

17 DCCW2007/2414/F - PROPOSED PROVISION OF 2 NO. NEW 5.0 METRE SQUARE "JUMBRELLA" PARASOLS OVER EXISTING OUTSIDE DRINKING AREA AT THE SPREADEAGLE PUBLIC HOUSE, 2 KING STREET, HEREFORD, HR4 9BW

For: Enterprise Inns Plc per Heron Design, Queen Street, Normanton, Wakefield, WF6 1AB

Date Received: 30th July, 2007

Ward: Central

Grid Ref: 50888, 39767

Expiry Date: 24th September, 2007

Local Member: Councillor MAF Hubbard

1. Site Description and Proposal

- 1.1 The application site is a licensed public house (A4) known as The Spreadeagle located on the southern side of King Street and lies within the Central Shopping and Commercial Area of Hereford and the Central Conservation Area.
- 1.2 The building is Grade II listed.
- 1.3 The application seeks planning permission to install two 5-metre square 'Jumbrella' sunshades in the existing beer garden to the rear of the property.

2. Policies

- 2.1 Herefordshire Unitary Development Plan 2007:

Policy DR1	-	Design
Policy DR13	-	Noise
Policy HBA4	-	Setting of Listed Buildings
Policy HBA6	-	New Development Within Conservation Areas

3. Planning History

- 3.1 None relevant.

4. Consultation Summary

Statutory Consultations

- 4.1 None.

Internal Council Advice

- 4.2 Conservation Manager: No objection, the installation of the 'Jumbrellas' will not affect the character of the listed building or the surroundings.

4.3 Head of Environmental Health & Trading Standards: I have examined the application and have no objection to the proposed development.

4.4 Traffic Manager: No objection.

5. Representations

5.1 Hereford City Council: No objection.

5.2 Conservation Advisory Panel: No objection.

5.3 Alcocks Chartered Surveyors: No objection.

5.4 Gwynne Street Properties: Objection, in the form of a letter counter signed by six of their tenants.

"We own all of the properties known as 9 to 19 Gwynne Street, therefore on behalf of our tenants we strongly object to the provision of the 'Jumbrellas' as this will lead to more noise and disturbance."

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

6. Officers Appraisal

6.1 The proposed 'Jumberellas' will be installed within an established beer garden which has historically served as an open area accessible to patrons to frequent, and it is permanently equipped with a number of tables and chairs.

6.2 The beer garden is completely enclosed on all sides with only a very limited public vantage point being afforded via a side passageway which leads out onto King Street. Therefore the proposed development will not harm the visual amenity of the surrounding conservation area, or harm the setting and appearance of the listed building itself such that the refusal of planning permission could be justified.

6.3 The primary issue in determining this application is considered to be whether the presence of the 'Jumbrellas' will give rise to a material intensification of use of the beer garden resulting in a loss of amenity to the neighbouring properties, in particular those in residential use in the surrounding locality.

6.4 The Head of Environmental Health & Trading Standards has not raised an objection to the proposed development, therefore whilst the comments raised in the letter of representation are noted, they are not considered to give rise to a defensible reason for refusal in this instance.

6.5 The proposed development is not considered to give rise to a material intensification of use measured against the existing situation such that there is a demonstrably adverse impact on the residential amenity of the wider locality and accordingly approval is recommended.

RECOMMENDATION

That planning permission be granted subject to the following condition:

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

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

Informatives:

- 1. N01 - Access for all.**
- 2. N19 - Avoidance of doubt.**
- 3. N15 - Reason(s) for the Grant of PP/LBC/CAC.**

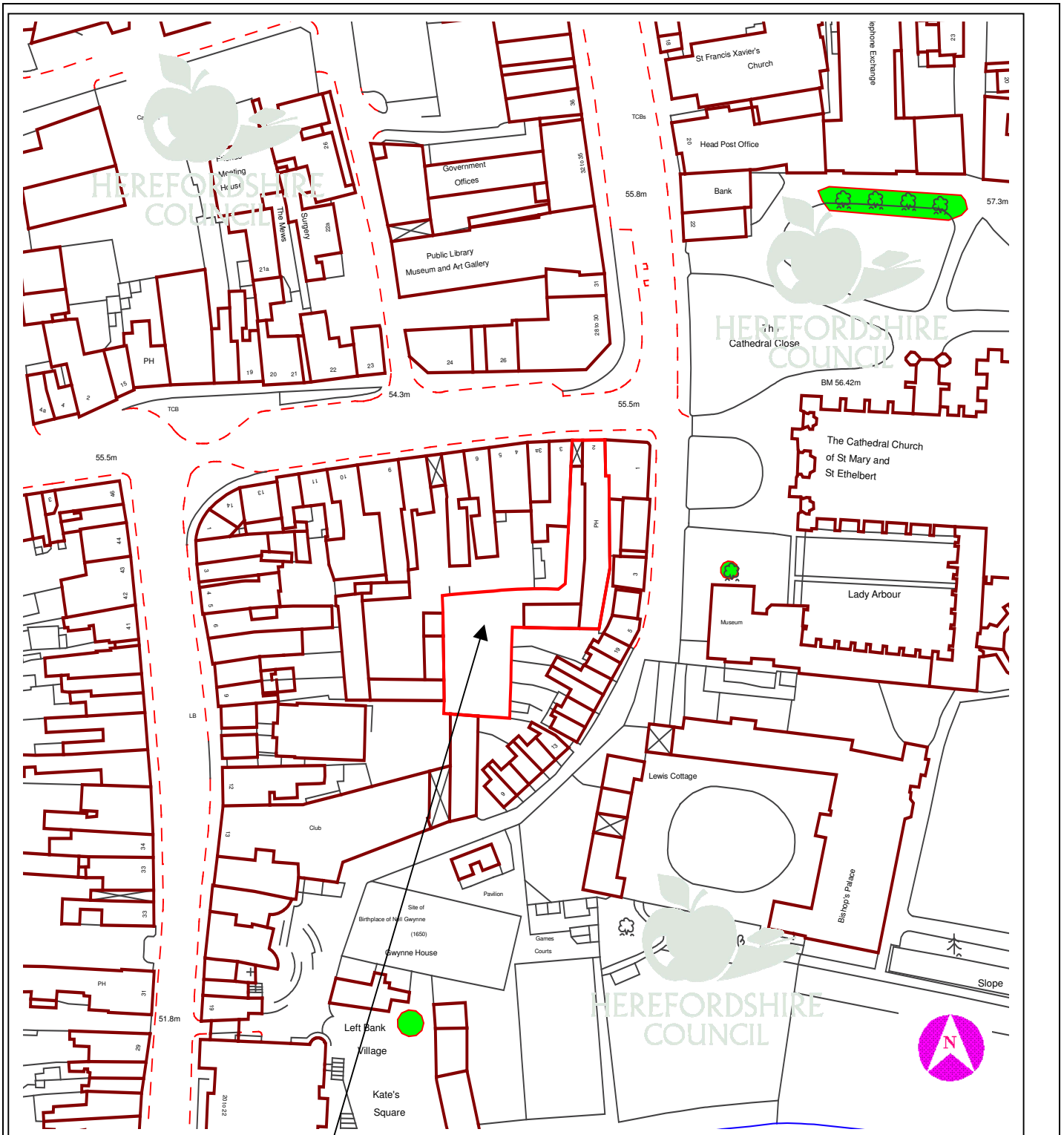
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2007/2414/F

SCALE : 1 : 1250

SITE ADDRESS : The Spreadeagle Public House, 2 King Street, Hereford, HR4 9BW

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