

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING AND DEVELOPMENT CONTROL COMMITTEE**

DATE: **12TH NOVEMBER 2014**

REPORT BY: **CHIEF OFFICER (PLANNING AND ENVIRONMENT)**

SUBJECT: **FULL APPLICATION – CHANGE OF USE OF EXISTING PUBLIC HOUSE INTO A SINGLE DWELLING AT BLACK LION INN, VILLAGE ROAD, NORTHOP HALL.**

APPLICATION NUMBER: **052486**

APPLICANT: **MR CRAIG SULLIVAN**

SITE: **BLACK LION INN, VILLAGE ROAD, NORTHOP HALL**

APPLICATION VALID DATE: **5TH AUGUST 2014**

LOCAL MEMBERS: **COUNCILLOR L A SHARPS**

TOWN/COMMUNITY COUNCIL: **NORTHOP HALL COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **LOCAL MEMBER REQUEST**

SITE VISIT: **YES**

1.00 SUMMARY

1.01 This application seeks planning permission for the change of use of a public house to a single dwelling at the Black Lion Inn, Northop Hall, and the erection of a timber boundary fence. The proposal is considered to comply with policies HSG3 and S11 of the adopted Flintshire Unitary Development Plan.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

2.01 The proposal is hereby recommended for approval subject to the following conditions:

1. Time limit
2. In accordance with the approved plans
3. The timber fence shall not exceed 2m in height at any point

3.00 CONSULTATIONS

3.01 Local Member

Councillor L.A. Sharps

Requests that the application is referred to the Planning Committee and that a site visit is carried out as there are issues regarding land ownership, fencing, and the interior layout of the building which suggests other uses.

Northop Hall Community Council

- The plans do not indicate a single dwelling
- The land is not in the applicant's ownership
- Hedges and trees were removed along the boundary with the adjacent footpath
- Loss of a social venue

Head of Assets and Transportation

No objection

Head of Public Protection

No comments received

4.00 PUBLICITY

4.01 Site Notice

12 representations have been received, objecting to the proposal on the following grounds:

- Loss of the pub would have a detrimental impact on the character of the area through the lack of choice of pubs
- The layout of the property is not commensurate with that of a single dwelling
- The fence has a detrimental impact on the visual amenities of the area

5.00 SITE HISTORY

5.01 **052038**

Construction of a boundary fence to perimeter of property (retrospective) (refused 17th July 2014)

052022

Conversion of existing public house into 1no. dwelling (refused 28th July 2014)

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

GEN1 – General Requirements for Development

D2 – Design

AC13 – Access and Traffic Impact

HSG3 – Housing on Unallocated Sites Within Settlement Boundaries

S11 – Retention of Local Facilities

7.00 PLANNING APPRAISAL

7.01 Introduction

This application seeks planning permission (retrospective) for the change of use of a public house, The Black Lion Inn, Northop Hall to a dwelling and is a resubmission of planning application ref: 052038. This application has omitted the large, first floor extension that was on application 052038 and now involves no external alterations. This application also includes for the erection of a close boarded timber fence (retrospective), which was previously refused under planning application 052038.

7.02 Site Description

The application site is located within the settlement of Northop Hall as defined in the adopted Flintshire Unitary Development Plan (FUDP) and also, the rear of the site forms part of a housing allocation in the FUDP.

7.03 The existing building is a large, detached building which has particular architectural merit and is a landmark feature in the village.

7.04 Principle of Development

In terms of the principle of the change of use of the property, there are other facilities within the village that provide a similar service, e.g. Plas Ifan and The Boars Head. Therefore, the loss of the existing use as a public house is considered to be acceptable, in accordance with policy S11 of the FUDP. The change of the use of the property to a dwelling is also considered to be acceptable in terms of the principle of the development.

7.05 The existing lawful use of the property is a public house with residential accommodation above. Therefore, there will not be any increase in the number of residential units; what is being considered is whether the loss of the public house use is acceptable.

7.06 Highway Impact

The proposal will not result in any increase in traffic movements, in fact it is likely to reduce the number of movements.

- 7.07 With regard to parking provision, the site already has ample parking provision and there is sufficient room within the site to enable vehicles to turn around so that they can access/egress the site in a forward gear.
- 7.08 A public footpath runs to the west of the site; however, it will not be affected by the proposal.
- 7.09 Impact on Residential Amenity
There are no neighbours that would experience any unacceptable adverse overlooking or overbearing impact as a result of the change of use of the property.
- 7.10 Impact on the Visual Amenity of the Area
The change of use of the property will not result in any material changes to the external appearance of the building and therefore there will not be any adverse impact on the visual amenities of the area.
- 7.11 In respect of the close boarded timber fence that has been erected on the boundary of the site, it is considered that due to its height of 2m plus, it has a detrimental impact on the visual amenities of the area, particularly when viewed from the adjacent public footpath and the public car park to the east of the site.
- 7.12 Notwithstanding this, a condition could ensure that the height of the fence does not exceed 2m in height, which is what would be deemed as permitted development over which the Council would have no control.
- 7.13 Other Considerations
The application includes for the inclusion of an area of land to the south of the public house as part of the residential garden area of the proposed dwelling. Whilst this is a very large area of land and would result in the urbanisation of this otherwise open land, the site is within the settlement boundary and therefore there is a presumption in favour of the development of the site. Objections have been raised over the ownership of this parcel of land. The applicant has claimed in the application form that he owns this land and there is no evidence to the contrary.
- 7.14 Concerns have been raised by local residents in respect of the property being used for more than a single dwelling; however, the application is to be considered as a single dwelling as that is what is being applied for. Notwithstanding this, the applicant has submitted a revised plan substituting the reference to 'Meeting' room for 'Store Room/Hall'.

8.00 CONCLUSION

- 8.01 The proposal is considered to be acceptable as a matter of planning policy principle. The proposed development takes account of the applicable planning policies and represents the correct balance between the various issues which relate to this site.
- 8.02 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

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