

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 04/09/2014</b>	<b>Item No: 5.10</b>
<b>Report Originator</b>	<b>Alan Davies Development Officer</b>	<b>Application No: KET/2014/0456</b>
<b>Wards Affected</b>	<b>Rothwell</b>	
<b>Location</b>	<b>Red Lion Hotel, 23 Market Hill, Rothwell</b>	
<b>Proposal</b>	<b>Full Application: Conversion of outbuilding with single storey extension, including creation of roof terrace</b>	
<b>Applicant</b>	<b>Mr K Jones Red Lion Rothwell Ltd</b>	

### 1. PURPOSE OF REPORT

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

### 2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture those on the existing building.

REASON: In the interests of visual amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

3. No development shall take place on site until full details of all windows, doors and timber finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of the character and appearance of the Conservation Area in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

4. Before the development hereby approved is occupied the buildings, structure and plant shall be insulated against the emission of noise in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority. Such noise attenuation shall be maintained and operated in accordance with the approved scheme. Any new plant installed subsequent to the approval shall not increase background levels of noise as approved.

REASON: To ensure that the buildings, structures and plant are adequately sound proofed in the interests of the amenities of the occupants of nearby premises in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

5. No development shall commence until there has been submitted to and approved in writing by the Local Planning Authority a detailed screening scheme for the first floor terrace. The height of the screen shall be 1.8 metres. The scheme shall indicate the positions, design, materials and type of screen to be erected. The building shall not be occupied until the scheme has been fully implemented in accordance with the approved details.

REASON: In the interests of the privacy of the occupiers of neighbouring residential properties in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

## **Officers Report for KET/2014/0456**

This application is reported for Committee decision because there are unresolved, material objections to the proposal.

### **3.0 Information**

#### **Relevant Planning History**

KET/1996/0521 – illuminated house signs and projecting signs. Approved 30/10/1996.

KET/1983/0122 – Erection of fire escape and internal alterations. Approved 31/03/1983.

#### **Site Description**

Officer's site inspection was carried out on 23/07/2014.

The application site is a historic ironstone public house in the centre of Rothwell Town Centre. It is a mixture of two and three storey elements set under a slate roof on the combined principle elevations of the north and east. The rear of the public house is reached through an alleyway to the immediate west of the main building and to the rear there is an existing beer garden and two storey red brick structure that abuts the neighbouring dwelling, 1 Church Walk. In addition to the two storey outbuilding there is a single storey garage construction attached to the front and a small lean-to which is attached to the rear wall of 1 Church Walk. The buildings have slate roofs and timber fenestration, although both are in need of repair. The beer garden is surrounded on all sides by neighbours, with the Vicarage to the west, 19-27 Bridge Street to the north, 32-34 Market Hill to the east and 1 Church Walk to the south.

#### **Proposed Development**

It is proposed to convert an existing outbuilding of the pub into a function area and increase the internal space by erecting a single storey flat roof extension with a terrace and converting an existing lean-to into a disabled and unisex toilet. The terrace will have a 2 metre high timber fence on the west boundary and a set of steel stairs for emergency purposes, which will be timber clad.

#### **Any Constraints Affecting the Site**

Rothwell Conservation Area

### **4.0 Consultation and Customer Impact**

#### **Town Council**

No response received.

#### **Neighbours**

Five objections from neighbouring residents have been received which relate to:

- Increased noise
- Overlooking from the terrace
- Increased traffic
- Smells, odours, pollution (e.g. from people smoking outside)
- Overdevelopment of the site

## **5.0 Planning Policy**

### **National Planning Policy Framework**

Policy 1. Building a strong, competitive economy

Policy 2. Ensuring the vitality of town centres

Policy 7. Requiring good design

Policy 12. Conserving and enhancing the historic environment

### **Development Plan Policies**

#### **North Northamptonshire Core Spatial Strategy**

Policy 13. General Sustainable Development Principles

#### **Local Plan**

K99. Leisure: Class A3 Uses

## **6.0 Financial/Resource Implications**

None

## **7.0 Planning Considerations**

The key issues for consideration in this application are:-

1. Principle of development (sustainable development)
2. Amenity
3. Design, character and appearance
4. Heritage
5. Highway safety

### **1. Principle of development (sustainable development)**

The proposal is to convert an existing outbuilding belonging to The Red Lion, Rothwell, into space that can be used for functions. As part of this proposal physical alterations and an extension to the existing building are required. The use of the space as part of the public house however does not require permission to change the use, as this is all part of the single planning unit of The Red Lion and therefore it is only the impact of the physical alterations that can be considered, not the use of them, which is already established. The existence of the beer garden in part of this area proposed for the extension is visible confirmation that this area can already be used for any activities that are ancillary to the use of the building as a public house.

National planning policies contained within Sections 1, 2, 7 and 12 of the National Planning Policy Framework all support the principle of this proposal as

it will enable an existing town centre business to grow, which is one of the aims of sustainable development. The Development Plan, consisting of the North Northamptonshire Core Spatial Strategy and the 1995 Local Plan for Kettering Borough, also supports this proposal in the form of Policy 99, which allows for extensions to existing A3 uses provided that the development does not have an adverse impact upon the amenity of neighbouring properties, as also required by Policy 13 of the North Northamptonshire Core Spatial Strategy. The proposal is considered to accord with national planning policy as well as the Development Plan, as discussed in further detail below.

## 2. Amenity

The area where the physical alterations are proposed is part of the planning unit of the public house and therefore it can already be used as a beer garden or for seating or as an additional bar without requiring planning. The consideration for this proposal therefore is whether the physical alterations proposed will result in greater detriment to the occupants of the neighbouring properties than at present. The Red Lion is a traditional pub and the main building has a typical pub/restaurant layout. This proposal will create a function space, which is something that the pub cannot currently offer, according to the Planning Statement submitted with the application. As such the proposed development will offer something different for the public house and as the Planning Statement identifies this space will only be operational when a function has been booked. It is therefore likely that the use of this outbuilding, which will become a function space, will be primarily at weekends.

The proposal is surrounded on all sides by residential dwellings and five objections to the application have been received on the basis of the potential for increased noise, amongst other things. As the proposal seeks to extend the existing ground floor of the outbuilding and create a larger internal area the majority of the noise generated will be retained inside the building, whereas at present any noise from the existing beer garden is experienced by all of the neighbouring residents. The result of using the downstairs space along with the extension will however have a greater impact upon the occupants of 1 Church Walk, which shares a party wall with the existing outbuilding.

Plans submitted with the application show that the proposed toilets, lobby/reception area, bar and stairs will all be located close to the party wall with 1 Church Walk. Due to the increase in floor space as a result of the extension it is considered necessary for measures to minimise the transference of noise from the outbuilding to 1 Church Walk to ensure that the works do not result in a detrimental impact upon the residents. As such a condition is proposed requiring full details of measures to prevent noise transference is proposed. Provided these measures are fully implemented it is considered that the proposal will have no greater impact upon the amenity of the occupants of 1 Church Walk than at present.

Due to the distance from the proposed extension it is considered that the proposal will have no greater impact upon the amenity of the residents of 32 and 34 Market Hill than at present. In fact, as many of the functions will be inside the existing building and extension and will reduce the amount of

outdoors seating the level of noise generated by this area, and thus the impact upon 32 and 34 Market Hill, is likely to be lessened by this proposal.

Neighbours to the direct north have also objected to this proposal on amenity grounds, one of them being that the proposed terrace will enable patrons of the public house to overlook or look into their property. The distance from the terrace to the 2 metre high boundary wall between The Red Lion and the properties to the north is 10 metres. It is a further 8 metres to the nearest affected window and as such due to the angle of the terrace and the rear elevations of 19-27 Bridge Street, along with the existing 2 metre high boundary wall, the level of overlooking will be minimised. However, the perception of overlooking will remain and therefore a condition requiring a 1.8 metre high screen to be installed to the terrace is proposed in order to prevent direct views from this terrace into the properties to the north.

It is therefore considered that provided the aforementioned conditions are imposed this proposal will not have any greater impact upon the amenity of neighbouring residents than is currently possible. The proposal is therefore considered to accord with Policy 13 of the North Northamptonshire Core Spatial Strategy in respect of amenity.

### 3. Design, character and appearance

The proposed extension and alterations will be located to the southwest of the main pub and will involve a historic two storey red brick building that is almost entirely invisible from the public realm, although a small section can be seen through the alleyway from Bridge Street and the rear elevation of the structure, which will remain unaltered, faces onto Church Walk. Therefore the proposed alterations will have a limited impact upon the character and appearance of the surrounding area. The impact of the design will be most visible upon the existing beer garden and rear of the pub.

The proposed extension will have a flat roof and terraced area about and will require a set of external stairs in case of emergency. The extension will therefore have a modern appearance, but not one that will detract from the overall character of this area of the pub. A new timber door first floor level along with a new window to the proposed toilets and large glazed entrances to the ground floor areas will be created, including two sets of sliding doors to the extension. This will result in a modern, fresh appearance within an area of the pub that retains its historic character. The design is therefore considered to accord with Sections 7 and 12 of the National Planning Policy Framework and Policy 13 of the North Northamptonshire Core Spatial Strategy.

### 4. Heritage

The proposal lies within Rothwell Conservation Area and in the vicinity of several listed buildings, such as 1 Church Walk. As all of the changes involve the north elevation of the existing outbuilding they are largely obscured from public view and thus the proposal will have minimal impact upon the character or appearance of Rothwell Conservation Area. In addition it will not affect any of the surrounding listed buildings and neither will it have an impact upon their setting. As such the proposal is considered to accord with Section 12 of the

National Planning Policy Framework in respect of its impact upon built heritage.

5. Highway safety

Several of the objections to this proposal relate to the potential for increased levels of traffic and parking, particularly on Market Hill, which is the nearest area for car parking. It is considered that there is more than sufficient public car parking in the vicinity for patrons of The Red Lion and the proposed function room. The proposal will not have a detrimental impact upon Highway Safety within the surrounding area and therefore the proposal accords with Policy 13 of the North Northamptonshire Core Spatial Strategy.

**Conclusion**

The proposal physical alterations will result in a development that preserves the existing character and appearance of Rothwell Conservation Area. The impact upon amenity will be no greater than at present and there is sufficient parking in the local area. The proposal is therefore considered to accord with both national and local planning policy and as such is recommended for approval.

**Background Papers**

Title of Document:

Date:

Contact Officer:

Alan Davies, Development Officer on 01536 534316

**Previous Reports/Minutes**

Ref:

Date: