

14A DCNC2005/3343/F - DEMOLITION OF DERELICT GARAGING & OUT BUILDINGS AND CONSTRUCTION OF 2 NO. 2 BED HOUSES & ANCILLARY BUILDINGS FOR HOTEL. REAR OF THE ROYAL OAK HOTEL, ETNAM STREET, LEOMINSTER, HEREFORDSHIRE

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14C DCNC2005/3345/C - DEMOLITION OF DERELICT GARAGING & OUT BUILDINGS AND CONSTRUCTION OF 2 NO. 2 BED HOUSES & ANCILLARY BUILDINGS FOR HOTEL. REAR OF THE ROYAL OAK HOTEL, ETNAM STREET, LEOMINSTER, HEREFORDSHIRE

For: I M Hotels Ltd, Barton Hasker Architects, 1620 High Street, Knowle, Solihull, West Midlands, B93 0JU

Date Received:

**Ward: Leominster
South**

Grid Ref:

17th October 2005

49655, 58936

Expiry Date:

12th December 2005

Local Members: Councillor Burke, Councillor Thomas

1. Site Description and Proposal

- 1.1 The location for the proposed development is within the rear curtilage of the Royal Oak Hotel and adjacent to an existing brick constructed rear boundary wall. Presently on site is a range of dilapidated ancillary buildings to the hotel used for storage etc. These structures are of timber and tin construction, open fronted, under either slate or tin roofs.
- 1.2 The hotel itself is a Grade II Listed Building. The structures proposed for demolition have no mention in the hotel's listing description. The location is within the towns Conservation Area and therefore as the total area of proposed demolition exceeds 115 cubic metres a separate application for Conservation Area demolition consent has been applied for (application ref. no. NC05/3345/C).

- 1.3 The application proposes demolition of the existing outbuildings and the construction of two number two bedroomed residential units as additional accommodation in relationship to the hotel for use by either guests of the hotel or employees and outbuildings, all to be ancillary to the hotel complex itself, as confirmed in a letter to the Council from the applicants agent.
- 1.4 It is proposed to construct the development externally of facing brickwork under a slate roof with timber painted windows. Part of the application also involves the re-location of the hotel's access onto the adjoining public highway the C1105 known as Etnam Street.

2. Policies

2.1 Leominster District Local Plan

A1 – Managing the District's Assets and Resources
A2C – Settlement Hierarchy
A18 – Listed Buildings and their Settings
A21 – Development within Conservation Areas
A23 – Creating Identity and an Attractive Built Environment
A24 – Scale and Character of Development

A32 – Development with Town Centre Shopping and Commercial Areas
A71 – Vehicle Parking Standards for Development away from Central Shopping and Commercial Areas and Conservation Areas
A73 – Parking Standards and Conservation

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

S1 – Sustainable Development
S2 – Development Requirements
S4 - Employment
DR1 - Design
DR2 – Land Use and Activity
DR3 – Movement
E6 – Expansion of Existing Businesses
E8 – Design Standards for Employment Sites
TCR1 – Central Shopping and Commercial Areas
TCR2 – Vitality and Viability
T11 – Parking Provision
HBA4 – Setting of Listed Buildings
HBA6 – New Development within Conservation Areas

3. Planning History

- 3.1 NC05/1740/C - Demolition of derelict garaging and outbuildings and construction of 2 number 2 bedroomed and one number 1 bed dwellings - Withdrawn, 6th July 2005.
- 3.2 NC05/1739/L - Demolition of derelict garaging and outbuilding. Construction of 2 number 2 bedroomed and one number 1 bed dwelling - Withdrawn, 6th July 2005.

- 3.3 NC05/1738/F - Demolition of derelict garaging and outbuildings and construction of 2 number 2 bedroomed and one number 1 bedroomed dwellings - Withdrawn 6th July 2005.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water raises no objections to the proposed development subject to the inclusion of conditions to any approval notice issued.
- 4.2 English Heritage raises no objections stating the application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice.
- 4.3 The Highways Manager recommends that any permission which this Authority may wish to give include conditions attached to any approved notice subsequently issued.
- 4.4 The Conservation Manager raises no objections stating that the application is an improvement on the earlier application that was subsequently withdrawn and considers the proposal an enhancement on this part of the Conservation Area. The setting of the Listed Building will not be adversely affected and the Etnam Street elevation will be improved. Recommends appropriate conditions to be attached to any approval notice issued.
- 4.5 The Environmental Health Manager raises concerns about the proposed development due to the potential for noise nuisance from the function room at the rear of the Royal Oak Hotel. The close proximity of the proposed residential properties is such, that noise complaints regarding the existing function room are highly probable and noise from this source is likely to be a nuisance to residents.

5. Representations

- 5.1 Leominster Town Council recommends refusal stating as the proposal would be over development of the existing site with a conflict of car parking amenities with the adjacent hotel parking. Parking provision for the development is insufficient.
- 5.2 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 The application proposes the demolition of existing outbuildings and open fronted garaging alongside the rear boundary of the Royal Oak Hotel. It is also proposed to relocate the existing access into the site off Etnam Street. It is proposed to replace the existing structures with two no 2 bedroom houses and garaging/storage in relationship to the hotel. The applicant's agent has stated in writing that the whole of the proposed development is to be ancillary to the hotel complex.
- 6.2 The proposed development is acceptable in design terms and the Conservation Manager has responded to the application stating that the proposed development will enhance this part of the Conservation Area and the setting of the Listed Building will not adversely be affected.

- 6.3 The proposal is for ancillary additional accommodation in relationship to the hotel for use by either guests of the hotel or employees and therefore the concerns raised by the Council's Environmental Health Manager in this instance with regards to concerns about the close proximity of the proposed development in relationship to the hotel's function room are not a valid reason for refusal of the application.
- 6.4 Leominster Town Council have also recommended refusal to the application considering the proposed development 'over-development' of the existing site with a conflict of car parking amenities with the adjacent hotel parking and car parking provision for the proposed development is insufficient.
- 6.5 The proposed development is on land that already has structures upon it, the proposed development will have no detrimental planning effect on adjacent properties that adjoin the application site, outside of the control of the applicants. Therefore in relationship to the application site itself, the proposed ancillary development is acceptable and complies with all relevant policies in the Leominster District Local Plan as well as national planning policy guidance. The Highways Manager raises no objections to the proposed development, the site is within close proximity to public car parking facilities as well as alternative transport modes, therefore the proposal is also in-line in respect of public highway issues and relevant policies on this particular issue.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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- 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 - C04 (Details of window sections, eaves, verges and barge boards)**

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

- 4 - C07 (Painted finish to windows/doors)**

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

- 5 - C14 (Signing of contract before demolition)**

Reason: Pursuant to the provisions of Section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 6 - Notwithstanding the approved plans the timber framing adjacent to Etnam Street will be retained and repaired and incorporated into the approved development in accordance with a scheme approved in writing with the local planning authority prior to any development on site.

Reason: In order to retain the wall elevation that is of significant historic importance in relationship to the adjacent listed building and surrounding conservation area.

- 7 - A schedule of works will be presented to the local planning authority and approved in writing with regards to timbers in the unit closest to Etnam Street and the timbers in the party wall adjoining no. 1 Etnam Street prior to any development on site.

Reason: In order to safeguard the historic importance in relationship to the listed building and surrounding conservation area.

- 8 - B01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings.

- 9 - G01 (Details of boundary treatments)

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

- 10 - No meter boxes will be positioned on external walls of the approved development.

Reason: In order to safeguard the historic amenity of the surrounding area.

- 11 - Foul water and surface water discharges must be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

- 12 - The surface water flows from the proposed development must be limited to a maximum discharge rate of 5l/s to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

- 13 - No land drainage run-off will be permitted, either directly or in-directly, to discharge into the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

- 14 - H08 (Access closure)

Reason: To ensure the safe and free flow of traffic using the adjoining County highway.

15 - H02 (Single access - footway)

Reason: In the interests of highway safety.

16 - H03 (Visibility splays)

Reason: In the interests of highway safety.

17 - H12 (Parking and turning - single house)

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

18 - 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.

19 - The integral garaging and storage area at no time shall be converted to residential accommodation.

Reason: In order to ensure that there is adequate storage area available for use by the hotel.

20 - The additional ancillary accommodation hereby permitted shall only be used for either staff or guest accommodation in relationship to the Royal Oak Hotel.

Reason: It would be contrary to policy of the local planning authority to grant planning permission for separate dwellings in this location because of the proximity of the site to the hotels function room.

Informatives:

- 1 - HN04 - Private apparatus within highway
- 2 - HN05 - Works within the highway
- 3 - N14 - Party Wall Act 1996
- 4 - N11A - Wildlife and Countryside Act 1981 (as amended) - Birds
- 5 - N15 - Reason(s) for the Grant of PP/LBC/CAC

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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 - C04 (Details of window sections, eaves, verges and barge boards)

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

3 - C07 (Painted finish to windows/doors)

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

4 - C14 (Signing of contract before demolition)

Reason: Pursuant to the provisions of Section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5 - Notwithstanding the approved plans the timber framing adjacent to Etnam Street will be retained and repaired and incorporated into the approved development in accordance with a scheme approved in writing with the local planning authority prior to any development on site.

Reason: In order to retain the wall elevation that is of significant historic importance in relationship to the adjacent listed building and surrounding conservation area.

6 - A schedule of works will be presented to the local planning authority and approved in writing with regards to timbers in unit closest to Etnam Street and the timbers in party wall adjoining no. 1 Etnam Street prior to any development on site.

Reason: In order to safeguard the historic importance in relationship to the listed building and surrounding conservation area.

7 - No meter boxes will be positioned on external walls of the approved development.

Reason: In order to safeguard the historic amenity of the surrounding area.

Informatives:

- 1 - N14 - Party Wall Act 1996**
- 2 - N15 - Reason(s) for the Grant of PP/LBC/CAC**

DCNC2005/C

That Conservation Area 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 - Notwithstanding the approved plans the timber framing adjacent to Etnam Street will be retained and repaired and incorporated into the approved development in

accordance with a scheme approved in writing with the local planning authority prior to any development on site.

Reason: In order to retain the wall elevation that is of significant historic importance in relationship to the adjacent listed building and surrounding conservation area.

- 3 - A schedule of works will be presented to the local planning authority and approved in writing with regards to timbers in the unit closest to Etnam Street and the timbers in the party wall adjoining no. 1 Etnam Street prior to any development on site.

Reason: In order to safeguard the historic importance in relationship to the Listed Building and surrounding Conservation Area.

Informatives:

- 1 - N14 - Party Wall Act 1996
Work on an existing wall or structure shared with another property
- 2 - N15 - Reason(s) for the Grant of PP/LBC/CAC

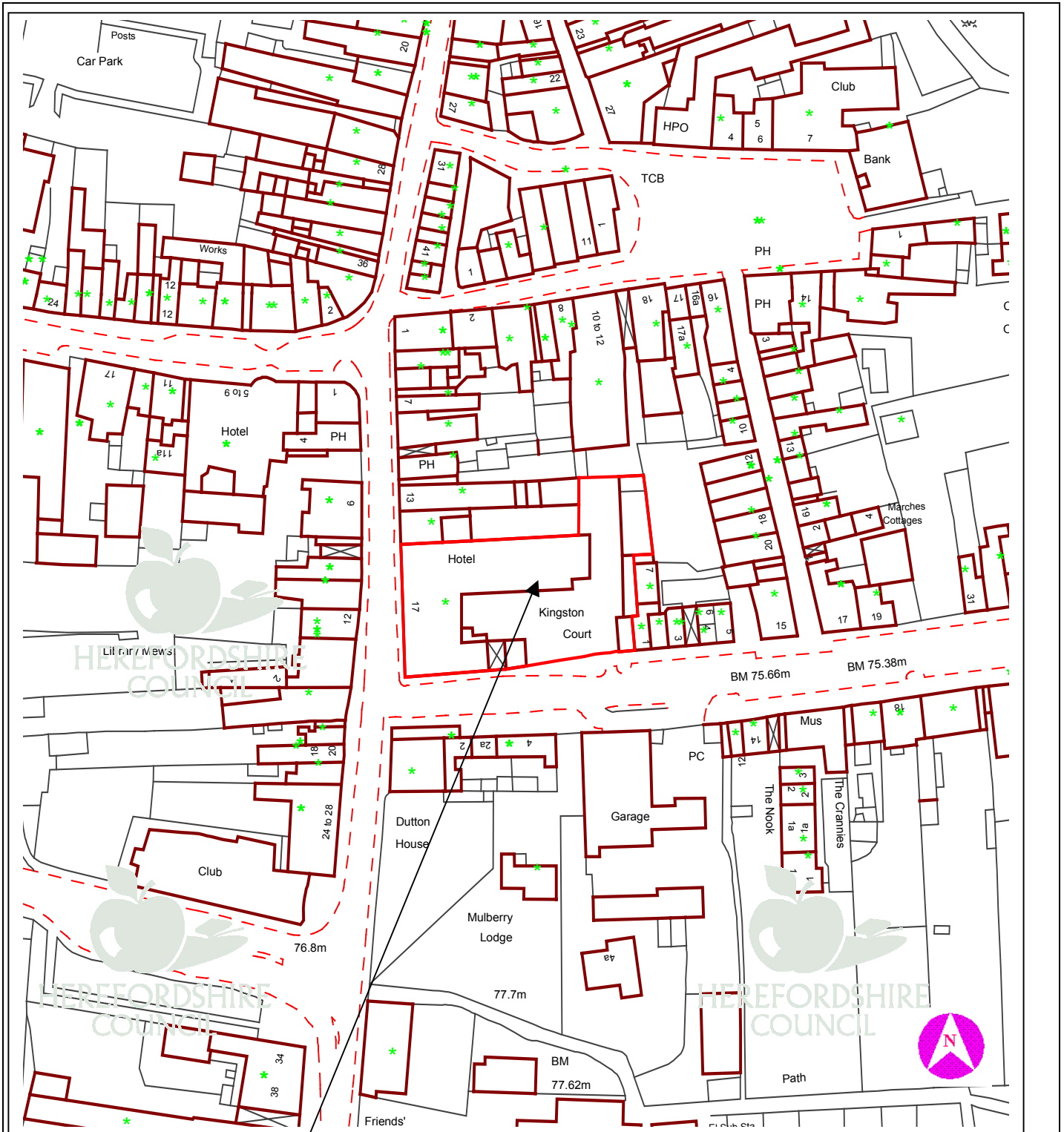
Decision:

Notes:

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Background Papers

Internal departmental



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APPLICATION NO: DCNC2005/3343/F

SCALE : 1 : 1250

SITE ADDRESS : Rear of the Royal Oak Hotel, Etnam Street, Leominster, Herefordshire

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