

APPLICATION NO PA/2019/1728

APPLICANT Mr Paul Tinker, PTL Developments

DEVELOPMENT Planning permission to convert existing building to form eight dwellings, including some works of demolition, alterations and associated works

LOCATION Barton Sports Centre, Newport, Barton upon Humber, DN18 5QG

PARISH Barton upon Humber

WARD Barton

CASE OFFICER Mark Niland

SUMMARY RECOMMENDATION **Grant permission subject to conditions**

REASONS FOR REFERENCE TO COMMITTEE Objection by Barton upon Humber Town Council

POLICIES

North Lincolnshire Core Strategy:

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Delivering Quality Design in North Lincolnshire)

Policy CS6 (Historic Environment)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Policy CS19 (Flood Risk)

Policy CS25 (Promoting Sustainable Transport)

North Lincolnshire Local Plan:

Policy H5 (New Housing Development)

Policy HE2 (Development in Conservation Areas)

Policy HE5 (Development affecting Listed Buildings)

Policy HE9 (Archaeology)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

Policy T6 (Pedestrian Routes and Footpaths)

Policy DS1 (General Requirements)

Policy DS7 (Land Contamination)

Policy DS11 (Polluting Activities)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy DS16 (Flood Risk)

National Planning Policy Framework:

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 6 – Building a strong, competitive economy

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 15 – Conserving and enhancing the natural environment

CONSULTATIONS

Archaeology: These proposals do not adversely affect any heritage assets of archaeological interest or their settings. No further recommendations.

Environment Agency: The Environment Agency does not wish to make any comments on this application.

Spatial Planning: The proposal conforms with the council's adopted development plans subject to the requirements set out above. The ground levels for development must be supported by the Environment Agency to ensure safe development.

Barton Civic Society: The group expresses concerns in relation to the fenestration as well as the limited parking.

Conservation: Original comments pushed for some design changes on the western elevation. These have now been received.

Highways: No objections subject to conditions.

TOWN COUNCIL

Objects to the proposal stating:

“...development of the premises is welcomed, but the design and number of dwellings, plus additional parking to the Newport/Maltby Lane area is felt unsuitable”.

PUBLICITY

Advertised by site and press notice. Several objections have been received, together with a general observation, which relate in the main to highway safety and parking provision (or lack of it). Concerns are also expressed in relation to the historic environment, amenity and drainage.

ASSESSMENT

Planning history

7/1985/0798: Change of use of vacant bingo hall to three squash courts with associated changing and bar facilities – granted with conditions 20/02/1986.

7/1984/0661: Change of use of a bingo hall into a snooker hall – granted with conditions 09/11/1984.

Site constraints

- Barton Conservation Area
- Within 30m of a listed building
- Flood Zone 2/3a (Tidal)

Proposal

The applicant seeks a change of use of the building to form eight dwellings with associated works.

Site characteristics

The building is a former mid 19th century warehouse sited at the junction of Newport and Matlby Lane with its frontage facing Newport. Originally it was a Maltings House and brewery and was built at the time of economic prosperity within the town after the onset of railways in mid 19th century Barton. This substantial building is described as having a negative impact upon the Barton conservation area by the Conservation Area Appraisal.

Principle of development

Policy CS1 of the Core Strategy sets out the overarching spatial approach to development. It states that North Lincolnshire’s market towns will continue to provide important services

for the area's rural communities and support the higher level services provided by Scunthorpe. Levels of growth and development will be more limited, reflecting their position in the settlement hierarchy. All growth will take account of existing infrastructure and environmental constraints, and ensure that the distinctive character of the town is protected.

It adds that an appropriate level and range of new housing development will be provided to support the market towns as sustainable communities. During the plan period, the market towns will provide over 2,171 new dwellings.

Policy CS2 sets out a sequential approach to where development should be focused. Bullet point two states, '...previously developed land and buildings within the defined development limits of North Lincolnshire's market towns, followed by other suitable infill opportunities, then appropriate small-scale greenfield extensions to meet identified local needs' should be an area of focus.

The same policy goes on to set out the sustainable development principles. Of importance are that proposals should be located to minimise the need to travel and to encourage any journeys that remain necessary to be possible by walking, cycling and public transport, and that they should comply with public transport accessibility criteria as set out in the Regional Spatial Strategy. They should be designed to a high standard, consistent with policy CS5, and use sustainable construction and design techniques.

Policy CS7 is concerned with the overall housing provision of the district. It states that housing development will be required to make efficient use of land but the density of new development should be in keeping with the character of the area and should support the development of sustainable, balanced communities.

Policy CS8 refers to the 'Spatial Distribution of Housing Sites' and states that the market towns of Barton upon Humber, Brigg, Crowle, Kirton in Lindsey and Winterton will have approximately 18% houses built overall, equating to 2,171 new dwellings, of which 840 will be provided from sites that already have planning permission or are under construction. The overall provision will be divided to enhance the level of services provided or to meet the needs of the settlements and their immediate area, the provision for Barton upon Humber being 6% (724 dwellings).

This proposal for housing is within the settlement boundary and conservation area of Barton upon Humber and accords with the aims of the overarching spatial strategy. The proposal would contribute to Barton's required 6% and the density of the development (being close to the town centre) would align with the density character in the immediate area. The proposal is therefore considered to accord with the aforementioned planning policies and is considered acceptable in principle.

Historic environment

Policy HE2 is concerned with development in conservation areas and states that all development proposals in, or which affect the setting of, conservation areas should preserve or enhance the character and appearance of the area and its setting.

Within the criteria to be applied in determining applications for development in conservation areas it states that developments should be of a standard of design which respects the appearance and character of the conservation area in terms of its bulk, height, mass, vertical and horizontal emphasis, proportions, layout, siting and landscaping.

Policy CS6 is also concerned with the historic environment and states that the council will seek to protect, conserve and enhance North Lincolnshire's historic environment, as well as the character and setting of areas of acknowledged importance, including historic buildings, conservation areas, listed buildings (both statutory and locally listed), registered parks and gardens, scheduled ancient monuments and archaeological remains.

The building is considered to have a negative impact upon the conservation area at present. The conservation officer therefore welcomes the adaptive re-use of the building. The overall aesthetic was met with some reservation as regards the western elevation and the amount of fenestration. The design has been amended, however, and the officer has confirmed verbally that there are no issues.

The fenestration does modernise the building, but does so in an appropriate way. For example, the zinc-faced flat-roof dormers along with metal-framed grey fenestration on the western elevation nods to the building's former past. The openings are 'Crittall' style which were associated with Victorian warehouses and, despite the large openings, this is acceptable, drawing on historic context. The remaining building retains the status quo with functional changes to the front elevation's opening to allow the building to be used as residential. Rooflights on the eastern elevation (along with internal void) allow for light to reach through the internal rooms and represent a necessary element to the design; these, again, are metal-framed, which is appropriate.

The council's Historic Environment Record have also been consulted and have no objections. Overall, the proposal would represent betterment to both the existing building and the wider conservation area. The Design and Access Statement offers a solid design rationale and only necessary changes to the building have been proposed. In turn, this would have a positive impact upon the setting of nearby listed buildings.

The proposal is therefore considered to align with policies HE2 and HE5 of the North Lincolnshire Local Plan, and CS6 of the Core Strategy.

Highways safety/sustainable transport

Policy T2 of the North Lincolnshire Local Plan is concerned with access to development and states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision as well as general highway safety. Both policies are considered relevant. Policy CS25 of the Core Strategy is in part concerned with sustainable transport; so too are paragraphs 102–111 of the NPPF.

The proposal is located in a sustainable location that would encourage the use of more sustainable transport modes. The Highways Officer confirms that, due to the constraints of the conservation area, achieving an allocated provision of car parking is not realistic. Both the Civic Society and the town council express concerns in relation to the parking provision, however policy CS2 sets out that development should be located so as to 'minimise the need to travel and to encourage any journeys that remain necessary to be possible by walking, cycling and public transport'. This site allows for that.

In terms of highway safety, the Highways Officer has no objection. Some amendments have been made and, subject to conditions requiring a construction traffic management plan to be submitted and agreed in writing with the local planning authority, that no materials are stored within the highway, and that ground floor windows are arranged so that they open inwards, there is no objection.

It is therefore considered, subject to the aforementioned mitigation, that the proposal would align with policies T2 and T19 of the North Lincolnshire Local Plan, and CS25 of the Core Strategy, and paragraphs 102–111 of the NPPF.

Drainage and flood risk

Policy CS19 of the Core Strategy is concerned with flood risk. Policies DS14 and DS16 of the local plan are also concerned with drainage and flood risk. All are considered relevant. Policy CS19 states that the council will support development proposals that avoid areas of current or future flood risk, and which do not increase the risk of flooding elsewhere. This will involve a risk based sequential approach to determine the suitability of land for development that uses the principle of locating development, where possible, on land that has a lower flood risk, and relates land use to its vulnerability to flood. Development in areas of high flood risk will only be permitted where it meets the following prerequisites:

1. It can be demonstrated that the development provides wider sustainability benefits to the community and the area that outweigh flood risk.
2. The development should be on previously used land. If not, there must be no reasonable alternative developable sites on previously developed land.
3. A flood risk assessment has demonstrated that the development will be safe, without increasing flood risk elsewhere by integrating water management methods into development.

The proposal is located within Flood Zone 2/3a Tidal and the proposed use raises the vulnerability classification from less vulnerable to more vulnerable. The Environment Agency and the council's Drainage Team have been consulted. The former states that they wish to make no comment on the application; the latter has not responded.

The applicant has submitted a Flood Risk Assessment with resilience measures and the proposal will be linked to those. The development would not increase surface water flooding as there is no increase in footprint, whilst connections to the sewage system are covered by external legislation relating to the Water Industries Act and sewers for adoption. In terms of location of the proposal, this is non-negotiable and the *raison d'être* is an adaptive re-use of a dilapidated building. In sustainability terms this would have public benefits through improving the overall quality of the local historic environment.

The proposal is therefore considered to align with policies CS19 of the Core Strategy, and DS14 and DS16 of the North Lincolnshire Local Plan.

Environmental issues

Policy DS1 is partly concerned with impacts upon residential amenity. It states that no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing. Policy DS11 is also concerned with pollution control and is considered acceptable.

The Environmental Protection team has been consulted and has no objections to the proposal in relation to environmental issues during both the operational and construction phases of the development other than requesting a condition setting out hours of operation to mitigate noise; this will be attached. Other mitigation exists through Environmental

Protection legislation that could be utilised should the construction process have unacceptable impacts upon amenity. Also, working practices are set out within this and HSE legislation that must be adhered to. It is therefore considered that the proposal would be in accordance with policy DS1 of the North Lincolnshire Local Plan.

Land contamination

Policy DS7 of the North Lincolnshire Local Plan is concerned with contaminated land. It states that permission will only be granted on contaminated sites where a detailed site survey has been submitted, and a suitable scheme of remedial measures has been agreed to overcome any existing contamination.

The works relate to a change of use and associated construction. The Environmental Protection team has been consulted and considers a monitoring condition as regards contamination is appropriate. Given the aforementioned mitigation, the proposed development is considered to accord with policy DS7 of the North Lincolnshire Local Plan.

Amenity

Policy DS1 is in part concerned with protecting residential amenity. The latter part of H5 is also concerned (in part) with protecting residential amenity.

The proposal would not impinge upon the amenity of existing residents given that there are minimal changes. Visual intrusion relating to the new openings is limited and acceptable, however there is no private amenity for future residents. In the locality there are parks and public realm which can be utilised by any future tenants for amenity purposes as well as a plethora of public rights of way and walks available towards the Humber. Future residents would be aware that this is the case. Furthermore, given its location, there are a number of apartments with little or no amenity space and the amenity space associated with dwellings in the immediate area is also minimal.

Given that the proposal would not impact upon existing amenity rights and that future tenants would be forearmed with the knowledge that none exist, but that there are parks and recreational activities in the area, the proposal is considered to align with the relevant parts of both DS1 and H5 of the local plan.

Conclusion

The proposal represents an adaptive re-use that would be betterment of the building and the wider conservation area. The location of the development allows for access to more sustainable modes of transport. There are no objections from any technical consultee, only from the Civic Society and the town council. These objections relate to the lack of parking and appearance of the building. The development would bring much needed housing into a location that accords with the aims of the overarching spatial strategy.

Pre-commencement conditions

A pre-commencement condition has been recommended in relation to construction traffic management. Requisite notice of the attachment of the condition has been given to the applicant. This follows the timescales set out by the Pre-Commencement Regulations Order 2018.

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:

RD:4367/02 B

RD:4367/03

Flood Risk assessment RD4367.

Reason

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

3.
The ground floor windows shall be arranged so that they do not open outwards over the adjacent footway.

Reason

To prevent encroachment over the highway.

4.
No development shall take place until a construction phase traffic management plan showing details of:

- (i) a pre/post construction condition survey of the carriageway to identify any defects and how they will be rectified;
- (ii) all associated traffic movements, including delivery vehicles and staff/construction movements;
- (iii) any abnormal load movements;
- (iv) contractor parking and welfare facilities;
- (v) storage of materials; and
- (vi) traffic management requirements, including the means of controlling the deposition of mud onto the adjacent highway, along with appropriate methods of cleaning the highway, as may be required;

has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary.

Reason

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

5.

At no time shall any materials be stored within the limits of the adopted highway.

Reason

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

6.

Construction, demolition and site clearance operations shall be limited to the following days and hours:

- 8am to 6pm Monday to Friday

- 8am to 1pm on Saturdays.

No construction, demolition or site clearance operations shall take place on Sundays or public/bank holidays.

HGV movements shall not be permitted outside these hours during the construction phase without prior written approval from the local planning authority.

Installation of equipment on site shall not be permitted outside these hours without prior written approval from the local planning authority.

Reason

To protect residential amenity and accord with policy DS1 of the North Lincolnshire Local Plan.

7.

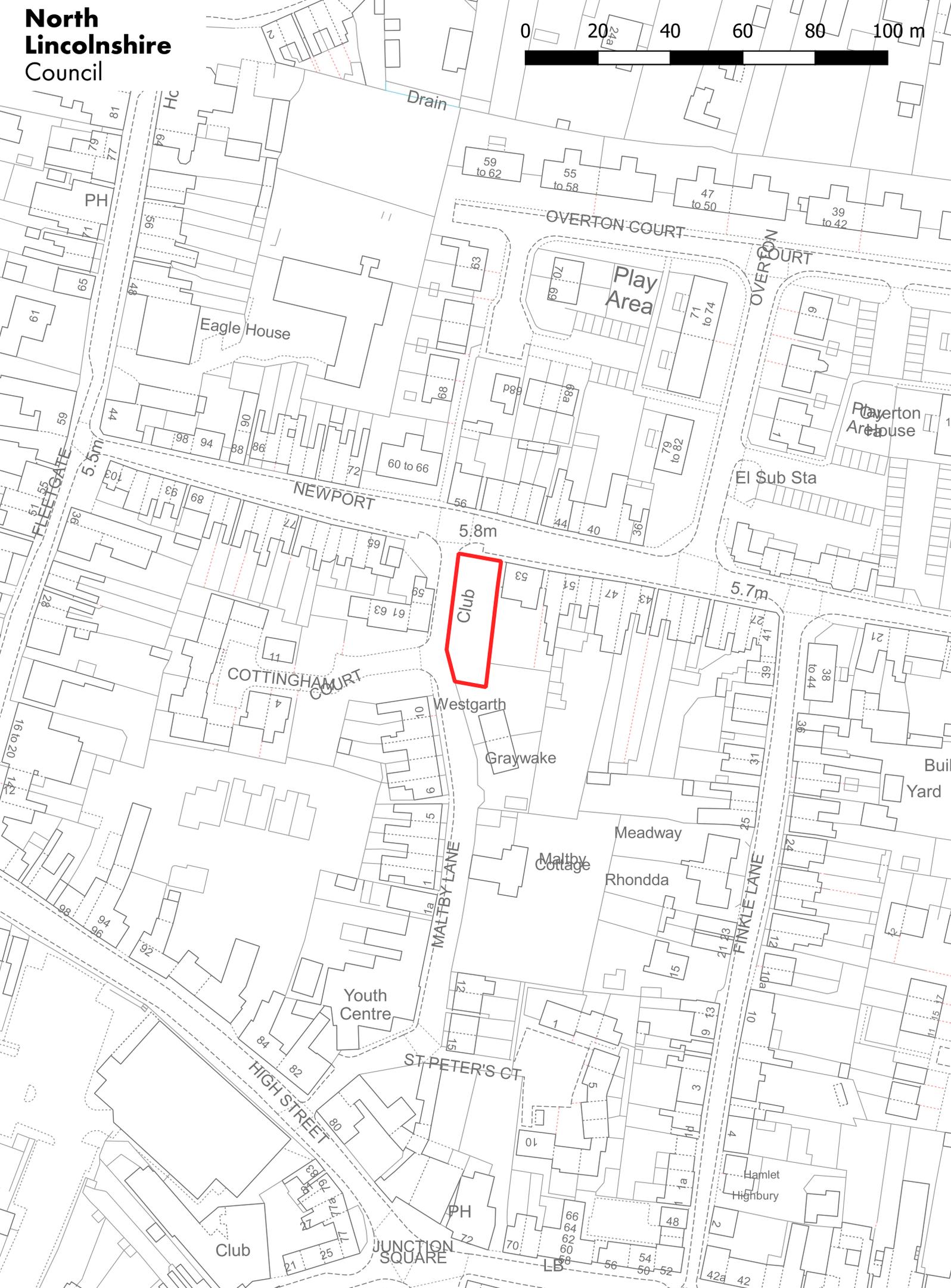
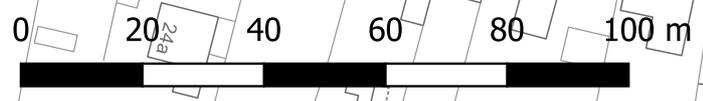
If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in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

Reason

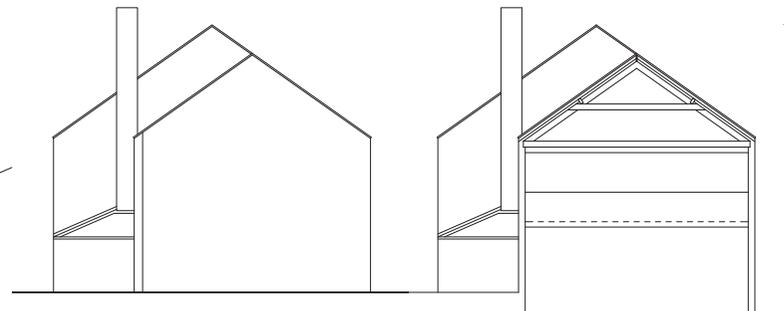
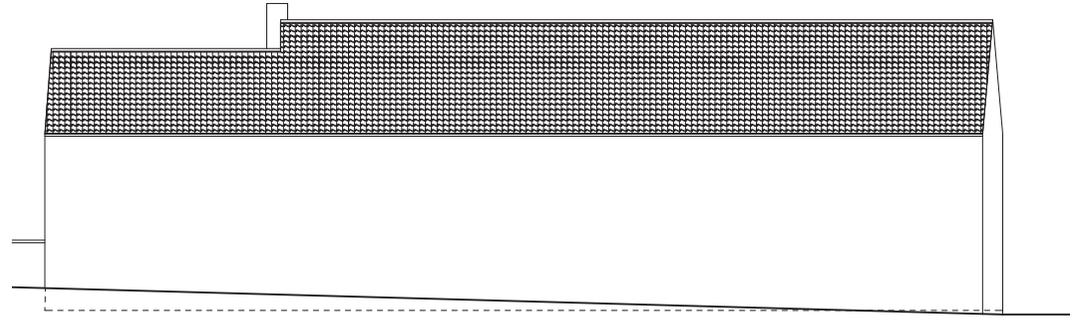
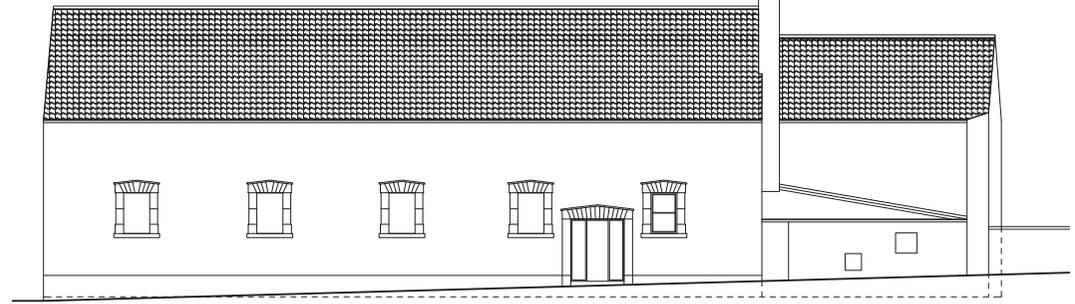
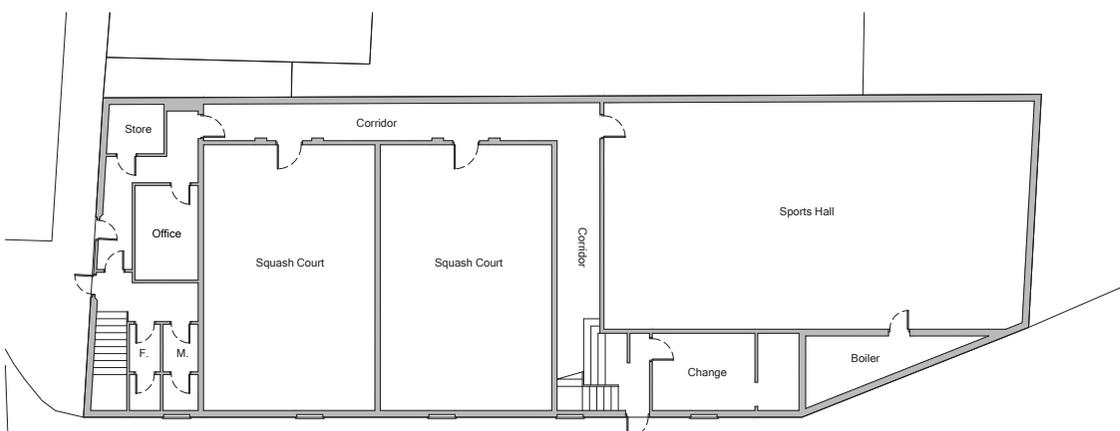
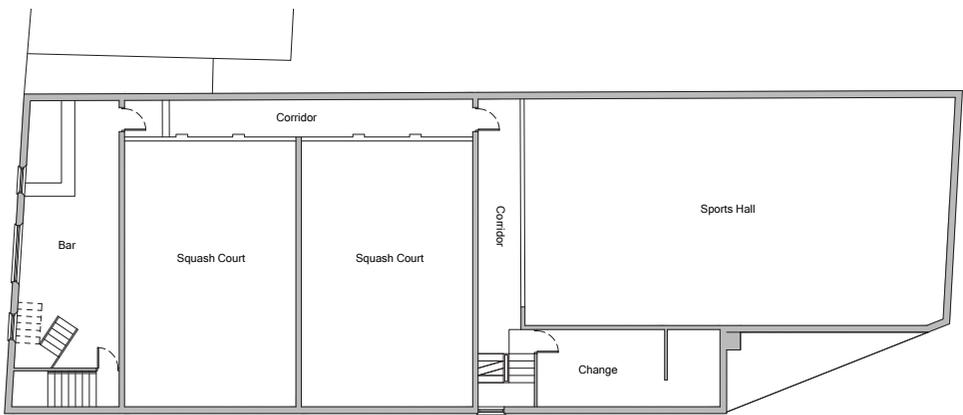
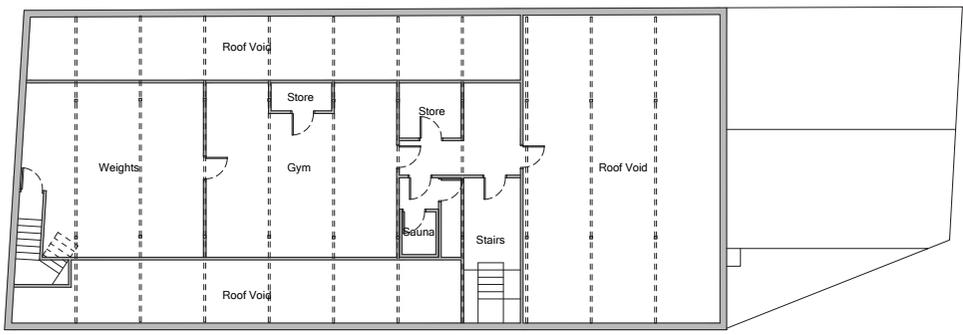
To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and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

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 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.



PA/2019/1728 Existing elevations (not to scale)



Scale Bar
0m 25m 50m 75m

Notes
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Contractor's Responsibility
Party Wall Act 1999 and Building Regulations
These drawings are to be considered as preliminary and for information only, no technical approval has been obtained from the relevant Local Planning Authority. Construction of work on the site is the responsibility of the Client/Contractor.
Inspections and Surveys
Where necessary, the construction site will be visited during the survey, and the contractor responsible to identify structural elements that may require repair or replacement. The survey, design and construction are the responsibility of the Client/Contractor. Additional works may be required for remediation. The survey, design and construction are the responsibility of the Client/Contractor.

Drawing Revisions

rd Ross Davy Associates
Pelham House, 1 Grosvenor Street,
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Project Proposed Conversion to Residential at
Old Mallings, Malby Lane
Barton upon Humber, DN18 5PY
For PTL Construction Ltd

Drawing Title EXISTING GENERAL ARRANGEMENT

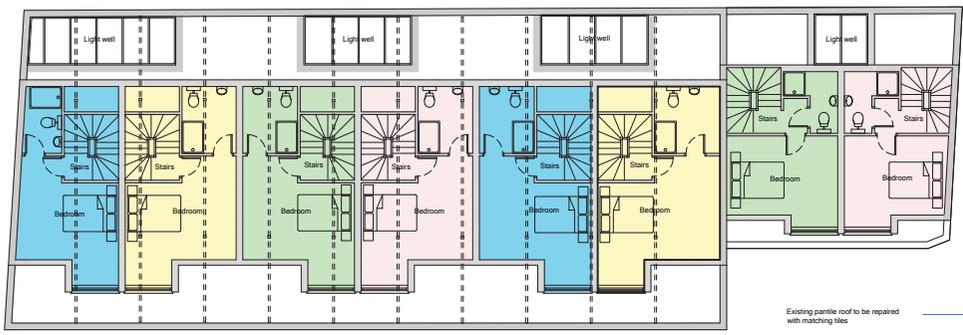
Drawn APS Scale 1:100

Date 18.06.19. Size A1

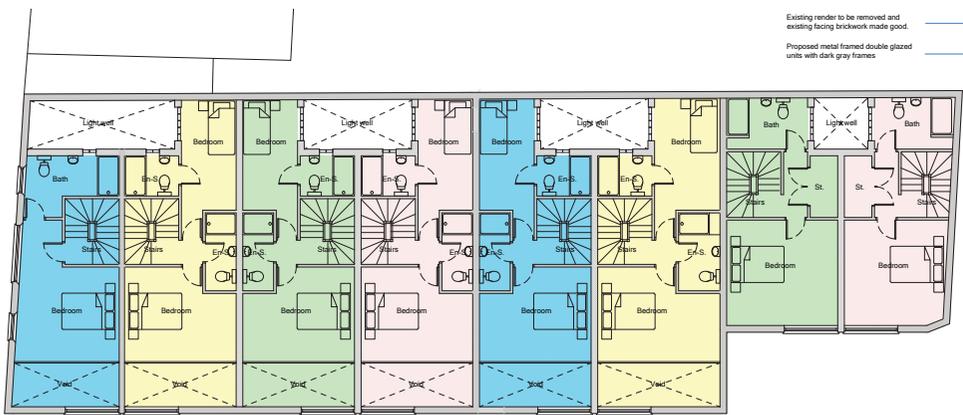
Drawing No. RD:4367 / 01 -

PA/2019/1728 Proposed elevations (not to scale)

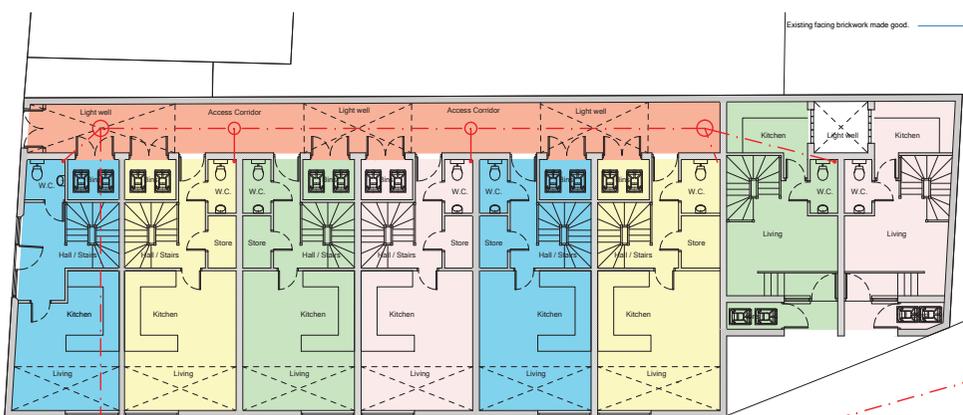
AMENDED



Second Floor Plan
Scale - 1:100



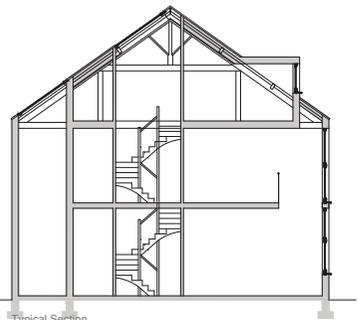
First Floor Plan
Scale - 1:100



Ground Floor Plan
Scale - 1:100



Front Elevation
Scale - 1:100



Typical Section
Scale - 1:100

Scale Bar
0m 5m 10m 15m

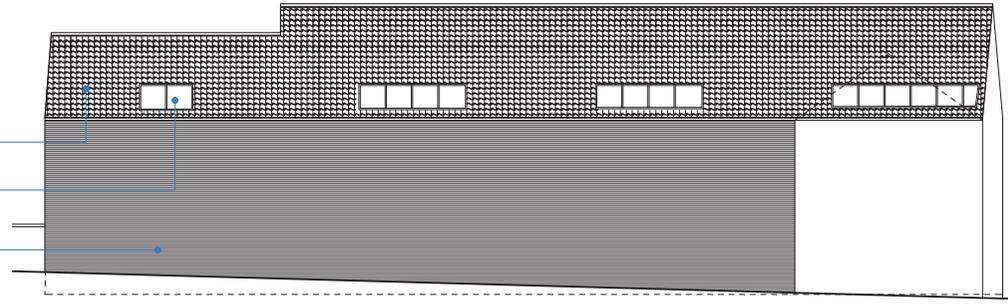
Notes:
Drawing copyright of Ross Davy Associates
Used signed statements only. Do not scale from this drawing.
An assumed condition for the work is that construction will be undertaken within construction and current codes of practice to be used in the drawing.
Designer: Ross Davy Associates
Project: PA/2019/1728 - Conversion of existing residential building to residential use.
These drawings are to be considered as preliminary and for information only. Technical approval has been obtained from the relevant Local Planning Authority. Construction of work on the site is the responsibility of the Client/Contractor.
Proprietors and Surveyors:
Where necessary, the construction is to be checked during the survey. It is the contractor's responsibility to identify structural members. Additional notes may apply to the construction. Our survey does not include any production investigations.

Drawing Revisions:
A 15.01.20 - Passage door set re-positioned in recess.
B 24.02.21 - Lower panels of glass in main windows shown solid.

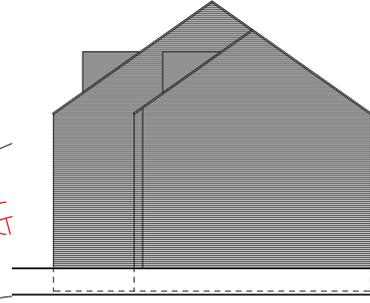


Side Elevation
Scale - 1:100

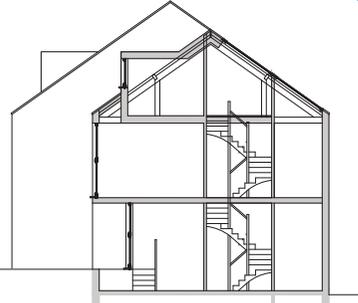
Solid masonry behind lower panels with black glass within window frame.



Side Elevation (Not Surveyed)
Scale - 1:100



Rear Elevation
Scale - 1:100



Typical Section
Scale - 1:100

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Project: Proposed Conversion to Residential at Old Maltings, Malby Lane Barton upon Humber, DN18 5PY For PTL Construction Ltd

Drawing Title: PROPOSED GENERAL ARRANGEMENT

Drawn: APS Scale: 1:100

Date: 18.06.19. Size: A1

Drawing No: RD:4367 / 02 B