

<b>APPLICATION NO</b>	<b>PA/2011/1169</b>
<b>APPLICANT</b>	Ms E C Styles
<b>DEVELOPMENT</b>	Planning permission to erect single-storey front and side extensions and a new pitched roof to the rear
<b>LOCATION</b>	Whistle and Flute, Railway Street, Barnetby
<b>PARISH</b>	<b>BARNETBY</b>
<b>WARD</b>	Brigg and Wolds
<b>CASE OFFICER</b>	Andrew Law
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Barnetby Parish Council

## **POLICIES**

**Regional Spatial Strategy for Yorkshire and the Humber:** No specific policies apply.

**North Lincolnshire Local Plan:** Policy DS1 (General Requirements) requires a high standard of design in all developments and states that proposals for poorly designed development will be refused. Proposals need to comply with a number of defined design principles.

Policy T2 (Access to Development) – all new development must have a satisfactory access.

**North Lincolnshire Core Strategy:** Policy CS1 (Spatial Strategy for North Lincolnshire) – the spatial strategy will support thriving rural communities. Rural settlements will be supported as thriving sustainable communities with a strong focus on retaining and enhancing existing local services to meet local needs. Development will be limited and should take into account levels of local service provision, infrastructure capacity and accessibility. Any development that takes place should be in keeping with the character and nature of the settlement.

Policy CS2 (Delivering More Sustainable Development) – development should be focussed on...small-scale developments within the defined development limits of rural settlements to meet identified local needs. All future development in North Lincolnshire will be required to contribute towards achieving sustainable development. Proposals will need to comply with a number of defined sustainable development principles.

Policy CS3 (Development Limits) – development limits will be applied to rural settlements. The proposed dwelling lies within the development limit of Barnetby.

Policy CS5 (Delivering Quality Design in North Lincolnshire) – this policy provides general design guidance for all new development.

Policy CS22 (Community Facilities) – 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.

## **CONSULTATIONS**

**Highways:** No objections or comments.

## **PARISH COUNCIL**

Object on the grounds that there is a lack of parking on site and inadequate access for emergency vehicles.

## **PUBLICITY**

Neighbouring properties have been notified by letter and a site notice posted. Letters of objection have been received citing the following concerns:

- Bigger premises will result in more people, more noise and more disturbance. There is already swearing, shouting and fighting outside of the pub late at night.
- The existing premises does not adhere to closing times at present and therefore should not be allowed to expand.
- The positioning of the extension will result in smokers and outside drinkers being nearer to residential properties causing noise and disturbance.
- Will there be a stipulation that noise insulation must be included in the build?
- Patio doors to side and rear will encourage patrons to exit the function room and leave doors open, leading to noise disturbance.
- Closing off the rear entrance to the site from Railway Street would stop people overflowing into the street.
- There is a public right of way through the site and the extension will obstruct this.
- Collection of waste bins and deliveries regularly block Railway Street and deliveries are often early in the morning.
- There are existing problems of people parking on Railway Street when the front parking area is full causing obstructions. Pub-goers park where railway users should and in turn railway users park illegally or on Kings Road.

Letters of support have been received on the following grounds:

- The proposed development is a much needed expansion of a business which is needed in the area.
- Many pubs in rural areas are closing and the proposed extension to this business should be embraced. A busy pub is better than a closed one.

- The site is adjacent to the noisy railway, which runs through the night and cannot be soundproofed, unlike the proposed extension.
- The proposed extension will provide security of employment for the existing 20 plus staff and will create additional jobs in the area.
- Increased profits and growth for local suppliers to the establishment which could in turn lead to more jobs.
- Allowing for improved local entertainment which will reduce the need to drive to other settlements for a night out and may reduce drink driving.
- Promotion of community spirit and wellbeing for the community as a whole.
- Sound proofing is a major consideration in the extension, which will reduce noise from the pub.
- Proud to have a great pub/restaurant on our doorstep and it is sad that people are not supporting it. Why do people buy houses next to pubs and then complain about them?

## **ASSESSMENT**

The application site is a public house sited between Railway Street and Station Approach in Barnetby. The public house is accessed via Station Approach to the front and there is a separate access into the site from Railway Street to the rear that is not currently used by the public. The application site comprises the public house itself and two detached bed and breakfast accommodation blocks, one to the north of the main building and one to the north-east. The public house faces Barnetby railway station to the south and east and is surrounded by residential properties to the north, west and north east. There is a public right of way that runs through the site from Railway Street to the north to Station Approach to the south.

This application seeks planning permission for a single-storey extension to the north-eastern side elevation to provide a function room, a small single-storey extension on the south-western corner of the building to house a toilet block to be used in conjunction with the existing restaurant and a pitched roof on the existing flat roof element to the rear. The proposed function room will be 6 metres wide by 9 metres deep and the toilet block extension is 6 metres wide by 3.4 metres deep. Both extensions have hipped roofs to match the existing buildings on site.

**The major issues to consider in the determination of this application are whether the proposed function room extension will result in noise and disturbance to neighbouring properties and whether the proposal will result in a highway safety hazard.**

A lot of the objections received relate to noise and disturbance from the public house at present and specifically regarding noise from music and the behaviour of patrons leaving the premises late at night. The proposed extension has been designed with noise mitigation in mind through the use of noise attenuating materials in its construction. The aim of the construction is to mitigate noise from the building to a lower level than at present. Additionally, as a result of concerns raised by neighbours, amended plans have been received which further increase soundproofing of the extension. These plans move the only

external doors serving the extension to the front of the building facing the railway station, these doors are intended for use as a fire exit only. The proposed windows have also been altered to use sound attenuating glass and be non-opening with the function room being air-conditioned. As a result of the extension, and due to the concerns of neighbours, the existing outdoor seating has been removed and an outdoor smoking area has been designated at the front of the building, further away from residential properties. For the reasons outlined above the proposed function room extension will not result in additional noise nuisance to neighbours above and beyond the existing situation on site. Indeed as the majority of noisy activities such as live music will be contained within the extension it would lead to a reduction in noise and disturbance from the premises. The revisions to the original scheme are considered satisfactory by Environmental Protection officers. With regard to the behaviour of people leaving the pub late at night, this is likely to be a minority of people who use the premises. There is no reason to believe that the proposed extension will lead to an increase in antisocial behaviour in the area. The licensing regime can monitor and control such matters. If approved, the development would have to be carried out in accordance with the submitted plans and as such the proposed soundproofing must be installed.

The council's Highways department has been consulted on the application and has raised no objections to the proposed development with regard to parking provisions or highway safety. There would be little conflict between people using the public house and people using the adjacent railway station as both premises have their own car parking areas; there is available on-street parking and the peak times for the two uses differ. Therefore the proposed development will not result in an issue with highway safety in the area. Highways have raised no concerns over deliveries to the premises, or the access for emergency vehicles and the proposed extensions will not alter access or parking arrangements.

There is a public right of way through the site between Railway Street and Station Approach. However the proposed extensions will not prevent access through the site, it will still be possible to walk through the site from Railway Street to Station Approach. An informative has been recommended on the decision notice to inform the applicants of the public right of way and the requirement for it to remain unimpeded at all times, including during construction.

The proposed extensions have been designed in such a way that they reflect the existing buildings on site. The proposed pitched roof over the existing flat roofed element will improve the appearance of this part of the site. Therefore the proposal would not result in an adverse impact on the character and appearance of the area.

**RECOMMENDATION      Grant permission 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: S.11/263/1 and S.11/263/2 rev A.

Reason

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

3.

The function room extension shall be constructed wholly in accordance with the submitted details, including the glazing details outlined in the email from Dragonfly Consulting dated 27 January 2012.

Reason

In the interest of protecting the amenities of neighbouring properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.

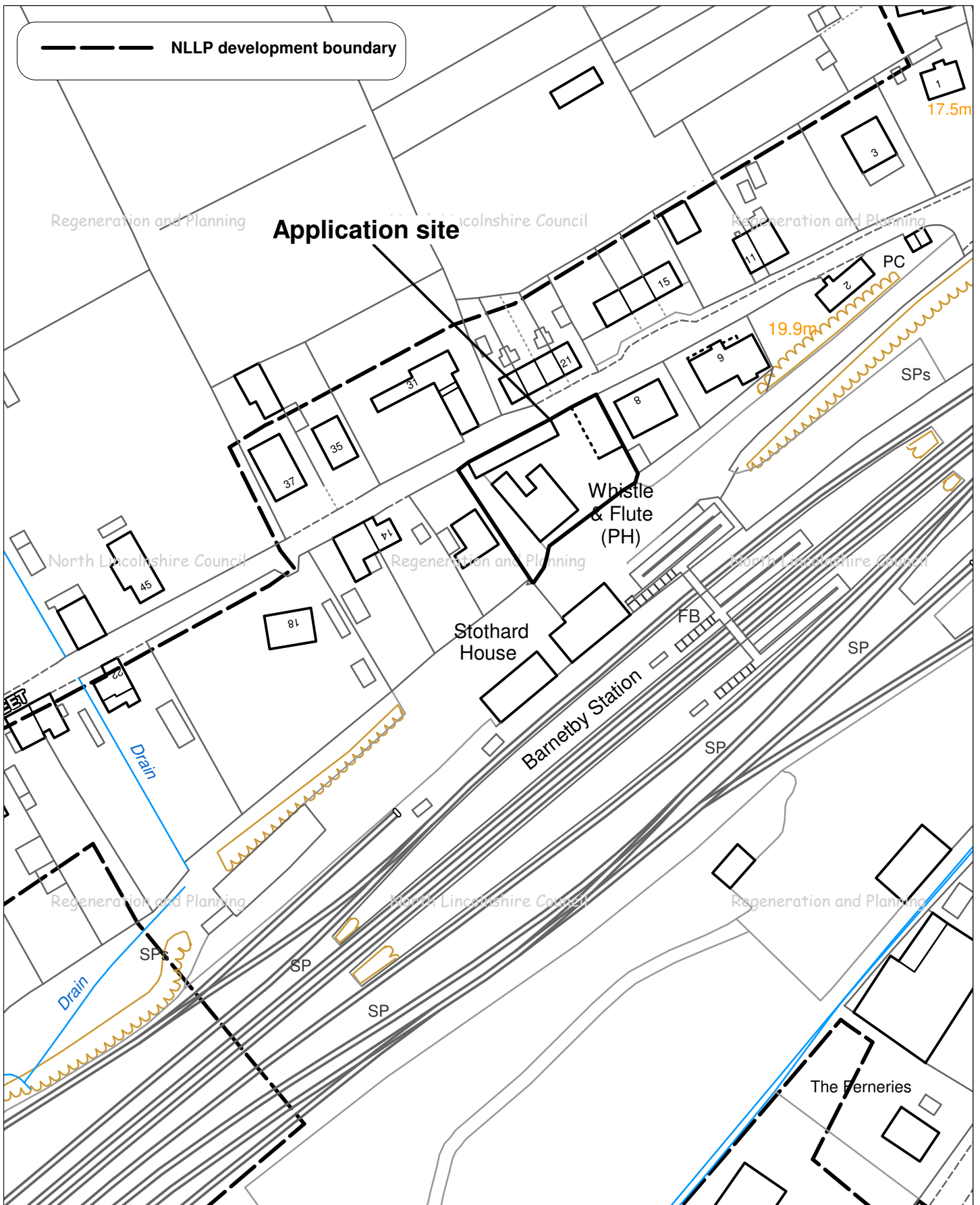
Prior to the commencement of development, the details of the air conditioning system shall be submitted to the local planning authority for approval. The submitted details shall include the location, layout and specification of the air conditioning system, including noise data. The noise data must include details of noise levels emitted by the proposed plant, including frequency spectrum information, noise attenuation measures, if appropriate, and the resulting predicted noise level at the closest residential property. The agreed air conditioning system, including any agreed noise attenuation measures, shall be installed prior to the extension being brought into use, and shall be retained thereafter.

Reason

To minimise the potential for noise nuisance, and to prevent the loss of amenity to nearby residential properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

**Reasons for approval**

The proposal accords with policies DS1 and T2 of the North Lincolnshire Local Plan and policies CS1, CS2, CS3 and CS22 of the North Lincolnshire Core Strategy and will not result in loss of amenity to neighbouring properties, create a highway safety hazard or have an adverse impact on the character and appearance of the area.



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NORTH LINCOLNSHIRE COUNCIL 0100023560 2011



**Regeneration and Planning**

Head,

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