SOUTH HOLLAND DISTRICT COUNCIL

Report of: **Development Manager**

To: **Planning Committee - 10 February 2021**

(Author: **David Grant - Planning Officer)**

Purpose: **To consider Planning Application H17-0566-20**

Application Number:	H17-0566-20	**Date Received:**	15 July 2020
Application Type:	FULL		
Description:	Conversion of existing hotel into 7 self contained residential flats		
Location:	THE RIVERSIDE HOTEL 123 STATION ROAD SURFLEET		
Applicant:	Mr N Bond	**Agent:**	Remway Design Ltd
Ward:	Pinchbeck and Surfleet	**Ward Councillors:**	Cllr S A Slade Cllr J Avery Cllr E J Sneath

You can view this application on the Council's web site at
http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H17-0566-20

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The application has raised a number of concerns which require Committee attention.

2.0 PROPOSAL

2.1 This is a full planning application for conversion of an existing public house into 7 self contained residential flats at The Riverside Hotel, 123 Station Road, Surfleet. Save for the changing of ground floor roofing materials to slate to match existing and the addition of a ground floor side elevation window to the north and additionally to the south, no other external alterations are proposed to be made to the building.

2.2 At basement level one flat would be provided. Flat one would contain a bedroom, ensuite, wardrobe, store and combined kitchen, dining, living area. At ground floor level three flats would be provided. Flat two would contain two bedrooms, a dressing area, shower room, combined kitchen, dining, living area and would have a staircase leading to storage area in the basement. Flat three would contain two bedrooms, a bathroom, and a combined kitchen, dining, living area. Flat four would contain two bedrooms, two en-suites, and a combined kitchen, dining, living area.

2.3 At first floor level there would be three further flats. Flat five would contain one bedroom, an en-suite, and a combined kitchen, dining and living area. Flat six would contain a bedroom, en-suite and combined kitchen, dining and living area. Flat seven would contain a bedroom, store, wardrobe, kitchen, en-suite and a combined dining and living area.

3.0 SITE DESCRIPTION

3.1 The site is within defined settlement limits at the end of Station Road with dwellings sited to the north and west, River Glen immediately to the south and the A16 beyond the car park to the east. The building is within Environment Agency Flood Zone 1 and is not subject to increased flood risk or flood depth on the 2115 South East Lincolnshire Strategic Flood Risk Mapping.

4.0 RELEVANT PLANNING POLICIES

4.1 **The Development Plan**

South East Lincolnshire Local Plan, March 2019

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

1 - Spatial Strategy
2 - Development Management
3 - Design of New Development
4 - Approach to Flood Risk
7 - Improving S E Lincolnshire's Employment Land Portfolio
10 - Meeting Assessed Housing Requirements
11 - Distribution of New Housing
17 - Providing a Mix of Housing
36 - Vehicle and Cycle Parking
Appendix 6 - Parking Standards

National Guidance

National Planning Policy Framework (NPPF), 2019

Section 5 - Delivering a sufficient supply of homes
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change

Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

5.1 H17-0450-06 - Full - Proposed conservatory to hotel - Approved - 23 May 2006.

5.2 H17-0134-07 - Full - Kitchen extension - Refused - 03 April 2007.

5.3 H17-0724-07 - Full - Proposed kitchen extension - Approved - 25 July 2007.

5.4 H17-0661-08 - Full - Proposed replacement windows (part retrospective) - Approved - 04 July 2008.

5.5 H17-0067-10 - Full - Repositioning of extraction fan (part retrospective) - Approved - 24 March 2010.

5.6 H17-0680-10 - Full - Proposed first floor extension - Approved - 11 October 2010.

5.7 H17-0071-18 - Full - Rear single storey pool room extension - Approved - 21 March 2018.

6.0 REPRESENTATIONS

6.1 Surfleet Parish Council

Support

6.2 LCC - Historic Environment Officer

No comments.

6.3 LCC - County Highways & SUDS Officer

No objections.

6.4 SHDC - Environmental Protection (Contaminated Land)

Requests an unexpected contamination informative.

6.5 SHDC - Environmental Protection (Noise)

No objection.

6.6 Environment Agency

Objects because the proposal is adjacent to Flood Zones 2 and 3. Recommends the installation of flood resilient and resistant measures.

6.7 Fenland Branch of Campaign For Real Ale (CAMRA)

"The Fenland branch of the Campaign for Real Ale (CAMRA) is concerned about this application. The Riverside is a friendly and cheerful pub that sells a well-kept range of beers. It also offers guest accommodation to visitors. Closing it down to convert it into flats would deprive the village and surrounding area of an important community facility. At a time when we are seeing an increasing number of pubs closing across the the country and the particular uncertainty for the brewing and pub industries caused by COVID closing the Riverside Hotel would be unfortunate and very disappointing."

6.8 Public

13 Objections summarised as follows:

Loss of a public house
Distance to other pubs in Surfleet
The public house is 170 years old
New housing under construction nearby which would provide additional customers within walking distance
Need for housing
Lack of local services
Increase in traffic
Parking problems on Station Road
Loss of jobs
Loss of rooms for rent

7.0 CONSIDERATIONS

7.1 Planning Considerations

7.2 The main issues in determining this application are the principle of development, the loss of a community facility, the impact upon the character of the building, the impact upon neighbouring amenity, highway and parking considerations and flood risk.

7.3 Principle of development

7.4 Policy 2 of the South East Lincolnshire Local Plan (SELLP) concerns Development Management and states:

"Proposals requiring planning permission for development will be permitted provided that

sustainable development considerations are met, specifically in relation to:
1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets; and
9.impact on the potential loss of sand and gravel mineral resources."

7.5 When assessed against the above criteria the following can be observed:

1. The proposed conversion is not considered to impact the character and appearance of the surrounding area as the vast majority of the existing building is to be retained as is, save for the introduction of two new windows and a replacement roof. The proposed use would generate residential development in a predominately residential area and therefore the relationship of the proposed flats to existing properties will be considered to be improved by a reduction in noise and general disturbance that can be created by patrons of the public house.

2. The quality of the design and orientation is not considered to be affected by the proposal save for the introduction of two new windows and a replacement roof no other alterations are to be made.

3. As the proposal is for conversion then as the majority of the building is to be retained it is considered that natural resource use is minimised. Therefore, this proposal is considered to be sustainable.

4. The proposal is considered to lead to a reduction in vehicular use and late night traffic along what is a residential road. Access will be an existing car park and is considered to be acceptable.

5. The addition of 7 windfall properties is not considered to have a material impact on services in the area. Whilst the proposal would lead to the loss of a public house, there are three other public houses in Surfleet, namely The Mermaid Hotel , The Crown and The Ship Inn.

6. Noise, odour, disturbance and visual intrusion is considered to be substantially reduced by virtue of a change of use from a pub to flats. Noise will be primarily internal, odour from drinks, food and cigarettes will be reduced, disturbance will be reduced by reduced instances of intoxicated persons externally congregrating and visual instrusion will not be altered as no new fenestration is to be introduced at first floor level.

7. Sustainable drainage and flood risk is not considered to be increased by re-use of an existing building.

8. Whilst the building is historic, it is not in a conservation area, not subject to an Article 4 direction and is not a listed building. Should the applicant have wished to install new dwellings on this site, given it is in a low level of flood risk and within defined settlement limits, such a proposal would likely be approved. This proposal retains the historic building and provides ample parking for future occupants, without materially altering the built character of the surrounding area.

9. The proposal does not impact gravel or sand resources.

7.6 It is considered that the application accords with Policy 2 of the SELLP.

7.7 Policy 7 of the SELLP is titled 'Improving South East Lincolnshire's Employment Land Portfolio' and the relevant section to the application is called 'Loss of Employment Sites and Buildings to Non Employment Uses' and states:

"Conversion and redevelopment of, or change of use from, existing non allocated employment sites to non-employment uses will be considered on their merits taking account of:
1. whether the loss of land or buildings would adversely affect the economic growth and

employment opportunities in the area the site or building would likely serve;
2. whether it is demonstrated that the site is inappropriate or unviable for any employment use to continue and no longer capable of providing an acceptable location for employment purposes; and
3. whether the applicant has provided clear documentary evidence that the property and/or land has been appropriately but proportionately marketed without a successful conclusion for a period of not less than 12 months on terms that reflect the lawful use and condition of the premises."

7.8 When assessed against the above criteria, the following observations can be made:

1. The loss of the buildings is not considered to materially affect the economic growth and employment opportunities in the area as, the business has suffered economically and a solution is required to ensure that the owner can recoup some money from the building.

2. Financial worries have been further exacerbated by Covid 19 which has affected the number of patrons visiting the site, especially when the pub and hotel was closed for a number of months.

3. Evidence has been provided to show that the site has been marketed without firm interest since October 2019 without garnering any firm interest. This is considered to be an acceptable marketing period for the building in its present form and use.

7.9 It is considered that the application accords with Policy 7 of the SELLP.

7.10 The site is in the defined settlement limits of Surfleet, is within Environment Agency Flood Zone 1 and is not subject to increased flood risk or flood depth on the 2115 South East Lincolnshire Strategic Flood Risk Mapping. The principle of development in this location is considered to be acceptable.

7.11 Loss of a public house - Assessment against NPPF Paragraph 92

7.12 Paragraph 92 of the NPPF states:

"To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:
a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;
c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and
e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services."

7.13 It is clear within the aims and objectives of Paragraph 92 of the NPPF 2019, that social, recreational and cultural facilities should be protected against unnecessary loss.

7.14 Whilst the proposal would lead to the loss of a public house, there are three other public houses in Surfleet, namely The Mermaid Hotel , The Crown and The Ship Inn. Whilst it is never desirable to see a business close, this is an increasing phenomenon due to the rise of chain pubs and the change in drinking habits. Covid 19 will also have had a massive impact on trade in recent months. As there are three other pubs within the settlement the opportunity to make the pub an asset of community value is not present and as ever with businesses it is often a case of "Use it or lose it." Sentimentality and tradition alone are not enough to keep a business functioning.

7.15 Financial performance of The Riverside Hotel

7.16 Whilst precise details of the accounts will remain confidential, the following can be stated from accounts to 30 November 2020:

- Turnover is down to 60% and all eight staff have been let go.
- Whilst the accounts show a profit, this is due to two grants that have generated the entirety of the profit.

7.17 Need for housing

7.18 Policy 11 of SELLP is titled 'Distribution of New Housing' and shows that 180 additional houses are required by 2036. Whilst not falling under the definition of housing, these flats will help provide much needed accommodation for Surfleet and the area as a whole.

7.19 Lack of local services

7.20 Surfleet is classed as a minor service centre and the site does afford a small shop within walking distance of the site. Other services such as schools, food establishments and pubs are also available in the settlement.

7.21 Preservation of existing building

7.22 Whilst the building is historic, it is not in a conservation area, not subject to an Article 4 direction and is not a listed building. Should the applicant have wished to install new dwellings on this site, given it is in a low level of flood risk and within defined settlement limits, such a proposal would likely be approved. This proposal retains the historic building and provides ample parking for future occupants, without materially altering the built character of the surrounding area. The proposed layout and room space is considered to provide an acceptable level of amenity for each potential occupant.

7.23 Flood Risk

7.24 The edge of Flood Zone 3 touches the southern edge of the building, with the remainder being located in Flood Zone 1. The Environment Agency objects because the proposal is adjacent to Flood Zones 2 and 3. They recommend the installation of flood resilient and resistant measures. This is not considered to be justifiable against planning policy, would lead to under use of a historic building and provide additional costs to the applicant. If the building is at risk of flooding from Flood Zone 2 or 3 events then it should be placed in those areas, as it is not, then it not considered to be at significant risk. The building is not subject to increased flood risk or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

7.25 Sustainable drainage and flood risk is not considered to be increased by re-use of an existing building.

7.26 Increase in traffic

7.27 There is considered to be a reduction in traffic as a result of the proposal, especially from large delivery vehicles and late night movements. This will benefit the local amenity and aid movement at nearby junctions.

7.28 Parking provision on site

7.29 The proposal site has car park space for 19 vehicles as well as additional on-street parking along Station Road. Appendix 6 of the SELLP requires that new dwellings with a maximum of 3 buildings have a minimum of 2 parking spaces. The proposal will provide a total of 10 bedrooms, therefore the seven flats require a minimum of 14 spaces. The proposed number of parking spaces is therefore in accordance with Appendix 6 of the SELLP.

7.30 Parking problems on Station Road

7.31 Any existing parking problems on Station Road cannot be levelled against the proposed development. Should existing residents encounter problems with parking or manoeuvrability this is the responsibility of driver behaviour and the inability of nearby dwellings to provide adequate parking facilities.

7.32 Loss of jobs

7.33 Whilst the loss of jobs is unfortunate, temporary jobs will be provided in the renovation and alterations to the building.

7.34 Loss of rooms for rent

7.35 The loss of rooms for rent is considered to be mitigated by the additional provision of housing in the district. There are other rooms to rent within the settlement of Surfleet and the loss of 6 small rooms that are not suitable for long term accommodation is not a material planning reason for refusal.

7.36 Residential amenity

7.37 The proposed conversion is not considered to impact the character and appearance of the surrounding area as the vast majority of the existing building is to be retained as is, save for the introduction of two new windows and a replacement roof. The proposed use would generate residential development in a predominately residential area and therefore the relationship of the proposed flats to existing properties will be considered to be improved by a reduction in noise and general disturbance that can be created by patrons of the public house.

7.38 **Planning Balance**

7.39 Whilst this proposal would represent the loss of public house, it is clear that prior to the Covid 19 outbreak there was a national trend, of a number of public houses closing due to shifts to chain pubs and other recreational activities. To make a loss making business continue to struggle against the tide of change will not aid the the applicant or the area as a whole, especially when there are other public houses in the settlement to service the needs of the residents. This application presents the opportunity to retain the external built character of what could be viewed as a non designated heritage asset, as well as provide much needed housing for the district.

7.40 **Conclusion**

7.41 The proposed conversion is considered to be appropriate for the site and retains the original built character of the public house. The proposal is therefore in accordance with Policies 1, 2, 3, 4, 7, 10, 11, 17, 36 and Appendix 6 of the South East Lincolnshire Local Plan, 2019, as well as Sections 5, 12 and 14 of the National Planning Policy Framework, 2019.

7.42 **Additional Considerations**

7.43 Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who

do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

7.44 Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

8.0 RECOMMENDATIONS

8.1 **Grant permission subject to those Conditions listed in Section 9.0 of this report.**

9.0 CONDITIONS

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

   Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
   2854-01
   2854-02
   2854-03
   2854-04
   2854-05
   2854-06
   2854-07
   2854-08
   2854-09
   2854-11
   2854-10 Rev A
   Flood Risk Assessment (July 2020 - 3077 Bond)
   Application Form
   Marketing Details

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

3. The roof tiles utilised in carrying out the development hereby permitted shall match as closely as possible those of the principal existing building on the site.

Reason: In the interests of the architectural and visual integrity of the overall development and the visual amenity of the area in which it is set.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

4. The water consumption of each dwelling hereby permitted should not exceed the requirement of 110 litres per person per day (as set out as the optional requirement in Part G of the Building Regulations 2010 and the South East Lincolnshire Local Plan, 2019). The person carrying out the work must inform the Building Control Body that this duty applies. A notice confirming the requirement for the water consumption has been met shall be submitted to the Building Control Body and Local Planning Authority, no later than five days after the completion of each individual dwelling.

Reason: To protect the quality and quantity of water resources available to the district.
This Condition is imposed in accordance with Policy 31 of the South East Lincolnshire Local Plan, 2019.

5. The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and subsequently determining to grant planning permission.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at http://planning.sholland.gov.uk/OcellaWeb/planningSearch

6. Should unexpected contamination be discovered on the site at any time, the applicant is advised to contact the District Council's Environmental Protection department immediately.

Background papers:- Planning Application Working File

Lead Contact Officer

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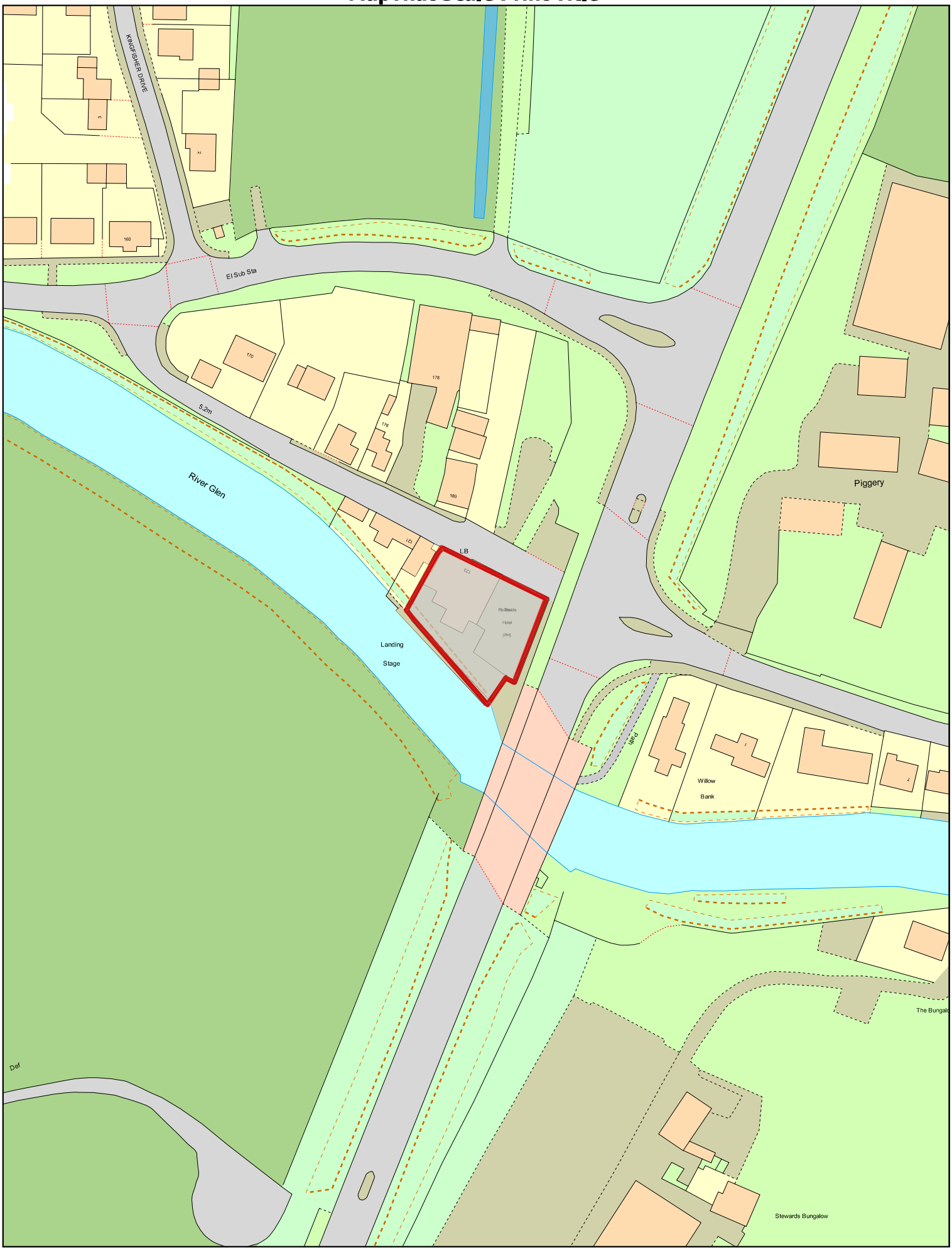
Appendices attached to this report:

Appendix A Plan A

MapThat Scale Print Title



SOUTH HOLLAND DISTRICT COUNCIL

MAP SCALE 1:1250
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