

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H18-1071-23 **Applicant:** Mr J Hook

Proposal: Change of use of attached dwelling to be used in conjunction with public house including alterations and extension.

Location: Anchor Inn 280 And 282 Bridge Road Sutton Bridge Spalding

Terminal Date: 2nd April 2024

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
07	Improving South East Lincolnshire's Employment Land Portfolio
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2023

- 6 - Building a strong, competitive economy
- 12 - Achieving well-designed and beautiful places
- 14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	1	1	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application at Anchor Inn, 280 and 282 Bridge Road, Sutton Bridge for alterations and an extension, as well as the change of use of land to the front and rear of 274 Bridge Road.

The proposal at ground floor level seeks to convert an existing lounge, dining room, kitchen and bathroom to two staff areas, a kitchen and a bathroom. Ground floor extensions will provide two chill stores, a dessert area, extended kitchen, prep area, freezer, laundry, two stores and two wcs. The restaurant area to the rear of the building will also be extended, approximately doubling in size. An existing timber curtilage building will be removed to facilitate the restaurant extension.

At first floor level and existing laundry room will be converted to facilitate an access route to an existing frontage elevation bedroom. A second bedroom will be removed to provide an en-suite to the frontage bedroom, as well as a wardrobe which serves a first floor extension for a new rear elevation bedroom and en-suite. The current floorspace of the dwelling is 633 square metres. The extension and alterations will provide a further 210 square metres of floorspace. Bringing the total floorspace of the building to 843 square metres. Materials of construction will be to match those of the existing building and would be conditioned as such.

The area to the front and rear of 274 Bridge Road will be utilised to increase the parking provision for the Anchor Inn which will also be shared with the tenants of the dwelling. The parking material will be gravel. Whilst there is gravel to the rear of 274 Bridge Road grass and plants have grown through. This area will need clearing before additional parking provision can be achieved.

A site visit was conducted on Friday the 5th of January 2024.

An amended plan was received to the application which clarifies that the additional car parking provision at 274 Bridge Road will retain two parking spaces for the occupant of the dwelling.

SITE DESCRIPTION

Anchor Inn is located within the defined settlement limits of Sutton Bridge. 284 Bridge Road is connected to the building and located to the west of the site. 17 and 19 Grebe Close are located beyond the rear boundary to the north of the site. 274 Bridge Road is located to the east of site with 4 Crosby Row further beyond. 189 Bridge Road is located to the south-east of the site with arable fields designated as proposed housing area Sub027 to the south.

The site is in Environment Agency Flood Zone 3 and is in a Danger for Some / Danger for Most hazard area, with a maximum predicted flood depth of 1 metre on the 2115 South Holland Strategic Flood Risk Mapping. Because the proposal is for non-residential floorspace and seeks an extension to an existing building, there is not a requirement to raise finished floor levels in the extensions to address potential flood risk. Foul water provision will connect to the existing mains sewer with surface water addressed by a soakaway.

RELEVANT HISTORY

H18-0822-10

Full - Extension and alterations to public house (retrospective) - Approved - 03 December 2010.

H18-0109-16

Full - Rear extension and alterations - Approved - 19 April 2016.

CONSULTATION RESPONSES

Initial Responses Received (Consultation period between 20th December 2023 and 13th January 2024)

Sutton Bridge Parish Council - 14th December 2023

Support - *"At a Parish Council meeting on 12th December Sutton Bridge Parish Council resolved to support the application and commented that the development should be sympathetic to its current surroundings and street scene."*

Environment Agency - 22 December 2023

"The Environment Agency does not wish to make any comments on this application as it is a change of use within the same vulnerability classification (more vulnerable to more vulnerable) where there is no increase in risk to people, as per the advice contained in Cell A7 of the Standing Advice Matrix."

South Holland District Council - Oliver Abrams - Environmental Protection - 03 January 2024

No comments.

South Holland District Council - Diane Gordon - Environmental Protection- 09 January 2024

Support - *"we would support the proposal providing intended use remains as described in plans."*

Lincolnshire County Council - Highways & SUDS - 11 January 2024

No objections - *"The proposal is for the change of use of attached dwelling to be used in conjunction with public house including alterations and extension. The restaurant seating area will be increased as a result of the proposal along with a Laundry room, stores and additional toilets. The proposal will not have an adverse impact on the public highway. As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application."*

KEY PLANNING CONSIDERATIONS

The main issues and considerations in this case are (but are not limited to):

Principle of Development and Sustainability
Layout, Design and Consideration of the Character and Appearance of the Area
Impact on Residential Amenity/Land Users
Parking / Highway Safety
Flooding Considerations / Drainage
Outstanding matters from representation

EVALUATION

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed above.

The policies and provisions set out in the National Planning Policy Framework (updated December 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Presumption in Favour

Paragraph 10 of the National Planning Policy Framework details that "so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11)".

Paragraph 11 expresses that for decision-taking this means: "c) approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Principle of Development and Sustainability

This proposal is assessed against SELLP Policy 7 - Improving South East Lincolnshire's Employment Land Portfolio. The relevant section of Policy 7 is titled Other Employment Areas and this section states:

"New employment development/businesses or the extension of an existing business outside the above allocated employment sites will be supported provided that the proposal involves the re-use of previously-developed land or the conversion/re-use of redundant buildings. Where it can be demonstrated that no suitable building capable of conversion/re-use is available or the re-use of previously-developed land is not available or is unsuitable, proposals on non allocated sites may be acceptable provided:

- a. the development does not conflict with neighbouring land uses;
- b. there is no significant adverse impact upon the character and appearance of the area;
- c. the design is responsive to the local context;
- d. there will be no significant adverse impact on the local highway network;
- e. there will be no significant adverse impact upon the viability of delivering any allocated employment site;
- f. proposals maximising opportunities for modal shift away from the private car are demonstrated; and
- g. there is an identified need for the business location outside of identified employment areas on the Policies Map."

When assessed against the relevant criteria the following can be observed:

- a. The development is a long established public house and inn. There is not considered to be a conflict with neighbouring land uses from it's continued operation.
- b. The proposed extensions are to the rear of the building and the proposed parking provision will not materially alter the external visual appearance of the site.
- c. The proposed brick will match that of the existing brick on site. It is therefore considered that the brick is responsible to the local context.
- d. The proposal will provide approximately eight additional parking spaces. It is therefore considered that there will not be an impact on highway safety. Incidences of on street parking are not expected to materially rise as a result of the proposal.
- e. The proposal is for the extension of a historic public house, it is not considered that the continued operation of the business will materially impact the viability of any allocated employment site.
- f. The proposal is within the defined settlement limits of Sutton Bridge and is served by both footpaths and nearby bus stops. It is therefore considered that patrons can easily access the site without using private vehicles.
- g. The proposal is for the extension of a historic public house. It is not considered that the business would benefit from being located anywhere other than it's current location.

The proposal is considered to accord with Policy 7 of the SELLP.

Policy 1 of the South East Lincolnshire Local Plan sets out a spatial strategy for delivering sustainable development across South East Lincolnshire to 2036. Policy 1 (Spatial Strategy) expresses this sustainable framework of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy in respect of sustainable development are areas of limited development opportunity including Minor

Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location in terms of sustainability.

The proposal site is within the defined settlement limits of Sutton Bridge which is classed as a Main Service Centre in the settlement hierarchy of the SELLP. The assessment criteria for a Main Service Centre states: "Within the settlement boundaries of the Main Service Centres (as shown on the Inset Maps) development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities."

When assessed against the relevant criteria the following can be observed:

The proposed building extensions and extended parking areas will help to sustain an existing business and support the role of Sutton Bridge as a Main Service Centre

As such, the proposal is considered to be in accordance with the requirements of Policy 1 of the South East Lincolnshire Local Plan when viewed in principle. This is subject to the assessment against site specific criteria; including (but are not limited to) the impact of the proposal on the character or appearance of the area, impact on the amenities of neighbouring buildings, and parking provision which are discussed in turn as follows.

Layout, Design and Consideration of the Character and Appearance of the Area

Section 12 of the National Planning Policy Framework (December 2023) specifically relates to 'Achieving well-designed places' and details that "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the National Planning Policy Framework (December 2023), states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing. Development proposals should also ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations.

Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

Policy 2 of the South East Lincolnshire Local Plan outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework, in that it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the National Planning Policy Framework and require that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

It is not considered that the proposal will materially impact the character and appearance of the surrounding area. The majority of the building extensions are single storey and to the rear of the existing building. The car park extension will not be noticeably different from the existing parking provision on site when viewed from Bridge Road or neighbouring properties.

Materials of construction for the extension will be to match those of the existing building and would

be conditioned as such. The building extensions will be constructed from brick with a GRP flat roof.

Taking account of the design, scale and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan and Section 12 of the National Planning Policy Framework.

Impact on Residential Amenity/Land Users

Paragraph 135 of the National Planning Policy Framework (December 2023) states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The proposal is not considered to constitute overdevelopment. A substantial beer garden remains to the northern rear of the building with the existing and proposed car park to the east. Because the public house element of the Anchor Inn solely operates at ground floor level, there isn't an the opportunity to provide additional restaurant / bar space at first floor level, because this floor is used for inn accommodation.

It is not considered that there will be a material overlooking impact from the proposed extensions. The finished floor level of the ground floor extensions will not be raised. The western side boundary is bordered by a 1.8 metre high fence, as is the northern rear boundary. With regard to the first floor level there is a window serving a proposed bedroom. There is a window serving a bedroom already from the location of which the new bedroom will extend 3.3 metres from the rear wall. It is considered that this window will reduce overlooking on the garden of 284 Bridge Road that is immediately adjacent to the dwelling. The new bedroom window is 26 metres from the rear boundaries of 24 and 19 Grebe Close, and 35 metres from the dwellings. Given the separation distances there is not considered to be an overlooking impact on neighbouring properties.

There is not considered to be a material overshadowing impact on neighbouring properties. The ground floor fenestration of the extended kitchen / restaurant faces the northern and western boundaries which are bordered by 1.8 metre high fencing. With regard to the new first floor bedroom, when right to light lines are drawn from the eaves of the extension the adjacent windows of 284 Bridge Road are not materially impacted by a loss of light. Additionally, any loss of light to the garden will only occur early in the morning and at no other time of the day.

As detailed above, the scale and design of the proposal is considered to be such that there would be no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the provisions of the Section 12 of the National Planning Policy Framework, and Policies 2 and 3 of the Local Plan.

Parking / Highway Safety

Section 9 of the National Planning Policy Framework (December 2023) specifically relates to 'Promoting sustainable transport'. Paragraph 115 of the National Planning Policy Framework (December 2023) advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

Within this context, development should give priority first to pedestrian and cycle movements, facilitate access to high quality public transport, address the needs of people with disabilities and reduced mobility in relation to all modes of transport, safe, secure and attractive places, allow for efficient delivery and access for emergency services, and be designed to enable and encourage ultra-low emission vehicles in safe, accessible and convenient locations.

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met,

specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

Furthermore, Policy 36, to be read in conjunction with Appendix 6 of the South East Lincolnshire Local Plan, sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

An amended plan was received to the application which clarifies that the additional car parking provision at 274 Bridge Road will retain two parking spaces for the occupant of the dwelling. The bungalow does not have in excess of three bedrooms therefore the parking provision of two off road parking spaces for 274 Bridge Road is acceptable. The growth of restaurant floorspace provision may lead to increased customers, therefore the increased parking provision of approximately eight spaces should prevent increases in incidents of on-street parking.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Local Plan Policies 2, 3 and 36, and Section 9 of the National Planning Policy Framework.

Flooding Considerations / Drainage

Section 14 of the NPPF requires development plans to "apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: a) applying the sequential test and then, if necessary, the exception test as set out below".

Paragraph 168 details "The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding", with the sequential approach being required in areas known to be at risk now or in the future from any form of flooding, with the flood risk assessment being the tool to demonstrate this.

If, following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exceptions Test can be applied if appropriate.

The site lies within Flood Zone 3 of the Environment Agency's Flood Maps. These have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences.

The South East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan; including the spatial strategy and the assessment of housing and employment sites. Policy 4 of the South East Lincolnshire Local Plan is clear in that "Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted" in instances where specific criteria is met.

It is worth noting that large parts of the district of South Holland lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the South East Lincolnshire Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test.

The site is in Environment Agency Flood Zone 3 and is in a Danger for Some / Danger for Most hazard area, with a maximum predicted flood depth of 1 metre on the 2115 South Holland Strategic Flood Risk Mapping. Because the proposal is for non-residential floorspace and seeks an extension to an existing building, there is not a requirement to raise finished floor levels in the extensions to address potential flood risk. Foul water provision will connect to the existing mains sewer with surface water addressed by a soakaway. A condition will be imposed requesting further details of the soakaway provision.

Outstanding matters from representation

None

PLANNING BALANCE

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposal represents appropriate development within the defined settlement limits of Sutton Bridge. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking, whilst conforming with the South East Lincolnshire Local Plan and the provisions of the National Planning Policy Framework (December 2023) when viewed as a whole.

In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

CONCLUSION

The proposal is considered to be in accordance with Policies 1, 2, 3, 4, 7, 36 and Appendix 6 of the South East Lincolnshire Local Plan, 2019, as well as Sections 6, 12 and 14 of the National Planning Policy Framework, December 2023.

RECOMMENDATION

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.

Additional Considerations

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.

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.