

APPLICATION NOS.	P18/V2705/FUL and P18/V2706/LB
SITE	10 East St Helen Street Abingdon Oxon, OX14 5EA
PARISH	ABINGDON
PROPOSAL	Proposed first floor extension to form toilet block, single storey rear extension to form additional dining area, internal refurbishment, balcony extension (corrected plans received 11 December 2018) (Updated Heritage Statement received 13 December 2018). (Amended plans received 7 January 2019 - inclusion of kitchen ventilation equipment on plans) (Amended plans received 29 January 2019 - clarification of boundary wall treatment) (Further corrected plans received February 2019).
WARD MEMBER(S)	Katie Finch Helen Pighills
APPLICANT OFFICER	Mr I Grundy Sarah Green

RECOMMENDATION

Planning Permission be granted subject to the following conditions:

Standard

- 1. Commencement 3 years - Full planning permission**
- 2. Approved plans**

Pre-commencement

- 3. Surface water drainage scheme to be submitted**

Pre-use/occupation

- 4. Odour control scheme to be submitted before new kitchen used**

Listed Building Consent be granted subject to the following conditions:

Standard

- 1. Commencement 3 years – Listed building consent**
- 2. Approved plans**

Compliance

- 3. Materials in accordance with plans**
- 4. New kitchen extract flue shall be painted black.**

1.0 **INTRODUCTION AND PROPOSAL**

1.1 These applications have been referred to committee at the request of Councillor Helen Pighills.

1.2 The site is the Kings Head and Bell public house in Abingdon. The public house is grade II listed and within the town conservation area. It sits on a relatively narrow plot which is wider towards the rear. It has previously been subject to a conservatory to the side, and internal refurbishment as well as external pergola and barbecue shack within the garden. The site is shown on the location plan below:



1.3 This proposal is for a ground floor extension, a balcony extension, and first floor extension above the existing toilets. The works will allow for the toilets to be relocated upstairs. A new ground floor kitchen would then be installed. The ground floor extension would be a new glazed conservatory area for dining that can be used all year round.

1.4 During the application process a number of amended plans have been submitted to address inaccuracies in the original plans. The plans are **attached** at Appendix 1 and are also available on the website.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 A summary of the responses received to the applications are included below

<p>Abingdon Town Council</p>	<p><u>Amended plans</u> Objection</p>
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	<ul style="list-style-type: none"> Concurred with the concerns expressed by the Environmental Health Officer regarding odour emissions and therefore recommended that this application be refused until these concerns are addressed <p><u>Original plans</u> Objection</p> <ul style="list-style-type: none"> Harm amenities of neighbouring properties and wider environment in terms of noise and light pollution. Concern on loss of trees Noted conservation officer said information was missing
Neighbour Objection (2)	<ul style="list-style-type: none"> Already enough done to ancient building, extension unnecessary Preferable to maintain and repair existing building Area front of pub is hideous No assessment of impact of proposals on heritage assets Open nature of courtyard is an important part of its character
Neighbour comments (2)	<ul style="list-style-type: none"> No objection to general proposal, have some matters wish to be covered by any necessary conditions - Retention of right of way to No 6 through garden; noise controlled; surface water drainage addressed; no use made of boundary wall.
Environmental Protection Team (Vale)	<p><u>Amended plans</u> No objection subject to an odour control pre-commencement condition</p> <p><u>Original plans</u> No ventilation arrangement shown on plans</p>
Air Quality Officer (Vale)	No objection
Conservation Officer (Vale)	<p>Amended plans No objection</p> <p>Original plans No in-principle objection, insufficient detail in report/on plans</p>
Forestry Team (Vale)	No objection
County Archaeologist (OCC)	No objection

3.0 **RELEVANT PLANNING HISTORY**

3.1 P15/V2809/FUL - Approved (15/04/2016)

Timber-constructed and open-sided barbecue shack/lean-to. Retrospective application.

P09/V1475/DIS - Approved (03/11/2009)

Request for compliance with Conditions for Application No: ABG/545/16, Conditions 2, 3 and 5

P09/V1368/DIS - Approved (03/11/2009)

Request for compliance with Conditions for Application No: ABG/545/17-LB, Conditions 2, 3, 4, 5, 6, 7, 8, 9 and 11

P09/V1489/LB - Approved (25/09/2009)

Alterations to existing signage scheme and additional lighting to be added to exterior of building

P09/V1055/LB - Approved (23/07/2009)

Two phase proposal for two extensions, an external covered timber pergola and general internal refurbishment

P09/V1013 - Approved (23/07/2009)

Two phase proposal for two extensions, an external covered timber pergola and general internal refurbishment

P08/V1300/LB - Approved (11/09/2008)

Internal and external alterations including demolition of existing toilet extension and replacement with new.

P08/V0939 - Approved (11/09/2008)

Internal and external alterations including demolition of existing toilet extension and replacement with new.

3.2 **Pre-application History**

P18/V1530/PEO – pre-app enquiry (12/09/2018)

The proposed development is an extension to the rear of the pub with aluminium and glass, kind of like a standalone conservatory. with also extension to re position and create more toilets on the 1st floor and the pub internal refurbishment as well

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 This development does not fall within schedule 1 or 2 of the EIA regulations. It is not EIA development and is not required to provide a screening opinion.

5.0 **MAIN ISSUES**

5.1 The relevant planning considerations are the following:

- Impact on the listed building
- Impact on the conservation area and visual amenity

- Impact on neighbour amenity
- Drainage
- Odour control
- Archaeology

5.2 **Impact on the listed building**

The public house is a modest sized building characterised by its historic plot and form. Around ten years ago consent was granted for substantial refurbishment works and the existing conservatory to the side of the building.

- 5.3 The proposed new glazed conservatory dining area will cover the majority of the existing outside garden. However, as it is proposed to be all glazed it will appear lightweight and still retain views through it. The glazed doors making up the walls will be fully openable and the roof will be able to be retracted, thereby being able to make this area 'open', reflecting a similar feel to the existing garden. It will however mean that the existing external dining area can be covered in poor weather and therefore used all year round, providing obvious economic benefits to the business.
- 5.4 The new conservatory will effectively be a free standing structure from the main building, therefore having minimal impact on the existing historic fabric. The agent has clarified how it will sit next to the rear boundary wall and that the wall will be maintainable from within the structure. The conservation officer is satisfied with how the conservatory will visually appear within the courtyard setting and its construction.
- 5.5 The first floor extension above the existing toilets will raise the ridge by 2.85 metres to be the same as the adjacent ridge and will be in materials to match. A new flue will be required for the new kitchen. This will be on the end of the building which will therefore help to limit its visual impact and the conservation officer has asked for it to be black in colour to reduce its impact and to not negatively affect the listed building. This can be conditioned. The proposed extension to the balcony will be supported by free standing posts and painted black to match the existing.
- 5.6 The conservation officer is satisfied with the level of information submitted as part of the amendments and considers it sufficient to be able to determine the impact on the listed building. The NPPF requires that the level of information submitted should be no more than is sufficient to understand the potential impact of the proposal on the listed building. The proposal is considered to accord with policies CP39 and HE4 and HE5 of the local plan.
- ## 5.7 **Impact on the conservation area and visual amenity**
- The changes are to the rear of the building and therefore in terms of the impact on the street scene and wider conservation area, there will be minimal impact. The proposal includes the loss of 2 ash trees within the garden area. These are close to the existing back boundary wall. According to the forestry officer neither tree is an outstanding example of its species type and both are so close to the wall as to limit their safe useful life expectancy. They are not visible from

a public place outside the site although they do contribute to the garden area. The agent has advised in their view they are damaging the boundary wall. Whilst it is therefore regrettable they will be lost, they are not so important that would sustain a refusal of the applications.

5.8 Impact on neighbour amenity

The town centre location and historic layout of plots means the pub is close in proximity to neighbouring residential properties. The ones most affected by this proposal would be along East St Helen Street to the north of the pub whose rear elevations overlook to some degree the pub garden. These properties will already be subject to a degree of noise, light and disturbance that comes with living adjacent to a pub. Being a town centre location, the level of amenity and privacy generally experienced by such occupiers tends to be lower. When the roof and doors of the new conservatory are open, the effect is likely to be little different to the existing situation of the open garden. When closed, it will likely offer an improvement by containing any noise within the building. It is therefore considered that the proposal will not be any worse than the existing situation.

5.9 Comments have been made with regard to the existing noise and disturbance from patrons using the front of the premises. This proposal will not change how the frontage seating area to the road is used. Noise as a nuisance is subject to separate control under environmental health legislation.

5.10 In terms of the first-floor extension this will raise the ridge height of the rear part of the building. This element is beyond the end of the garden of No 12 which sits to the south of the site and therefore will not materially increase any overshadowing of this garden. The other side of the boundary wall to the east is a retail unit on Bridge Street at ground floor, with permission granted last year for the upstairs to be converted in residential flats. There are no windows in the elevation towards the pub, so the increase in the first floor will not affect this adjacent building.

5.11 Other comments have been received about the retention of existing rights of access through the garden to properties. This application does not propose to change any of these. Any obstruction of such rights, either during construction or afterwards, would be a separate civil matter between the relevant parties involved. A planning permission cannot grant any changes to these.

5.12 Drainage

The new extension and balcony will increase the amount of impermeable surface within the garden area. Given this and the size of the extension, it is considered reasonable for details of surface water to be required to ensure that it is dealt with appropriately and does not increase the risk of flooding elsewhere.

5.13 Odour control

The proposal includes the provision of a new kitchen area on the ground floor. Further to the environmental health officer's original comments, details of the ventilation arrangements for this have been submitted. The environmental

health officer has reviewed this and, due to the extract being near to residential properties, has requested that a scheme to control and manage odour is submitted and approved to ensure the amenities of neighbouring residential occupiers are not harmed. This can be conditioned.

5.14 **Archaeology**

The county archaeologist has been consulted and they state that “the site is located in an area of archaeological interest however the development is of a relatively small scale and as such there are no archaeological constraints to this scheme”. There is no need for any conditions in relation to this issue.

6.0 **CONCLUSION**

- 6.1 The proposal is considered to be of an acceptable design and detail and would not harm the setting or fabric of the listed building. It would also conserve the character and appearance of the conservation area.
- 6.2 Officers consider that, taking into account the existing level of amenity experienced by neighbouring properties, that this proposal would not result in a material increase in harm.
- 6.3 The proposal is considered to comply with the relevant development plan policies and therefore officers recommend that both applications are approved subject to the conditions listed at beginning of this report.

The following planning policies have been taken into account:

Vale of White Horse Local Plan 2031 Part1 policies;
CP01 - Presumption in Favour of Sustainable Development
CP31 - Development to Support the Visitor Economy
CP37 - Design and Local Distinctiveness
CP39 - The Historic Environment
CP42 - Flood Risk
CP44 - Landscape

Vale of White Horse Local Plan 2011 policies;
CF2 - Provision of new community services and facilities
DC6 - Landscaping
DC9 - The Impact of Development on Neighbouring Uses
HE1 - Preservation and Enhancement: Implications for Development
HE4 - Development within setting of listed building
HE5 - Development involving alterations to a listed building

Vale of White Horse Local Plan 2031 Part2 policies;
DC23 – Impact of Development on Amenity
DP25 – Noise pollution
DP36 – Heritage Assets
DP37 – Conservation Areas
DP38 – Listed Buildings

Design guide SPD 2015

Other material considerations include government guidance, in particular:

- The National Planning Policy Framework (2018) (NPPF)
- The National Planning Policy Guidance (March 2014) (NPPG)
- Vale of White Horse Design Guide Supplementary Planning Document (SPD) (March 2015)

Other Relevant Legislation and guidance

Human Rights Act 1998

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

Equality Act 2010

In determining this planning application, the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010.

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