

APPLICATION NO	PA/2015/0822
APPLICANT	Mr Derek Shaw
DEVELOPMENT	Planning permission to convert and change the use of upper and second floor of existing premises to form four residential apartments and upgrade rear parking area
LOCATION	27 Market Place, Brigg, DN20 8LF
PARISH	Brigg
WARD	Brigg and Wolds
CASE OFFICER	Leanne Pogson-Wray
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Brigg Town Council

POLICIES

National Planning Policy Framework: Paragraph 14 states that at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

Paragraph 35 states that plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore developments should be located and designed, where practical, to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities.

At paragraph 37 it states that planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.

Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraphs 15, 47, 50, 55, 56, 60, 61 and 99 to 103 also apply.

North Lincolnshire Local Plan: Policies DS1, H7, H8, T2 and S3.

North Lincolnshire Core Strategy: Policies CS1, CS2, CS3 and CS5.

CONSULTATIONS

Highways: Initial concerns regarding parking arrangement, corralling of vehicles due to bollards and surface water drainage. These concerns were addressed after amended plans were submitted, and now advise conditions.

Conservation: Change of use is acceptable as are the alterations which involve the addition of a limited amount of stud walling that does not impact on the historic fabric of the building.

Ecology: Advise a condition regarding biodiversity enhancements.

Brigg Heritage Centre: Comments regarding trees and hedges.

TOWN COUNCIL

Originally objected on highway safety and concerns regarding vehicular use of the access. Two sets of amended plans have been received since this initial objection which improve the vehicular access and parking arrangements. Continue to object on the grounds that a reduction of one parking space does not reduce the problem with any significance.

PUBLICITY

Neighbouring properties have been notified by letter, and site and press notices posted. Letters of objection from two neighbours have been received raising the following material issues:

- highways problems, including problems with deliveries to neighbouring occupiers
- concerns regarding layout of parking area, especially with location of bollards
- noise and disturbance to flats from traffic
- concerns regarding drainage from car park
- car park poorly landscaped.

It should also be noted that a letter of representation has been received on behalf of HSBC (the occupiers of the building), although this letter was sent in reference to the listed building consent application (PA/2015/0888) raising concerns over the internal layout having the potential to affect security between tenants and the bank. They have also asked that the existing car parking spaces be retained.

A letter of support has been received in relation to the amended plans.

ASSESSMENT

The application site is a prominent grade II listed building within Brigg Market Place. It is occupied by HSBC bank, with the main bank use at ground floor and their offices on the upper floors. There is an existing archway in the front elevation, leading to an existing car parking area to the rear. The adjacent property is an existing retail unit to the front, with flats to the rear, facing onto the car parking area. This proposal seeks permission to convert the upper floors of the building to residential use, comprising four flats. It is also

proposed to undertake works to the parking area to formalise the parking spaces and introduce security measures such as bollards and a security barrier.

The main issues in determining this application are whether the proposed change of use would have an adverse impact on the character and appearance of the existing building or surrounding area and whether the proposed works to the car park would have an adverse impact on highway safety or the amenity of neighbouring occupiers.

With regard to the change of use, policy S5 of the North Lincolnshire Local Plan supports residential use at upper levels. It is not considered that the proposed use would have an adverse impact on the adjacent uses and as there are no proposed external changes as part of the conversion, it is not considered that the proposal would have any adverse impact on the character of the area. No objections have been received on this application regarding the proposed residential use.

Concerns have been raised on behalf of HSBC (the bank which occupies the building) regarding noise and security (having a residential use above and adjacent to a banking use). Whilst designing out crime is a consideration, residential use above banks is not uncommon and any necessary security and noise attenuation measures would be addressed under the Building Regulations.

The main issues relating to this proposal involve highway safety and works to the car parking area to the rear. As existing this area is freely accessed via Market Place. The surface is in need of repair and currently does not have marked out spaces. It is proposed to resurface the car park with permeable surfacing. Surface water drainage is to remain as existing. There will be a reduction in car parking spaces from 19 to 18, however four of these spaces will be allocated to the flats. Highways are happy with the number of spaces proposed, particularly as the site is located within the town centre. A condition is advised regarding details of improving the existing hard standing area and adequate drainage.

Amended plans have been received on two occasions since the application was originally submitted, both relating to the layout of the car park. The latest plans show the security barrier and bollards reduced in number and relocated. The barrier and bollards are now sited level with the rear of the adjacent flats. This allows free access to the yard entrance, and waiting areas for passing vehicles and deliveries. The latest amended plans also remove the parking space adjacent to the gable of the adjacent flats, which will now be a small landscaped area to prevent parking. This would reduce any impact on the occupiers of this flat, which has a small window in this gable end.

The town council does not consider that the reduction by one space would reduce the problem with any significance. However, it is considered that the relocation of bollards and barriers would be a significant improvement to the original plans in terms of access, flow of traffic and highway safety.

The amendments which have been received are considered to overcome the initial concerns and with the inclusion of relevant conditions the proposal is considered to be acceptable.

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: ldc1268 05 C, ldc1268 04 and ldc1268 02.

Reason

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

3.

No development shall take place until a biodiversity management plan has been submitted to and approved in writing by the local planning authority. The plan shall include:

- (a) details of measures to avoid harm to bats and nesting birds during demolition, vegetation clearance and construction works;
- (b) details of bat roosting features to be installed;
- (c) details of nesting sites to be installed to support house sparrows;
- (d) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (e) proposed timings for the above works in relation to the completion of the building;
- (f) prescriptions for the planting and aftercare of native trees and shrubs of high biodiversity value within the area bounded by a blue line on submitted drawing number ldc1268 05 rev C.

Reason

To protect features of recognised nature conservation importance in accordance with policies CS5 and CS17 of the Core Strategy.

4.

The proposed development, including all security measures, shall be set out and established in accordance with drawing number ldc1268 05 rev C, and once provided these facilities shall be retained.

Reason

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

5.

No development shall take place until details of the method of improving the existing hardstanding area in the shared courtyard area (including the provision of adequate drainage) has been submitted to and approved in writing by the local planning authority.

Reason

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

6.

The penultimate residential unit on site shall not be occupied until such time as all improvements to the shared courtyard area have been completed in accordance with the details agreed under condition 5.

Reason

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

Informative 1

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.