

14A DCNE2005/1103/F - CHANGE OF USE OF REDUNDANT MASONIC HALL TO RESTAURANT AT THE ROYAL OAK HOTEL, THE SOUTHEND, LEDBURY, HR8 2EX

14B DCNE2005/1104/L – NEW ACCESS, KITCHEN/TOILET FACILITIES AND ALTERATIONS AT THE SAME ADDRESS.

For: Mr I Martin per Mr P D Jones, 92 Robisons Meadow, Ledbury, Herefordshire, HR8 1SX

Date Received:

6th April 2005

Expiry Date:

1st June 2005

Local Member: Councillor P Harling

Ward:

Ledbury

Grid Ref:

71096, 37522

1. Site Description and Proposal

- 1.1 This application refers to part of a substantial building known as The Royal Oak Hotel, The Southend, Ledbury. It comprises the main public house/hotel which fronts onto the road, with a large two-storey wing extending to the rear. The whole building is Grade II listed.
- 1.2 This proposal seeks to change the use of the first floor of the wing to the rear from a Masonic Hall to a restaurant. It requires the provision of an access independent from the public house, and this is shown to be provided via an entrance to the northern end of the buildings front elevation. The submitted plans show an external steel staircase with a canopy over, and the creation of a new doorway. The existing double doors onto The Southend will be retained.
- 1.3 Some minor internal alterations are also proposed to create a lobby entrance and toilet facilities. Existing windows are to be re-opened in the north elevation, but the scheme otherwise does not propose any major changes to the fabric of the building.

2. Policies

Hereford and Worcester County Structure Plan

CTC13 – Conversion of Buildings

Malvern Hills District Local Plan

Conservation Policy 10 – Alternative Uses for Listed Buildings

Shopping Policy 6 – Upper Floors

Herefordshire Unitary Development Plan – Revised Deposit Draft

HBA1 – Alterations and Extensions to Listed Buildings

3. Planning History

3.1 None relevant to this application.

4. Consultation SummaryStatutory Consultations

4.1 None required.

Internal Council Consultations

4.2 Transportation Manager - Given town centre location it would seem unreasonable to apply car parking standards. Therefore no objection.

4.3 Conservation Manager - In principle this proposal is acceptable and would have a minor impact on the character and appearance of this important building. Further details are required of the lobby entrance and its roof.

4.4 Environmental Health Manager - No objection subject to condition.

5. Representations

5.1 Ledbury Town Council - Recommend approval.

5.2 Three letters of objection have been received from:

Mr & Mrs Nudds-Hunter, Top Brass, 4 The Southend, Ledbury
Stephanie Wayne, Apple Pie House Ltd, 8 New Street., Ledbury.
Mr & Mrs Melvin, 1 The Paddock, South Parade, Ledbury.

In summary, the points raised are as follows:

1. Concern that the proposed staircase will compromise access/egress to the ground floor.
2. The proposal will result in overlooking/loss of privacy.
3. The proposal will cause an unacceptable degree of noise and disturbance to adjoining residents.

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

6. Officers Appraisal

- 6.1 In general terms the re-use of this first floor space is to be encouraged, and as such complies with relevant Development Plan policies. The issue is whether the concerns raised by the objectors can be satisfactorily addressed by conditions to render the proposal acceptable.
- 6.2 The applicant's agent has provided further information to clarify the provision of access to the ground floor. This advises that a minimum width of 1 metre will be available. This would appear to satisfy the concerns raised in this respect.
- 6.3 Notwithstanding this, the Conservation Officer has requested further detailing of the staircase and lobby entrance. This detailing is not fundamental to the acceptance of the scheme and it is considered that further submissions can be satisfactorily addressed by condition.
- 6.4 Concerns relating to privacy and amenity have been raised in relation to two aspects of the scheme; the reinstatement of four windows in the north elevation and the staircase and lobby entrance.
- 6.5 In isolation, the windows would only require the benefit of listed building consent where there would be no consideration of amenity issues whatsoever. To object to their reinstatement completely would therefore appear unreasonable and it is recommended that conditions to require them to be obscure glazed and to limit the nature of opening casements would address privacy concerns in light of the proposed use.
- 6.6 The proposed point of access is the most discreet in terms of its impact on the character and appearance of the listed building. The only other possible location would be on the southern elevation and is far more prominent.
- 6.7 The proposed point of access will oppose a window serving residential accommodation above an adjoining shop. However, the scheme proposed is to build onto this boundary to ensure that no loss of privacy results. Issues relating to the potential for noise to be generated by patrons of the restaurant appear to be founded on similar problems encountered by the objectors in connection with the public house. The proposal appears to mitigate as much as is practicably possible in this respect and, whilst having some sympathy with the objectors in terms of the nuisance caused by existing uses, it is not considered that there are sufficient grounds to refuse the application on this basis.
- 6.8 The Environmental Health Officer has requested the imposition of a condition requiring details of ventilation prior to the commencement of the use. It is also recommended that opening hours are restricted to protect residential amenity.
- 6.9 The scheme is therefore considered to be acceptable and is accordingly recommended for approval.

RECOMMENDATION

NE05/1103/F

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 - C03 (External elevations) (External staircase and lobby entrance)

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

3 - C04 (Details of window sections)

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

4 - E10 (Use restricted to that specified in application) (A3)

Reason: To suspend the provisions of the Town and Country Planning (Use Classes) Order currently in force, in order to safeguard residential amenity.

5 - E19 (Obscure glazing to windows)(non opening and the extent of opening to be agreed in writing with the Local Planning Authority.)

Reason: In order to protect the residential amenity of adjacent properties.

6 - E04 (Restriction on hours of opening (restaurants and hot food takeaways))(12 noon and 11pm Sundays to Thursdays)(12 noon to 12 midnight Fridays and Saturdays).

Reason: To safeguard the amenities of the locality.

7 - F37 (Scheme of odour and fume control)

Reason: In order to ensure that fumes and odours are properly discharged and in the interests of the amenities of residential property in the locality.

Informatives:

1 - N15 - Reason(s) for the Grant of PP/LBC/CAC

NE05/1104/L

That listed building consent be granted subject to the following conditions:

1 - C01 – (Time limit for commencement (Listed Building Consent))

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 - C03 (External elevations) (External staircase and lobby entrance)

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

3 - C04 (Details of window sections)

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

Informatives:

1 - N15 - Reason(s) for the Grant of PP/LBC/CAC

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.