

Change of use from A4 to a mixed use of C1 (bed and breakfast) and A3 (restaurant), erection of two storey side and rear extension and alterations to car parking arrangements
The Halfway House 128 Belvoir Road Coalville Leicestershire
LE67 3PQ

Report Item No
A2

Application Reference
18/01466/FUL

Grid Reference (E) 442483
Grid Reference (N) 313647

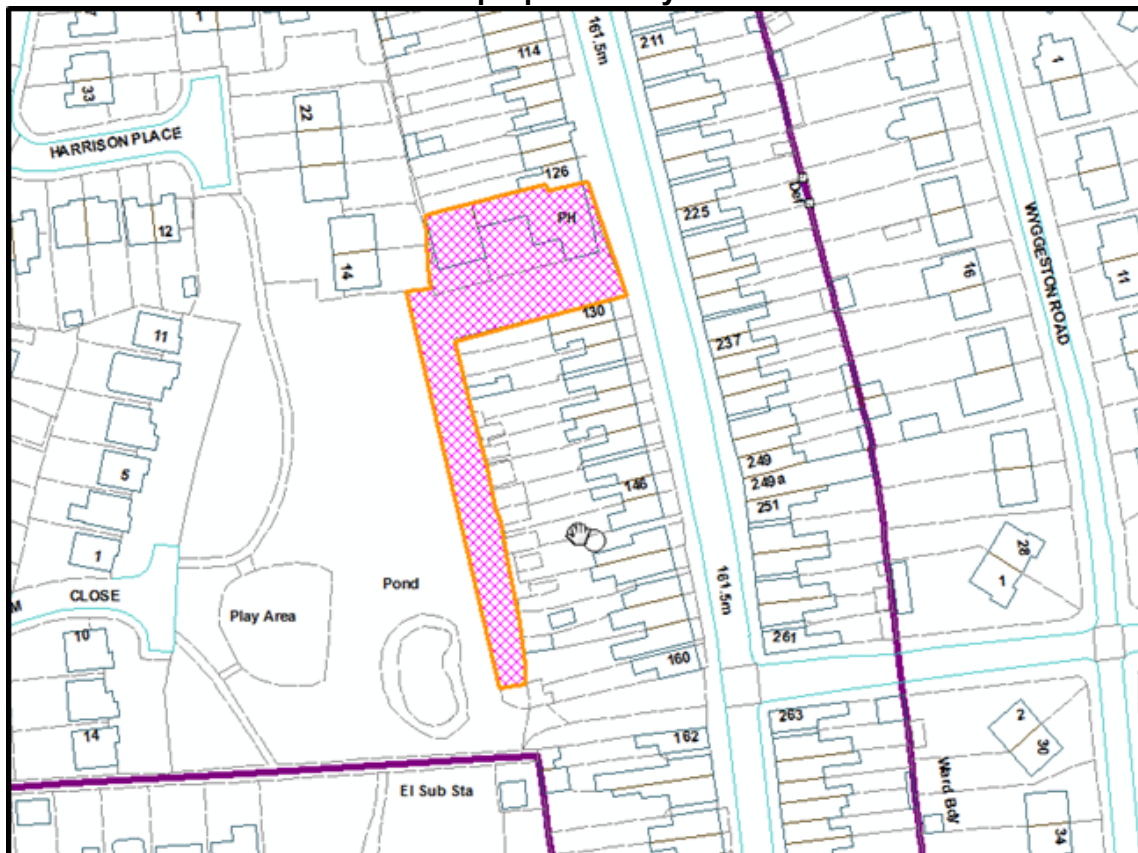
Date Registered:
4 September 2018
Consultation Expiry:
21 February 2019
8 Week Date:
30 October 2018
Extension of Time:
13 March 2019

Applicant:
Mr Mandeep Singh Bhella

Case Officer:
James Mattley

Recommendation:
PERMIT

Site Location - Plan for indicative purposes only



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1. Proposals and Background

Executive Summary of Proposals and Recommendation

Call In

The application is brought to the Planning Committee as Councillor Geary has requested it be called in on highway safety grounds.

Proposal

Change of use from A4 to a mixed use of C1 (bed and breakfast) and A3 (restaurant), erection of two storey side and rear extension and alterations to car parking arrangements. The site is located to the west of Belvoir Road and was formerly a public house.

Consultations

A total of 30 letters of representation and a petition including 34 signatures have been received objecting to the proposal. All statutory consultees have raised no objections.

Planning Policy

The site is located within the Limits to Development on the Policy Map to the adopted Local Plan. The application has also been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance.

Conclusion

The principle of the conversion of this vacant building to a bed and breakfast and restaurant establishment is considered to be acceptable. The proposal is not considered to affect residential amenity in the area, have any significant detrimental design impacts or conflict with highway safety. There are no other relevant material planning considerations that indicate planning permission should not be granted. The proposal is deemed to comply with the relevant policies in the development plan and the NPPF. It is therefore recommended that the application be permitted subject to planning conditions.

RECOMMENDATION:-

PERMIT SUBJECT TO THE IMPOSITION OF CONDITIONS

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies and the Officer's assessment, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. Proposals and Background

In April 2016 planning permission 16/00080/FUL was granted for the change of use of a public house to a bed and breakfast (C1) including single storey and two storey extensions along with other external alterations on the site. That planning permission allowed for a total of 16 bedrooms which would be located on both ground floor and first floor levels. Two storey side and rear extensions are proposed in order to facilitate the change of use application.

Planning permission is now sought for the change of use from A4 (public house) to a mixed use of C1 (bed and breakfast) and A3 (restaurant), erection of two storey side and rear extension and alterations to car parking arrangements at The Halfway House, 128 Belvoir Road, Coalville. The main alterations between what has previously been granted and what is now proposed is the inclusion of an A3 (restaurant) use on the ground floor which would be open to members of the public and guests using the bed and breakfast facilities. This proposal also includes for additional car parking to be provided to the rear of the site.

Amended plans and additional parking justification information have been received during the course of the application to address concerns raised by the County Highway Authority.

The site visit revealed that some work has commenced on the building in relation to planning permission 16/00080/FUL.

2. Publicity

58 Neighbours have been notified.

Site Notice published 11 September 2018.

3. Summary of Consultations and Representations Received

NWLDC Environmental Protection Section has no environmental observations.

County Highway Authority have no objections subject to conditions.

Severn Trent Water has no objections subject to conditions.

County Ecologist has no objection.

A number of petitions have been received totalling 34 signatures. A total of 30 individual representations have been received making the following objections:

Highway/parking:

- proposal would impact upon existing residential parking;
- access arrangements off Belvoir Road are unacceptable;
- would result in on-street car parking along Belvoir Road;
- level of car parking is unacceptable;
- car parking spaces are too small;
- proposed wall near access would be unsafe;
- no car parking layout plan has been provided;
- access is unsuitable for emergency vehicles;
- limited turning;
- applications have previously been refused on the grounds of unacceptable car parking;

- proposed path is unsafe;

Other:

- impact upon protected species;
- how will refuse be collected?;
- increased noise levels;
- noise and disturbance during construction;
- contamination issues;
- additional restaurant is not required in Coalville;
- concerns regarding drainage;
- revised plans show inaccurate measurements;
- render is yellow rather than white.

Non-material planning matters:

- impact upon surrounding property values;
- health and safety issues;
- a legal right of access exists to the rear for existing residential properties;
- current buildings do not meet Building Regulations;
- where are the fire assembly points?;

4. Relevant Planning Policy

National Policies

National Planning Policy Framework (2018)

The following sections of the NPPF are considered relevant to the determination of this application:

Paragraphs 8 and 10 (Achieving sustainable development);
Paragraphs 11 and 12 (Presumption in favour of sustainable development);
Paragraphs 38, 39, 40, 41, 42, 44 and 47 (Decision-making);
Paragraphs 54 and 55 (Planning conditions and obligations);
Paragraphs 108 and 109 (Promoting sustainable transport);
Paragraphs 124, 126, 127, 130 and 131 (Achieving well-designed places).

Adopted North West Leicestershire Local Plan

The following policies of the adopted Local Plan are consistent with the policies in the NPPF and should be afforded weight in the determination of this application:

S2 - Settlement Hierarchy;
D1 - Design of new development;
IF4 - Transport Infrastructure and new development;
IF7 - Parking provision and new development.

Other Policies and Guidance

National Planning Practice Guidance - March 2014;
Good Design SPD;
Leicestershire Highway Design Guidance.

5. Assessment

Principle

The principle of using the site for bed and breakfast purposes and the loss of the public house

has already been established by the granting of planning permission 16/00080/FUL. It is therefore necessary to only consider whether it is now acceptable for the building to be converted to a mixed use consisting of a bed and breakfast and a restaurant.

The site is located within the limits to development where the principle of new development and change of use applications are normally considered acceptable subject to compliance with the relevant policies of the adopted North West Leicestershire Local Plan and other material considerations.

The concept of new development being directed to locations that minimise reliance on the private motorcar is contained within the NPPF. The settlement of Coalville benefits from an extensive range of local services and is readily accessible via public transport. The proposal for the change of use to a bed and breakfast and restaurant establishment is, therefore, considered to score well against the sustainability advice in the NPPF.

The existing site is located outside of the defined main town centre area in the Local Plan. Advice in the NPPF advocates a sequential approach to ensure that town centre uses (such as bed and breakfast uses and restaurant) are established in town centre areas where possible. Whilst no sequential assessment has been provided by the applicant in relation to this, the site is located on the edge of the town centre area, it is brownfield land and the public house is currently vacant. Therefore, whilst outside of the main town centre area it is not considered that the scheme would cause any harm to the vitality of the main town centre.

Taking all of these issues into account, the proposal is considered acceptable in principle.

Highway Safety

The previous application on the site which allowed for a 16 bedroom bed and breakfast use included for an access off Belvoir Road and the inclusion of 13 car parking spaces. The County Highway Authority (CHA) had no objections to that application subject to a number of planning conditions.

The application site for the current planning application includes additional land to the rear of 130-158 Belvoir Road to provide an increased level of car parking for the proposed uses. The scheme as originally submitted included for sliding gates and a 1 metre high boundary wall running centrally through the access to separate areas of car parking. A significant level of objection was received on the basis of highway safety, parking and turning from surrounding residents.

On the basis of the originally submitted plans the CHA objected to the proposal on a number of grounds including a lack of car parking (45 spaces were suggested), lack of turning, inadequate access width and car parking spaces which were too small. Officers also raised concerns over inaccurate measurements that were provided on the submitted plans.

Amended plans and additional justification have been put forward from the applicant following the concerns expressed by the CHA and officers. These show for the removal of the central boundary wall, removal of sliding gates, a single access point, amended location of car parking spaces and justification regarding the acceptability of providing a total of 21 car parking spaces on the site given that users of the bed and breakfast were also likely to use the restaurant services. Further amended plans have been received to address officers and residents concerns over the position of a pedestrian path in the rear car parking area and this has now been omitted from the scheme.

The CHA have considered the amended plans and information and confirm that the single point of access off Belvoir Road is now considered to be acceptable. In terms of car parking for the proposed restaurant and bed and breakfast use the CHA accept that users of the bed and breakfast are also likely to utilise the restaurant, and on this basis, calculate that 29 car parking spaces would normally be expected to be provided. The proposal seeks to provide a total of 21 car parking spaces which would be a shortfall of 8 car parking spaces. However, whilst acknowledging the shortfall, the CHA do not consider that such a shortfall would result in a severe impact on highway safety and note that the urban location of the site means it is reasonable to assume that users could access the site by foot/bus and taxi.

The current situation on the site is that residents along Belvoir Road are parking their vehicles on land which is owned by the applicant and which would no longer be available to them should planning permission be granted for this scheme (as those spaces would be being used in connection with the bed and breakfast and restaurant use). It is understood that residents have a right of access across the land to serve their rear car parking spaces and garages. It is acknowledged that the proposal could result in displaced parking but the CHA can only consider the impact of the development proposal itself. If additional vehicles are displaced due to an informal off-street car parking arrangement this could occur regardless of any planning permission on the site.

On the basis of the above, the CHA raise no objections in this instance subject to planning conditions. Overall, the proposal is considered to be acceptable in relation to Policies IF4 and IF7 of the adopted Local Plan as well as the Leicestershire Highways Design guidance.

Design

The design of the previous extensions to the existing public house have already been deemed to be acceptable under planning application 16/00080/FUL. However, amended fenestration is now shown on the current application. Whilst there are minor changes to the size and position of windows and doors on the elevations, the design is still considered to be acceptable.

In respect of design issues, therefore, it is considered that the proposal would be appropriate in this area and would not detract from the character and appearance of the surrounding area, and the requirements of Local Plan Policies D1 and the advice contained in the NPPF are considered to be met by the scheme subject to the inclusion of relevant design conditions.

Impact on Residential Amenity

The impact arising from the two storey extensions to the existing public house have already been deemed to be acceptable under planning application 16/00080/FUL. However, amended fenestration is now shown on the current application. Whilst there are minor changes to the size and position of windows and doors on the elevations, the impacts on surrounding residents are still considered to be acceptable.

On this basis, the proposal is considered to be acceptable in relation to Policy D2 of the Local Plan.

Other

Concern has been raised regarding the impact of the proposal upon ecology. The County Ecologist has been consulted and raises no objections on the basis that the car parking would take place on existing hardstanding and they have no records of protected species in the surrounding area.

The Council's Waste and Recycling team have been consulted on the application and note that

there is no statutory provisions for North West Leicestershire District Council to collect commercial waste. The building is located in close proximity to Belvoir Road and the plans show for an area for bins to be stored.

A letter of representation has stated that previous applications have been refused on the site on highway grounds. No planning applications have been refused on the site although 11/00414/FUL and 15/00763/FUL were both withdrawn.

Issues relating to health and safety, fire regulations, impact upon property values, ownership matters and building regulations are not planning matters that can be taken into account in the determination of this application.

Some concerns have been expressed regarding land ownership. Whilst this is not normally a planning matter, the Council's Legal Team confirm that the applicant does own all the land and has submitted the correct certificate.

Conclusion

The principle of the conversion of this vacant building to a bed and breakfast and restaurant establishment is considered to be acceptable. The proposal is not considered to affect residential amenity in the area, have any significant detrimental design impacts or conflict with highway safety. There are no other relevant material planning considerations that indicate planning permission should not be granted. The proposal is deemed to comply with the relevant policies in the development plan and the NPPF. It is therefore recommended that the application be permitted subject to planning conditions.

RECOMMENDATION - PERMIT, subject to the following conditions:

1. Timeframe for commencement.
2. Approved plans.
3. Materials.
4. Access width.
5. Closure of existing access.
6. Parking and turning.
7. No gates unless set back.
8. Visibility splays.
9. Pedestrian visibility splays.
10. Noise insulation measures.
11. 16 bedroom only.
12. Use as specified.