

<b>Parish:</b>	<b>Emneth</b>	
<b>Proposal:</b>	<b>Conversion of Hotel and associated ballroom to 19 No. Flats</b>	
<b>Location:</b>	<b>Elme Hall Hotel 69 Elm High Road Emneth Wisbech PE14 0DQ</b>	
<b>Applicant:</b>	<b>Mr D Conetta</b>	
<b>Case No:</b>	<b>24/00141/FM (Full Application - Major Development)</b>	
<b>Case Officer:</b>	<b>Mrs C Dorgan</b>	<b>Date for Determination: 17 September 2024 Extension of Time Expiry Date: 8 November 2024</b>

**Reason for Referral to Planning Committee** – Referred by Sifting Panel at their meeting on 4 September 2024.

**Neighbourhood Plan:** No

**Case Summary**

The application seeks full planning consent for the conversion of the hotel and associated ballroom to 19 flats. The flats are a mix consisting of 12 one bedroom flats (with a maximum occupancy of 24 people) and 7 x 2 bedroom flats (with a maximum occupancy of 22 people) over three floors.

The application site is 0.86ha and is part of a larger site (approximately 1.2ha in total), the remainder of which has been granted consent for the change of use from a motel to a House of Multiple Occupancy (HMO) under ref 22/01014/F. The external form of the building would largely remain unchanged aside from the subdivision of the hotel and ballroom and some changes to door and window openings at ground floor, there would be changes to the site to accommodate the cycle parking and area of amenity space.

The application site is located to the northeast of the A47, with access via the existing entrance off Elm High Road. The site is 1.3 miles to Wisbech town centre and abuts the built extent of the town. However, it is located within the parish of Emneth and the site is within the development boundary for the village of Emneth as detailed on Inset Map G34 of the Site Allocations and Development Management Policies Plan (SADMPP) (2016).

**Key Issues**

- Principle of Development
- Highways / Access
- Form and Character
- Residential Amenity and Site Management
- Other Material Considerations

## Recommendation

**A) APPROVE** subject to the imposition of the following conditions and completion of a s106 legal agreement to cover the current GIRAMS fee and the associated monitoring fees. If the agreement is not completed within 4 months of the committee resolution, but reasonable progress has been made, delegated authority is granted to the Assistant Director/Planning Control Manger to continue negotiation and complete the agreement and issue the decision.

**B)** If in the opinion of the Assistant Director/Planning Control Manager no reasonable progress is made to complete the legal agreement within 4 months of the date of the committee resolution, the application is **REFUSED** on the failure to secure the GIRAMS fee.

## THE APPLICATION

The application seeks full planning consent for the conversion of the hotel and associated ballroom to 19 flats. The flats are a mix consisting of 12 one bedroom flats (with a maximum occupancy of 24 people) and 7 x 2 bedroom flats (with a maximum occupancy of 22 people) over three floors.

The application site is 0.86ha and is part of a larger site (approximately 1.2ha in total), the remainder of which has been granted consent for the change of use from a motel to a House of Multiple Occupancy (HMO) under ref 22/01014/F. The external form of the building would largely remain unchanged aside from the subdivision of the hotel and ballroom and some changes to door and window openings at ground floor, there would be changes to the site to accommodate the cycle parking and the area of amenity space.

The application has been amended through the planning application process resulting in a reduction in the number of units overall and in some cases the reduction in bedroom numbers per unit.

The application site is located to the northeast of the A47, with access via the existing entrance off Elm High Road. The site is 1.3 miles to Wisbech town centre and abuts the built extent of the town. However, it is located within the parish of Emneth and the site is within the development boundary for the village of Emneth as detailed on Inset Map G34 of the Site Allocations and Development Management Policies Plan (SADMPP) (2016).

## SUPPORTING CASE

Following the success that our client has experienced with his conversion of the motel style building at the front of the site, which is nearing 90% occupation, we bring this application to create additional affordable accommodation before you.

Whilst it was hoped that the subdivision of the site would make the hotel a more viable purchase for prospective buyers, this has not proved to be the case, with no interest being shown in the now 3.5 years that it has been marketed individually, and as such this application now involves the conversion of the main building and associated ballroom to create a mix of one and two bedroom flats (19 in total). The main building has continued to decay in this time and it is becoming an unsightly proposition upon the entry to Wisbech, this, coupled with the success of his motel conversion, has prompted our client to act.

Since the last application and works, property prices have continued to rise and availability of this type of accommodation is not readily available which is fuelling a gap in the market. We have worked attentively to ensure the design of the units fits well within the envelope of the existing building, thus making very minimal changes to the existing aesthetics of the building. We feel that this will create a series of attractive, high quality mix of marketable and rental properties.

Once again, our client is committed to a site wide improvement. Together with the introduction of a 400m<sup>2</sup> communal garden space it is also planned to repair and reinstate the existing fountain to the frontage and improve all existing screening and grounds. Following completion of these works, the areas will be managed by a third party landscaping firm. Interior communal areas will benefit from CCTV and will be cleaned and maintained by a third party. The client will ensure that the local constabulary are furnished with sufficient access should this ever be required.

We are very pleased to have support of the Parish Council as well as support from Wisbech Town Council. We also have the recommendation of approval from your officers and we hope that members agree as we look forward to a positive outcome.

## **PLANNING HISTORY**

22/01014/F: Application Permitted: 21/11/22 - Proposed Change of Use from Hotel (C1) to large HMO (Sui Generis). - Elme Hall Hotel

21/01569/F: Application Refused: 16/05/22 - Proposed Change of Use from a Hotel to a Large HMO (Sui Generis) - Elme Hall Hotel

2/98/1336/CU: Application Permitted: 15/12/98 - Change of use from office to 8 bed hotel - De-Regle Hall

2/00/0490/F: Application Permitted: 17/08/00 - Erection of marquee from 1st May to 31st August inclusive each year to be used for functions (revised proposal) - Elme Hall Hotel

2/01/0549/A: Application Refused: 05/06/01 - Erection of flag pole and non-illuminated banner - Elme Hall Hotel

2/03/2501/F: Application Permitted: 30/11/04 - Construction of two storey block of motel rooms - 69 Elm High Road

2/00/0079/A: Application Permitted: 25/02/00 - Erection of flag pole and flag banner - Elme Hall Hotel

2/03/2501/NMA\_1: Application Permitted: 06/08/10 - NON-MATERIAL AMENDMENT FOR PLANNING CONSENT 2/03/2501/F: Construction of two storey block of motel rooms - Elme Hall Hotel

2/01/0989/F: Application Permitted: 12/09/01 - Construction of ballroom - Elme Hall Hotel

## **RESPONSE TO CONSULTATION**

**Emneth Parish Council: SUPPORT**

**Wisbech Town Council: SUPPORT**

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**Fenland District Council:** Elm Hall Hotel which lies to the east of Elm Hall Lodge was constructed in the 1980's, and subsequently extended to include ballroom facilities. Elm Hall Lodge was approved under 2/03/2502/F in 2004 and the works completed around 2010's.

Permission was refused to change the Lodge to a Large HMO under application 21/01569/F on grounds of adverse impact in tourism. Subsequently, permission was granted to a large HMO under 22/01014/F on the basis that the proposal was policy compliant as the hotel use at Elm Hall Hotel would be retained.

The planning application form (24/00141/FM) describes the proposal as conversion of Elm Hall Hotel to 20 No Flats, and specifies 5 x 1 bed, and 15 x 2 bed under the section of the form titled Residential/Dwelling units. The description does not match with the accompanying Planning Statement which refers to 24 residential units comprising a mix of 1 and 2 bed units. A further discrepancy arises as the proposed floor plans indicate 22 units (10 on the ground floor, 8 on the first and 4 on the second).

Where the previous application was justified on the basis that a change to an HMO at Elm Hall Lodge would enable the applicant to then invest back into Elm Hall Hotel, the Council in reaching a decision will need to be satisfied that the proposed loss of hotel accommodation would not have an adverse impact on tourism. The scale is not annotated on the submitted drawings, and therefore compliance with the Nationally Described Space Standards (NDSS) cannot be assessed. Dedicated car/cycle parking, private amenity space or bin storage provision is not indicated.

**Highways Authority: NO OBJECTION subject to conditions**

The cycle parking numbers proposed would accord with the adopted guidelines. It does not appear evident however how these cycle spaces would be secured and enclosed as per the requirements for residential use, but give that the intension is offered we would suggest that a condition is attached so that the specific cycle details can be later agreed. Also request a condition is attached to ensure the proposed access / on-site car parking / servicing / turning areas are in accordance with the approved plan.

**Internal Drainage Board: NO OBJECTION**

The site is within the Internal Drainage District (IDD) of the King's Lynn Internal Drainage Board (IDB) and therefore the Board's Byelaws apply. Whilst the Board's regulatory process (as set out under the Land Drainage Act 1991 and the Board's Byelaws) is separate from planning, the ability to implement a planning permission may be dependent on the granting of any required Land Drainage Consents. The Board's Officers have reviewed the documents submitted in support of the above planning application. Officers have noted works which may require Land Drainage Consent from the Board (nb. These are detailed within the letter).

Please be aware of the potential for conflict between the planning process and the Board's regulatory regime. Where consents are required, the Board strongly recommends that these are sought from the Board prior to determination of this planning application.

**Environmental Health & Housing – Environmental Quality: NO OBJECTION subject to conditions**

In terms of air quality the NPPF states under para 180(e) that unacceptable levels of air pollution are to be prevented, but also and wherever possible for developments to improve air quality. For larger major developments as in this case, core policy CS08 requires high standards of sustainable designs that result in a proportion of the building emissions to be

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derived from low carbon / renewable energy sources. There is no information submitted on this matter. Further information is requested, subject to condition for an energy report to satisfy core policy CS08 and the NPPF.

In terms of air pollution, as the Hotel has been closed for some while, the conversion will generate additional traffic and its associated pollution. When based on background air quality levels, this additional amount would not be considered a significant change and reason not to object on this aspect. However, this should still be minimised through a design that favours more sustainable transport options. This is however unclear, as 40 parking spaces that were previously offered for the Hotel, are to be provided for the occupants of the proposed Flats. It must be noted that the extent of parking to number of bedrooms for residential accommodation (flats) is much lower than that of a hotel. Nor are there any secure cycle spaces shown in accord with the relevant guidelines. Electric vehicle charging infrastructure may also need to be confirmed. Please note, by reducing the amount of allocated parking spaces can result in a larger landscaped area.

**CSNN: NO OBJECTION subject to conditions**

Foul drainage - No information has been provided and whilst it is accepted that the hotel would have had foul drainage provision it is important that, for a development of this size, we have clear information about the foul drainage methods. If there is time for this to be provided and assessed prior to determination that would negate the need for this to be conditioned. If there is not time for this, a condition should be attached.

Air Source Heat Pumps – The positioning of the ASHP's is satisfactory and has been placed in the most considerate location. Details of the dB levels for the units would still need to be provided to ensure they will not cause an adverse impact so I would recommend that a condition still be imposed to cover this.

Layout/internal sound insulation - It would be good practice to ensure that potentially noisy rooms such as kitchens and living rooms do not adjoin bedrooms in neighbouring flats and are not directly above or below them. Also, communal stairwell areas adjoining bedrooms should also be avoided. From the proposed layouts it seems that there are a few instances where there are some occurrences of the above scenarios. However, it is also acknowledged that in a situation where a premises is being converted as opposed to being purpose-built, it may be challenging to prevent such conflicts between quiet and noisy spaces. It is important that future residents of the flats are protected from adverse impacts from internal noise.

Construction phase – we have considered the need for a restriction on site hours and a construction management plan but the fact that the conversion work appears to be internal changes only, it will not be necessary for this project. However, an informative should be added if permission is granted in order to make the applicant aware that action can be taken outside of the planning process if there are adverse impacts on nearby residents during the construction phase under the Environmental Protection Act 1990 and Control of Pollution Act 1974.

**Emergency Planner: NO OBJECTION.**

Because of its location in an area that during an extreme flood event could become isolated from safe access and egress routes (i.e. become a dry island), those running the site:

- Should sign up to the Environment Agency flood warning system (0345 988 1188 or [www.gov.uk/flood](http://www.gov.uk/flood) )
- A flood evacuation plan should be prepared (more details at [www.gov.uk/flood](http://www.gov.uk/flood) ):

- This will include actions to take on receipt of the different warning levels.
- Evacuation procedures e.g. isolating services and taking valuables etc
- Evacuation routes.

### **Norfolk Constabulary: NO OBJECTION**

Information is provided including measures to design out crime. These refer to shared access arrangements, external lighting, security measures etc.

### **Norfolk Fire and Rescue: NO OBJECTION subject to condition**

Norfolk Fire & Rescue Service requirement will be a sufficient number of fire hydrants to ensure there is one, within 90 metres of the access point of every building, comprising multiple residential accommodation or buildings of non-residential provision. If the overall height of any building exceeds 18m the provision of a dry fire main will be required. Fire appliance access and hydrant provision for this fire main must comply with Building Regulations. The total number of hydrants required will need to be assessed when the mix and type of proposed buildings for the development area and the final layout is made clear. The hydrants could be delivered through a planning condition.

### **Strategic Housing: NO OBJECTION**

The conversion of existing buildings does not require an affordable housing contribution therefore no affordable housing will be sought here.

## **REPRESENTATIONS**

**NONE** received.

## **LDF CORE STRATEGY POLICIES**

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS10** - The Economy

**CS11** – Transport

**CS02** - The Settlement Hierarchy

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM17** - Parking Provision in New Development

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

## **PLANNING CONSIDERATIONS**

The issues for consideration of this application include-

Principle of Development  
Highways / Access  
Form and Character  
Residential Amenity and Site Management  
Other Material Considerations

### **Principle of Development**

The application site is within the development boundary for Emneth as detailed on Inset Map G34 of the SADMPP. While the village of Emneth is designated a Key Rural Service Centre, the site itself also abuts the built extent of the town of Wisbech. The application seeks a change of use of an existing building from hotel use to 19 flats and therefore, the physical building and parking area are existing. Policy DM2 states that development will be permitted within the development boundaries providing this is in accordance with the other policies of the Local Plan. Broadly speaking the principle of development is acceptable.

The NPPF states-

‘123. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.’

‘124. Planning policies and decisions should:..

- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
- d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)...

and in paragraph 127 it states –

‘Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular they should support proposals to:

- a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework’

The development would utilise an existing developed (brownfield) site for the provision of additional homes, making an effective use of land. This is subject to the development providing acceptable living conditions and not having a detrimental impact, in terms of the economy or tourism, on the town of Wisbech.

The proposed change of use of the site does mean the loss of 14 hotel rooms, which is classed as an employment use, to a residential use. Therefore, consideration should also be given to Policy CS10 of the Core Strategy which seeks to-

'...retain land or premises currently or last used for employment purposes unless it can be demonstrated that:

\* continued use of the site for employment purposes is no longer viable, taking into account the site's characteristics, quality of buildings, and existing or potential market demand; or.....

\* an alternative use or mix of uses offers greater potential benefits to the community in meeting local business and employment needs, or in delivering the Council's regeneration agenda.'

Historically planning applications on the wider site were refused as would result in the loss of existing tourist accommodation, impacting on the tourism industry in the locality. However, the applicant addressed these concerns and gained planning consent for the conversion of the motel building to an HMO (House of Multiple Occupation) back in 2022. A similar case is made for this application.

Members may recall that previously, as part of the planning application for the neighbouring HMO, the applicant stated that while that scheme would result in a reduction in the amount of employment land/ hotel accommodation, planning consent would not result in the complete loss because the applicant would be able to reinvest in the hotel. Unfortunately, this has not been the case.

The applicant argues that tourism in West Norfolk is declining, with the Office of National Statistics detailing that consumer spending on the hospitality sector is less than 70% of the pre-pandemic levels (2021).

The applicant states that the main building of Elme Hall Hotel has not been open to the public for a number of years. Figures have been provided from the hotel showing 15% and 21% fall in profit over the three years pre-covid. Therefore, there is not the demand for hotel rooms, and the hotel in its current form is not viable.

The applicant refers to a search which identifies there are five established hotels within 5 miles of the site which have continued to trade.

The applicant concludes that there has been a clear decline in tourism within West Norfolk, which has resulted in the hotel being unviable. Should the application be approved there would remain an adequate range of accommodation for tourist visitors to West Norfolk. On the basis of the above, the applicant has provided sufficient information to demonstrate that there would be limited impact on tourism and as a result the proposal would comply with the NPPF and Policy CS10 of the Local Plan.

The applicant has also supplied marketing information for the application site. This states that the hotel has been marketed for sale as a hotel since early 2021. The current owner completed the sale on the wider site following the recent planning consent for the change of use of the motel to an HMO in 2022. The owner hoped that by removing the motel style accommodation the hotel would then sell but there has been no interest in purchasing this building. Given the hotel has not been open for visitors for a number of years, the financial information supplied dates back to 2017-2019. The applicant argues that the demand post-Covid is far lower than previously.



In terms of a loss of jobs for staff, the hotel has not employed any staff for some time and the applicant argues that the conversion of the building to flats would generate some low level employment of staff in the caretaking and management of the site.

Whilst carrying limited weight, the applicant also makes the case in their planning statement that the hotel building is showing serious signs of decay and becoming unsightly in appearance on the entrance to the town. Whereas the motel conversion to the HMO has been successful with many rooms let.

In summary, the applicant has sought to provide evidence that the hotel in its current form is not viable by demonstrating the lack of interest in purchasing the site, the condition of the building and the decline in demand. Should the application be approved there would remain an adequate range of accommodation for tourist visitors to West Norfolk.

Whilst the loss of tourism accommodation is acknowledged, this has to be balanced against the need for providing new homes across the Borough for which there is an identified need. On balance it is considered that the scheme is in accordance with the NPPF (paragraphs 123, 124 and 127), policy CS10 and DM2 of the adopted Local Plan.

### **Highways / Access**

The proposed development would continue to utilise the existing access to the site, via the Elm High Road, and past the HMO. The Local Highway Authority has no objections to this proposal, subject to conditions to secure cycle parking and the access, parking and turning areas as per the approved plans. The proposed parking area will remain as is, a gravel car parking area and the scheme will also provide secure cycle storage for residents for 40 cycles. The proposed development is in accordance with the NPPF, Policy CS11 of the CS (2011) and Policy DM15 of the SADMPP (2016).

### **Form and Character**

There will be minimal changes to the application site as a result of the development proposed. The physical appearance of the building will remain largely unchanged from public viewpoints. Alterations include changes to the doors and windows at ground floor to the ballroom building and the rear of the hotel. The link between the hotel and ballroom will be removed to create two separate buildings and in the ballroom the roof space will be utilised and rooflights will be inserted into these first floor rooms. There are no changes proposed to the front of side elevations of the hotel building. The shared parking area, and the existing boundary treatments are to be retained. The scheme does include an area of amenity space for residents which is to be located to the east of the building and this will enhance the appearance of the site from the public highway.

The amenity space will include benches, picnic tables and a timber gazebo. Planting and ground finishes will also be provided to improve the outside spaces. The landscaping details proposed will be conditioned accordingly, alongside a condition requiring further information to be submitted and agreed to confirm the planting scheme. The existing boundary treatments are to be retained.

The proposal is in accordance with Policy CS08 of the CS (2011) and DM15 of the SADMPP (2016).

### **Residential Amenity and Site Management**

The development is neighboured by an existing retail development and car park to the north, the associated hotel to the east, and then the A47 to the south and Elm High Road to the

west. There are no immediate residential neighbours, the closest being the dwellings approximately 35m away on the other side of Elm High Road, and it is not considered the change of use would have a detrimental impact on the neighbour amenity of these residents.

The building is already used for holiday accommodation, and it is not considered that the change of use to permanent residential accommodation is incompatible with the application site itself or in the wider context of the neighbouring HMO.

Careful consideration has been given to the quality of accommodation proposed. All the flats now meet the minimum national space standards and all habitable rooms include a window to provide natural light and ventilation. Where the ball room and hotel building are within close proximity the conversion has been designed to ensure there are no close window-to-window relationships.

In terms of the management of the site, the applicant has confirmed the property will be closely managed by a local ARLA qualified property Manager, and a local company will be used for regular cleaning and grounds maintenance. CCTV will be installed to all communal areas. The waste will be stored in large wheeled bins for general waste and recyclable waste, and will be stored within a specific timber fenced area the location of which is to be agreed via condition.

In terms of the amenity of the proposed residents CSNN require a number of conditions to be attached to the planning consent, should permission be granted. This includes details of the foul drainage arrangements given the size of the development. They request details of the air source heat pumps prior to the commencement of use, and a condition is requested to provide details of sound proofing within the building, to ensure neighbour amenity between flats can be protected.

A Morrisons store is located to the north of the application site, and the company has previously raised concerns about the change of use to residential accommodation given the fact that the neighbouring business does not have any restrictions on trading/ delivery times. Reference is made to paragraph 187 of the NPPF which states that 'existing businesses should not have unreasonable restrictions placed upon them as a result of development permitted after they were established. Where the operation of an existing business could have a significant adverse effect on new development (including change of use) in its vicinity, the applicant should be required to provide suitable mitigation before the development is completed.'

Previously development on the site has required a Noise Assessment to be submitted to and agreed by the LPA. Also, that any mitigation measures recommended as part of the Noise Assessment are implemented/ constructed prior to occupation of the HMO. While CSNN has not requested this, it is considered necessary to request this information via condition to ensure the development is in accordance with policy.

The development is considered acceptable in terms of residential amenity in line with policies CS08 of the CS (2011) and DM15 of the SADMPP (2016).

### **Other Material Considerations**

Affordable Housing contribution – The conversion of an existing building does not require an affordable housing contribution in line with policy CS09 of the Core Strategy.

Flood Risk – The application site lies within Flood Zone 1 of the Council's SFRA and is therefore at the lowest risk of flooding. As the site is within a large area identified as a 'dry

island' on the SFRA mapping, the Emergency Planner has provided guidance for the owner of the building and residents.

The Flood Risk Planning Practice Guidance Note states that changes of use are not typically subject to the sequential or exceptions tests. This approach is reiterated in Flood Risk Design Guidance - Conversion of Existing Buildings to Residential Use (within the Site Allocations and Development Management Policies Plan).

Fire Safety – In order to meet the requirement of the Building Regulations fire hydrants are required to be provided on site. The details of which can be submitted and agreed via condition prior to the commencement of development on site.

Secured by Design - The comments received from Norfolk Constabulary have been addressed where possible with the condition for secure cycle storage. Door entry systems, CCTV etc are not for consideration as part of this application.

Environmental Quality – The comments received draw attention to policy CS08 and the intention to support high standards of sustainable designs. While further information was requested, it is not considered necessary given the development is for the reuse of an existing brownfield site, and the development will be required to meet Building Control standards in terms of energy efficiency. The point is also raised about the need for Electric Charging Stations, and again this will be delivered through Building Control requirements.

GIRAMS – The change of use from hotel accommodation to residential flats requires a GIRAMS payment of £3,686.19. A shadow habitats regulations assessment has been submitted with the application and has been adopted by the LA as the formal appropriate assessment. The applicant wishes to secure the GIRAMS payment via a Section 106 legal agreement. This demonstrates that subject to the payment of the appropriate GiRAMS fee (and £500 per clause monitoring fee), this will have mitigated against any adverse effects of the proposal on the integrity of internationally designated wildlife sites in relation to increased visitor pressure.

## **Conclusions**

The application seeks consent for the change of use of an existing hotel to 19 flats.

The application site consists of an empty former hotel building and ballroom which has been closed for a number of years. The NPPF refers to the need to promote an effective use of land, giving substantial weight to the value of using suitable brownfield land within settlements for homes (paragraphs 123 and 124).

The applicant has considered the potential impact of the loss of the hotel rooms on the impact of tourism locally as required by Policy CS10. Figures are provided to show the decline in tourism, alongside information regarding the range of alternative accommodation within the locality. Therefore, making the case that the tourism sector is in decline which has resulted in the hotel being unviable. The applicant has also supplied information showing turnover of the business, and the marketing of the site, to illustrate the viability of retaining the site for hotel accommodation. Based on the information provided it is suggested that the need for residential accommodation outweighs any potential impact on tourism.

There will be minimal changes to the physical appearance of the site from the public highway, with alterations confined to the rear elevation of the hotel and the ballroom, aside from the proposed area of open space which will enhance the site, and the entrance to the town.

Careful consideration has been given to the amenity for residents, with all habitable rooms having a window for natural light and ventilation and all units meet the national minimum space standards for accommodation.

In summary the development is in accordance with the NPPF, Policies CS08, CS10 and CS11 (of the CS 2011), and Policies DM2, DM15 and DM17 (of the SADMPP 2016) and as such the officer recommendation is that of approval.

## **RECOMMENDATION:**

**A) APPROVE** subject to the imposition of the following conditions and completion of a s106 legal agreement to cover the current GIRAMS fee and the associated monitoring fees. If the agreement is not completed within 4 months of the committee resolution, but reasonable progress has been made, delegated authority is granted to the Assistant Director/Planning Control Manger to continue negotiation and complete the agreement and issue the decision.

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans. Drawing Nos -  
295-00 Proposed Location Plan  
295-02 B Proposed Site Plan  
295-06 C Proposed Ground Floor Plan  
295-07 C Proposed First Floor Plan  
295-08 C Proposed Second Floor Plan  
295-10 A Proposed Elevations
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking / servicing / turning areas shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 3 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with the NPPF and policy CS11.
- 4 Condition: Prior to first occupation of the development hereby permitted a scheme for the enclosed parking of cycles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.
- 4 Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with the NPPF and policy CS11.

5 Condition: No development shall commence until full details of the foul water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.

5 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

6 Condition: Prior to the occupation of the building a scheme to protect the residents of the development from noise associated with the trading estate to the north shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the development is brought into use and retained in perpetuity.

6 Reason: To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.

7 Condition: Prior to the first occupation of any of the flats hereby approved, a plan shall be submitted to the Local Planning Authority in writing identifying the location of the fenced waste storage area. The plan shall implemented as agreed by the LPA in writing and retained as such in perpetuity.

7 Reason: For the avoidance of doubt and to safeguard the amenities of the locality in accordance with the NPPF.

8 Condition: Prior to the commencement of development a detailed scheme for the sound insulation of the building shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the development is brought into use and thereafter maintained as such.

8 Reason: In order that the Local Planning Authority may retain control over the development in the interests of the residential amenities of the locality in accordance with the NPPF.

9 Condition: Prior to the first occupation of any of the flats hereby approved, full details of the Air Source Heat Pumps identified on Drawing No 295 - 06 C shall be submitted and agreed in writing by the Local Planning Authority. The plan shall implemented as agreed and retained as such in perpetuity.

9 Reason: In order that the Local Planning Authority may retain control over the development in the interests of the residential amenities of the locality in accordance with the NPPF.

10 Condition: Prior to the first use or occupation of the development hereby approved, full details of the soft landscape works including planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate shall have been submitted to and approved in writing by the Local Planning Authority.

10 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.

- 11 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 11 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 12 Condition: The development shall not be brought into use until a scheme for the provision of fire hydrants has been implemented in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority.
- 12 Reason: In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.

**B)** If in the opinion of the Assistant Director/Planning Control Manager no reasonable progress is made to complete the legal agreement within 4 months of the date of the committee resolution, the application is **REFUSED** on the failure to secure the GIRAMS fee.