies C2 and S6 of the North Lincolnshire Local Plan.

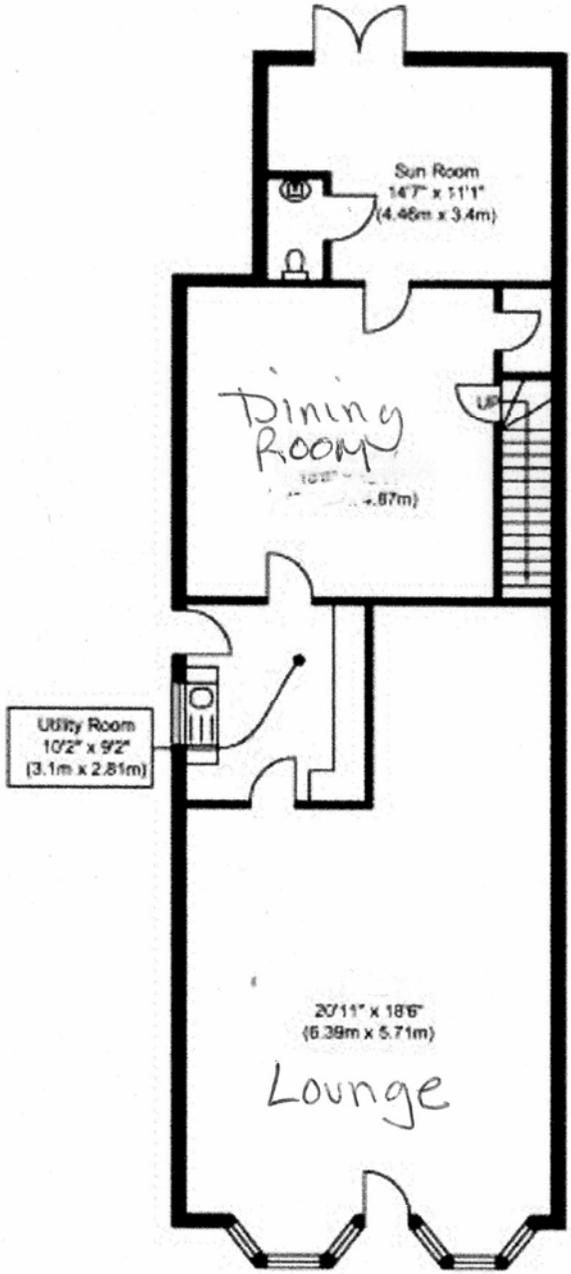
### **Informative**

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.

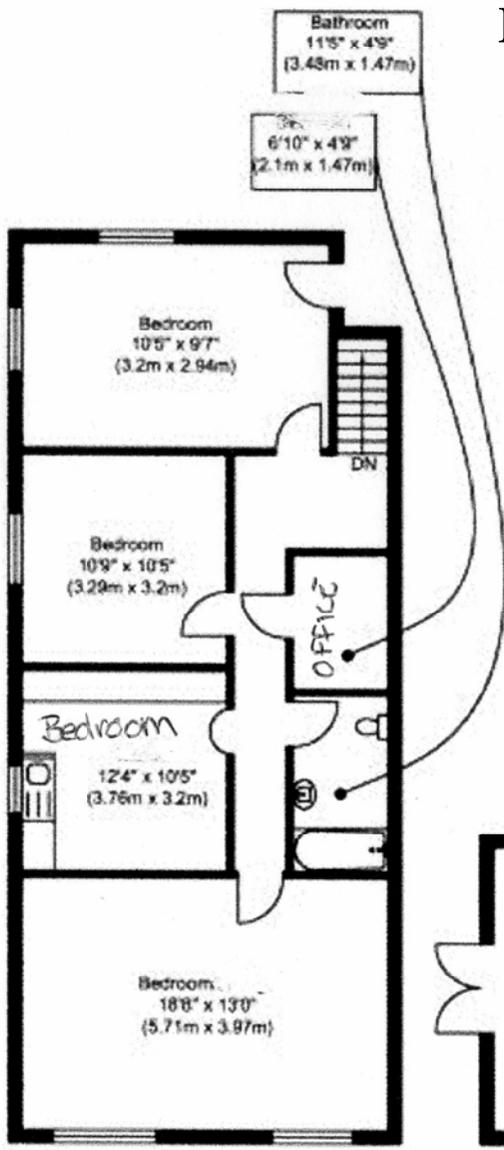


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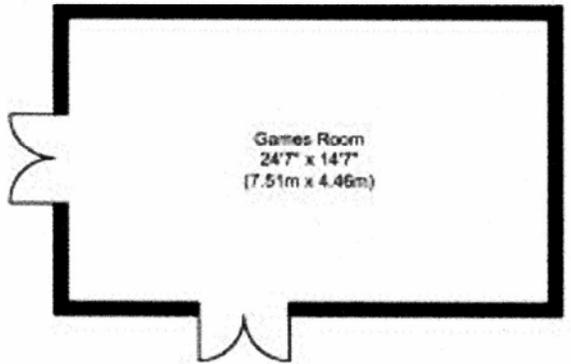
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Ground Floor  
Approximate Floor Area  
1081.23 sq. ft.  
(100.45 sq. m)



First Floor  
Approximate Floor Area  
841.19 sq. ft.  
(78.15 sq. m)



Games Room  
Approximate Floor Area  
365.75 sq. ft.  
(33.98 sq. m)