

8 CW2003/2039/F - RECONDITIONING, REFURBISHMENT AND EXTENSION TO INCLUDE A CHANGE OF USE INTO A PUBLIC HOUSE OLD SCHOOL ROOMS, MORETON-ON-LUGG, HEREFORDSHIRE, HR4 8DE

For: Mrs J.V. Perkins, per Mr. J.E. Smith, Parkwest, Longworth, Lugwardine, Hereford, HR1 4DF

Date Received: 7th July 2003

Ward: Sutton Walls

Grid Ref: 50576, 45655

Expiry Date: 1st September 2003

Local Member: Councillor J.G.S. Guthrie

1. Site Description and Proposal

- 1.1 The application site is located in a central position in Moreton-on-Lugg to the south side of the main road through the village. The former school rooms building has been subject to a number of planning applications and contains a number of uses. At present it contains a residential element in the form of a flat, a chip shop which has recently been opened and has an existing planning permission for use as a pre-school nursery.
- 1.2 This application seeks full planning permission for a change of use of part of the Old School Rooms to create a new village pub. As indicated on the submitted drawings a small extension would be added to the rear part of the building to provide a new entrance area and toilet facilities. Vehicular access and car parking is provided in an unusual form and is divorced from the main building. As submitted the entrance to the proposed pub car park is some 46 metres to the east of the building itself via an existing track. This track which is a right of way to other properties provides access to a roughly triangular parcel of land on which it is proposed to park cars. Customers of the pub would then walk via a new access drive to the rear of two residential cottages (one of which is in the ownership of the applicant) to the new public house to the west. The vehicular exit of the site is also via a new driveway which would be constructed along the eastern boundary of the pub building. As such, as proposed, an 'in and out' arrangement would be used for customers arriving via car.

2. Policies

2.1 Planning Policy Guidance:

PPG1	-	General Policy and Principles
PPG7	-	The Countryside and Rural Economy
PPG13	-	Transport
PPG24	-	Planning and Noise

2.2 South Herefordshire District Local Plan:

GD1	-	General Development Criteria
CF1	-	Retention and Provision of New Community Facilities
CF6	-	Access For All

T3	-	Highway Safety Requirements
C36	-	Re-use and Adaptation of Rural Buildings
C43	-	Foul Sewerage
C45	-	Drainage

2.3 Herefordshire Unitary Development Plan (Deposit Draft):

S1	-	Sustainable Development
S2	-	Development Requirements
DL1	-	Design
CF5	-	New Community Facilities
S11	-	Community Facilities and Services
DR13	-	Noise
DR14	-	Lighting

3. Planning History

- 3.1 SH971179PF – Change of use of Old School Rooms to a day nursery. Approved 28th January, 1998.
- 3.2 CW2002/0727/F – Change of use of two flats to chip shop on ground floor with hairdressers/beauticians above. Approved May 2002.
- 3.3 CW2003/0279/F – Renewal of existing permission for a change of use to provide a day nursery. Approved March 2003.

4. Consultation Summary

- 4.1 None.
- 4.2 Responses by internal consultees that raise material planning issues are summarised and considered in the Officers Appraisal.

5. Representations

- 5.1 Moreton-on-Lugg Parish Council: The Parish Council has no objection to the application provided the car parking arrangements are given detailed consideration. The access on to the highway is acceptable to Herefordshire Council Highways Department and the area is screened for the benefit of adjoining residents. It is imperative that there additional roadside car parking on this stretch of road is minimised as much as possible in the interests of highway safety. A right of way, shown on the deeds of householders in Orchard Close, would appear to be jeopardy, as 3 car parking spaces are shown over the route and this will need legal classification.
- 5.2 Five objection letters have been received on the current application from Mr S. Trow, Vande, Moreton-on-Lugg; Mrs D. Cullum, 12 Orchard Close, Moreton-on-Lugg; Mrs J. Haynes, The Bungalow, Moreton-on-Lugg; M. Bennett, Moreton Court Bungalow, Moreton-on-Lugg; R. Norman, 11 Orchard Close, Moreton-on-Lugg.

The objections raised are based on disturbance for adjoining residents to the proposed car parking area and access and transportation issues and potential for general disturbance from the pub. It is of particular concern having regard to the late night closing of public houses which will have a harmful impact on this residential area.

Objections are also made to the potential blocking of a right of way which serves 12 Orchard Close. The plans indicate three car parking spaces across this right of way.

- 5.3 When submitted this application included six duplicate letters of support all signed by residents in Marden. Additionally three individual letters of support have been submitted by Mrs Wendy Holton of Sarn House, Moreton-on-Lugg; Mr David Holton of Sarn House, Moreton-on-Lugg; and H. Wheelock of Horfield, 12 Nursery Drive, Moreton-on-Lugg. The comments in support of the application state that the village is short of many amenities having only a church, village hall and shop including post office and of course the recently opened and very popular fish and chip shop. Many residents have expressed a wish for a pub in the village and a pub was top of the list of wants in the village plan. It is understood there will be no dining facilities at the pub and therefore I would imagine there would not be many people arriving by car. Given the central location the pub would be within half a mile of most of the houses in the parish.

It is understood that objections were previously raised on visibility of the proposed entrance and exit point but this problem has now been overcome. I can assure as a principal organiser of the campaign supporting this proposal that more than 100 Moreton residents who wrote in favour last time have not changed their mind since.

- 5.4 A further letter of comment has been received from Mrs Alison Adams of Church House Farm, Moreton-on-Lugg. The letter does not raise objections specifically to the application but raises issue of concern given the close proximity of the pub to the existing farm operation. Suggestions were made with regard to fencing and obscure glazed windows to prevent privacy and security issues being a problem.
- 5.5 The applicant has also asked that Members be made aware that 90 letters (mainly duplicate) were submitted in support of the pub use on the recent application which was refused under delegated powers reference CW2003/0978/F. Individual letters of objection were also received on that application.
- 5.6 In support of the application the applicant states that for many years church goers and people attending events and functions at the village hall have parked their vehicles on the roadside without creating any difficulties. The road through the village is approximately 6 metres wide and is restricted to a 30mph speed limit therefore we do not foresee the proposed pub creating additional parking problems. I would also like to point out that the parking area to the rear of the Beeches Cottage which was accepted for parking when consent was granted by the former District Council to convert the building in question to a day nursery is still available and outlined on the plan.

One of the many advantages of having a local pub in the village is that residents are in walking distance and therefore reducing the need for parking facilities. It is intended that the pub be primarily for the use of the local community initially opening evenings and weekends. Moreton-on-Lugg is a large and growing village and has no facilities for villagers other than the shop/post office and recently opened chip shop. I think there is now an opportunity to put a heart into the village by creating a place for local people to meet and cultivate a community spirit.

The full text of these letters can be inspected at Central Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The key issues in determining this planning application are the principle of the proposed pub in this location, the impact that the proposed use would have on adjoining land uses and the access and highway implications associated with the scheme.
- 6.2 It is considered that the basic principle of a centrally located village pub is one which is afforded considerable weight. Having regard to adopted policies in the South Herefordshire District Local Plan and the emerging policies in the Unitary Development Plan there is a basic and underlying theme that encourages the retention of and provision of new community facilities in appropriate locations. The critical issue in this instance is not the principle of a pub but more the site specific issues associated with the Old School Rooms and the potential impact of the proposed change of use.
- 6.3 As previously noted the site itself is centrally located within the village in close proximity to the village hall (west boundary), two residential properties to the east and a farmyard and associated agricultural land to the south. The Beeches which is the residential property in private ownership closest to the site will be directly affected by the proposal. The bungalow to the east side of the proposed entrance drive will also be directly affected as will properties in Orchard Close to the east. Whilst the use of the building is in principle considered acceptable for the proposed pub use having regard to its central location within the village it is a direct impact on private residential properties and highway safety related issues which need the most careful consideration in this instance.
- 6.4 As proposed by this application the car parking which is divorced from the Old School Rooms would be provided approximately 30 metres from the entrance doors of the pub. Having regard to the adjoining residential boundaries which surround the proposed car park careful consideration has been given by Officers to the impact and potential disturbance that the proposed use could have. As submitted it is considered that the parking layout is not acceptable and that amendments are required. Furthermore, as noted above a right of way appears to exist on site to the rear of 12 Orchard Close and as indicated two car parking spaces would block this access. Officers consider that with appropriate boundary treatments and lighting conditions the proposed car parking area could be developed in a way which prevented any detrimental impact to adjoining residents at the same time as allowing the proposed pub use. The amendments which will need to be subject to amended plans would reduce the car parking levels from 24 as indicated to approximately 19. This reduction would though offer the opportunity to provide a much better scheme of landscaping and workable parking layouts.
- 6.5 Members will note that a previous application was refused under the Council's adopted Scheme of Delegation on highway grounds and this application has made significant amendments to the in and out arrangement of the car park. It is now intended that the entrance will be separate from the exit which would be constructed immediately adjoining the east side of the Old School Rooms. This will involve the applicant acquiring additional land to provide a suitable width driveway and give the ability to provide a better visibility at the exit point. Whilst this arrangement is slightly unusual a number of discussions have taken place specifically on highway safety matters and your Officers conclude that the scheme as indicated is workable and acceptable in highway terms.

- 6.6 The internal layout of the proposed pub shows a relatively small public bar and lounge bar forming the main part of the new facility. A proposed side and rear extension will provide an entrance lobby, toilet facilities and beer cellar. The details submitted are not clear on proposals for the first floor and clarification is sought on this matter from the applicant's agent. It is hoped that a detailed plan showing the internal layout will be available at the meeting. Notwithstanding this point the area of the change of use can be specifically identified with any decision notice issued to ensure the whole of the Old School Rooms is not used for the public house facility.
- 6.7 On balance and after very careful consideration it is Officers opinion that the proposal is acceptable but only subject to specific planning conditions. Most notably the details of landscaping, acoustic fencing and any proposed external lighting will be subject to very careful control to ensure minimum disturbance for adjoining residential properties. This application has gone a considerable way to address the highways related refusal issue previously issued by this Authority and the Head of Engineering and Transportation now considers the proposed arrangement to be acceptable in highway terms. The proposal would undoubtedly provide a very valuable facility within the village and offer a number of local residents the opportunity to walk to and from the site.

RECOMMENDATION

Subject to the receipt of satisfactory amended plans indicating the exact floor area to be used for the public house and a revised car parking layout that Officers named in the Scheme of Delegation be authorised to approve planning permission subject to the following conditions and any other conditions considered necessary by Officers:

1 A01 (Time limit for commencement (full permission))

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2 G01 (Details of boundary treatments)

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

3 G04 (Landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

4 G05 (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

5 E02 (Restriction on hours of delivery)

Reason: To safeguard the amenities of the locality.

6 F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

7 F35 (Details of shields to prevent light pollution)

Reason: To minimise light overspill and to protect the amenity of neighbouring properties.

8 F38 (Details of flues or extractors)

Reason: In the interests of the amenity of the area.

9 F39 (Scheme of refuse storage)

Reason: In the interests of amenity.

10 H03 (Visibility splays)

Reason: In the interests of highway safety.

11 H05 (Access gates)

Reason: In the interests of highway safety.

12 H13 (Access, turning area and parking)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

13 H23 (Canopies/signs/projections over the highway)

Reason: In the interests of highway safety.

14 H26 (Access location)

Reason: In the interests of highway safety.

15 H27 (Parking for site operatives)

Reason: To prevent indiscriminate parking in the interests of highway safety.

16 H29 (Secure cycle parking provision)

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.

Notes to Applicant:

- 1 HN01 - Mud on highway**
- 2 HN05 - Works within the highway**
- 3 HN10 - No drainage to discharge to highway**
- 4 HN19 - Disabled needs**
- 5 N08 - Advertisements**

6 N04 - Rights of way

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.