

**11 SE2003/2164/F - RELOCATION OF EXISTING RESTAURANT TO REDUNDANT BARN, CONSTRUCTION OF NEW CAR PARK AND ALTERATIONS TO EXISTING CAR PARK. SITE ADJACENT TO CASTLE LODGE HOTEL, WILTON, ROSS-ON-WYE, HEREFORDSHIRE**

**For: Mr & Mrs J.C. Felices per Andy Powell, Yew Tree Cottage, Brockhampton, Herefordshire HR1 4SJ**

**Date Received: 17th July 2003**

**Ward: Llangarron**

**Grid Ref: 5886 2438**

**Expiry Date: 11th September 2003**

Local Member: Councillor Mrs J A Hyde

## **1. Site Description and Proposal**

- 1.1 The application site comprises a substantial stone barn and adjoining land, situated in the angle between the A40 trunk road and the unclassified road leading from Wilton roundabout to Wilton Castle. Planning permission for conversion of the barn to a conference centre and construction of a car park was granted planning permission on 25<sup>th</sup> September 2002.
- 1.2 The current proposal is to use the barn as a restaurant. The conversion scheme for the barn would be very similar to that approved. The restaurant would become the main hotel restaurant and one of the existing restaurants would be closed. The current licence for 140 people would not be increased. Further details of the restaurant proposals are given in paragraph 5.1 below. The car park with 55 spaces would be developed as per the existing permission and would serve the restaurant as a whole.

## **2. Policies**

### **2.1 Planning Policy Guidance**

PPG1	General Principles
PPG4	Industrial & Commercial Development & Small Firms
PPG7	The Countryside: Environmental Quality and Economic & Social Development
PPG13	Transport
PPG15	Planning and the Historic Environment
PPG16	Archaeology & Planning
PPG21	Tourism

### **2.2 Hereford and Worcester County Structure Plan**

Policy E6	Industrial Development in Rural Areas
Policy E8	Industrial Development in Rural Areas
Policy E9	Industrial Development in Rural Areas
Policy E20	Tourism Development
Policy CTC1	Areas of Outstanding Natural Beauty
Policy CTC2	Development in Areas of Great Landscape Value
Policy CTC5	Archaeology

Policy CTC7	Landscape Features
Policy CTC9	Development Criteria
Policy CTC13	Conversion of Buildings
Policy CTC14	Conversion of Buildings
Policy CTC15	Conservation Areas
Policy TSM1	Tourism Development
Policy TSM3	Tourism Development

### 2.3 South Herefordshire District Local Plan

Policy GD1	General Development Criteria
Policy C1	Development within Open Countryside
Policy C2	Settlement Boundaries
Policy C3	Criteria for Exceptional Development Outside Settlement Boundaries
Policy C4	Areas of Outstanding Natural Beauty Landscape Protection
Policy C5	Development within Areas of Outstanding Natural Beauty
Policy C6	Landscape and Areas of Outstanding Natural Beauty
Policy C7	Areas of Outstanding Natural Beauty
Policy C8	Development within Areas of Great Landscape Value
Policy C9	Landscape Features
Policy C20	Protection of Historic Heritage
Policy C22	Maintain Character of Conservation Areas
Policy C23	New Development Affecting Conservation Areas
Policy C30	Open Land in Settlements
Policy C34	Preservation and Excavation of Important Archaeological Sites
Policy C36	Re-use and Adaptation of Rural Buildings
Policy ED3	Employment Proposals within/adjacent to Settlements
Policy ED5	Expansion of Existing Businesses
Policy ED6	Employment in the Countryside
Policy ED7	Re-use and Adaptation of Rural Buildings for Employment/Tourism Use
Policy TM1	General Tourism Provision
Policy TM3	Extensions to Hotels and Inns
Policy T1A	Environmental Sustainability and Transport
Policy T3	Highway Safety Requirements
Policy T4	Highway and Car Parking Standards

### 3. Planning History

3.1	SH910820PF	Conversion of existing barn to a dwelling	-	Approved 07.01.92
	SH951204PF	Change of use of land and barn (with extension) to vehicle hire centre with offices with valleting room.	-	Refused 05.02.96
	SH960935PF	Change of use of land and barn (with extension) to vehicle hire centre with offices with valleting room.	-	Refused 05.02.96
	SH961463PF	Conversion of existing barn to a dwelling.	-	Approved 02.06.97
	SE2002/1765/F	Change of use to redundant barn into conference centre and construction of new car park.	-	Permitted 25.9.02

#### 4. Consultation Summary

- 4.1 Highways Agency advise that given there is no increase in traffic generation and the hotel 'covers' are to remain the same it is felt at this stage it would be inappropriate to insist on the previous highway works that were agreed. However, should there be a further application to increase the traffic from this site then we will seek to have those improvements imposed through conditions. In this instance we still recommend conditions for the landscaping and lighting.
- 4.2 Environment Agency has no objections to the proposal.

Responses by internal consultees that raise material planning issues are summarised and considered in the Officers Appraisal.

#### 5. Representations

- 5.1 The applicant has made the following submission:

1. The old barn already has planning permission for a conference centre and car park for 50+ cars with no restriction on the numbers of people. We propose to transfer one of the hotel restaurants to the barn.
2. The barn will seat approximately 50 customers only and every guest who is sleeping in the hotel will have to go to the new restaurant for food.
3. At present the hotel at the Castle Lodge is licenced for 140 people with no restrictions whatsoever - we do not want to increase our licence for more than 140 people in the joint places, therefore the whole site will be under the Castle Lodge Hotel umbrella.
4. The new restaurant in the barn would be taking last orders at 10.00pm so we expect roughly the whole place to be shut down by 11.00pm or thereabouts thus keeping in mind the people living in the area.
5. The reason for this exercise is firstly, to clear the wasteland to create an attractive car park, also taking cars off the lane and safeguard the future of the old barn, secondly, to create a quieter establishment on this side of the hotel. The restaurant in the hotel will only be used at Christmas time, Wedding Parties or as a small Conference Business - overall it will be a quieter environment for the neighbours to live in.
6. From the highways point of view, I am not going to increase the flow of traffic more than the 140 customers.
7. The car park will be exactly the same as on the original drawings submitted for the conference centre which were approved. On the outside of the barn itself it will be exactly the same as the original drawings submitted. The interior of the barn will have very minor changes.
8. From a business point of view this makes perfect sense - very similar to a Travel Lodge set-up where you eat in one place and sleep in another. It would create a quieter environment for most of the neighbours. The restaurant will not create so much traffic as a conference centre at one time - coming in and leaving at the same time - therefore the lane will be quieter. Restaurants work off-peak hours and since I am only asking for relocation of the restaurant and not creating a new restaurant it should not cause any problems.

5.2 9 letters of objection have been received from local residents. In summary the following concerns are raised:

- this is a further step towards commercialisation of this residential area, in particular it is feared that the restaurant will be a form of fast food outlet and open up 24-hours a day because:
  - a) only an hour is allowed for ordering, cooking and eating meals - based on applicants statement that last orders will be at 10.00pm and whole place shut down at 11.00pm
  - b) referred to by applicant as like a Travel Lodge
  - c) 55 space car park and location on dual carriageway
  - d) financial viability
- conference centre was portrayed as necessary for Wilton and would create more jobs - this earlier proposal seen as just a ploy to full commercial use and the current application as a 2nd step;
- unnecessary and no market for it nor will it provide much extra employment;
- extra traffic generated would increase existing highway dangers with lots more cars and delivery vehicles, especially if a fast food restaurant with up to 140 people (the maximum currently allowed at any one time) per hour is established - significantly increased trade would be necessary to make proposal viable;
- roundabout is very busy and access lane is narrow and its design and condition are not suitable for increased traffic;
- the traffic survey carried out previously is not relevant because of the different scenario - an independent study is requested;
- where will cars go if car park insufficient? Wilton already has severe parking problems;
- environmental impact is also a concern - recent changes such as more tarmac, loss of trees screening A40, hedges and additional advertisements have all harmed character of Wilton as quiet, peaceful village (despite dual carriageway) and will end up like Picadilly Circus not AONB/Conservation Area;
- car park is not attractive, far too large and an ugly blot on landscape - proposed low wall would not screen it and large number of trees necessary to replace those removed and soften view of car park and A40;
- cooking smells in house and garden, pollution, rats and mice;
- attract "travellers" and other itinerants;
- no extra external lighting would be acceptable.

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

## **6. Officers Appraisal**

6.1 The principle of use of this building and land as additional facilities for the hotel and extra car parking has been established by the grant of planning permission for a conference centre. Conditions attached to this permission would not allow the site to be used separately from the hotel, which is directly opposite the barn on the south side of this narrow lane. This use accords with both Government and local policies which encourage commercial use of rural buildings. Such uses are normally only unacceptable if the traffic generated cannot be accommodated safely on the highway

network, the amenities of local residents are harmed or there would be environmental damage.

- 6.2 With regard to traffic likely to be generated the Highways Agency and Head of Engineering and Transportation (response from Transportation Manager) both consider that there would be less traffic problems than associated with a conference centre. The latter would attract significant numbers arriving and leaving at one time whereas customers to the restaurant would arrive and leave a few at a time. The objectors fear a fast food outlet would be developed. However this can be distinguished from a hotel restaurant which does not normally have a take-away trade and relies partly on hotel guests eating at the restaurant. In this case the new restaurant would be tied to the hotel, which is an established and apparently successful business. The main hotel restaurant would close and it is not likely that hotel customers would be attracted if the restaurant sells only fast food. It is considered that too much is inferred from the time of the last order. Nevertheless this matter is being discussed with the highway authorities and any further advice will be reported at the Committee meeting.
- 6.3 The effect on neighbours' amenities is closely related to the level of traffic. If the traffic levels are as anticipated it is not considered that there would be significantly greater noise and disturbance. The restaurant would be further from most of the houses in this part of Wilton than the existing restaurant, though one house would be close. The Head of Environmental Health and Trading Standards raises no objection provided appropriate ventilation equipment is installed.
- 6.4 The proposed external changes to the barn and the car park are the same as those relating to the conference centre. There is no reason to think that more environmental damage would result from a restaurant than a conference centre. The concerns of residents regarding loss of trees along the A40 and the need to screen the car park itself are appreciated and appropriate conditions can be attached to the permission.

## **RECOMMENDATION**

**That planning permission be granted subject to the following conditions:**

- 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 A06 (Development in accordance with approved plans )**  
**Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.**
- 3 B01 (Samples of external materials )**  
**Reason: To ensure that the materials harmonise with the surroundings.**
- 4 C04 (Details of window sections, eaves, verges and barge boards )**  
**Reason: To safeguard the character and appearance of this building of architectural or historical interest.**
- 5 C05 (Details of external joinery finishes )**

**Reason: To safeguard the character and appearance of this building of architectural or historical interest.**

- 6 No external flues or extraction equipment shall be installed at the premises without the prior written approval of the local planning authority.**

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

- 7 C09 (External repointing )**

**Reason: To safeguard the character and appearance of this building of architectural or historical interest.**

- 8 C10 (Details of rooflights )**

**Reason: To ensure the rooflights do not break the plane of the roof slope in the interests of safeguarding the character and appearance of this building of architectural or historical interest.**

- 9 C11 (Specification of guttering and downpipes )**

**Reason: To safeguard the character and appearance of this building of architectural or historical interest.**

- 10 C18 (Details of roofing )**

**Reason: To safeguard the character and appearance of this building of architectural or historical interest.**

- 11 D01 (Site investigation - archaeology )**

**Reason: To ensure the archaeological interest of the site is recorded.**

- 12 E03 (Restriction on hours of opening )**

**Reason: In the interests of the amenities of existing residential property in the locality.**

- 13 E06 (Restriction on Use )**

**Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity.**

- 14 The restaurant and car park hereby permitted and the Castle Lodge Hotel shall not be sold, let or leased separately from each other, and the car parking shall be permanently available for use by both the restaurant and the Castle Lodge Hotel.**

**Reason: To ensure that car parking facilities are readily available for both premises and to protect the amenities of neighbouring dwellings.**

- 15 F18 (Scheme of foul drainage disposal )**

**Reason: In order to ensure that satisfactory drainage arrangements are provided.**

- 16 F22 (No surface water to public sewer )**

**Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding.**

- 17 F32 (Details of floodlighting/external lighting )**

- Reason: To safeguard local amenities.
- 18 F40 (No burning of material/substances )  
Reason: To safeguard residential amenity and prevent pollution.
- 19 G13 (Landscape design proposals )  
Reason: In the interests of visual amenity.
- 20 G05 (Implementation of landscaping scheme (general) )  
Reason: In order to protect the visual amenities of the area.
- 21 G15 (Landscaping implementation )  
Reason: To ensure the site is satisfactorily landscaped.
- 22 G17 (Protection of trees in a Conservation Area )  
Reason: To ensure the proper care and maintenance of the trees.
- 23 G37 (Access for disabled people )  
Reason: In order to ensure that the development is fully accessible.
- 24 G40 (Barn Conversion - owl box )  
Reason: In order not to disturb or deter the nesting or roosting of barn owls which are a species protected by the Wildlife and Countryside Act 1981.
- 25 H03 (Visibility splays )  
Reason: In the interests of highway safety.
- 26 H05 (Access gates )  
Reason: In the interests of highway safety.
- 27 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.
- 28 H21 (Wheel washing )  
Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety.
- 29 H27 (Parking for site operatives )  
Reason: To prevent indiscriminate parking in the interests of highway safety.
- 30 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.

- 31 The car park hereby approved shall not be used for the overnight parking of commercial vehicles, caravans or mobile homes at any time.

Reason: To protect the character and appearance of this part of the Area of Outstanding Natural Beauty, Ross Town Conservation Area and the amenities of the neighbouring dwellings.

**INFORMATIVES**

- 1 NC01 - Alterations to submitted/approved plans
- 2 NC02 - Warning against demolition
- 3 ND03 - Contact Address
- 4 HN01 - Mud on highway
- 5 HN04 - Private apparatus within highway
- 6 HN05 - Works within the highway
- 7 HN07 - Section 278 Agreement
- 8 HN10 - No drainage to discharge to highway
- 9 HN13 - Protection of visibility splays on private land
- 10 HN17 - Design of street lighting for Section 278
- 11 HN22 - Works adjoining highway

Decision: .....

Notes: .....

**Background Papers**

Internal departmental consultation replies.