Planning Committee: 14 October 2015 **Item Number:** 12

Application No: W 15 / 1337

Registration Date: 26/08/15
Town/Parish Council: Burton Green **Expiry Date:** 21/10/15
Case Officer: Emma Spandley
01926 456533 emma.spandley@warwickdc.gov.uk

Peeping Tom Inn, 216 Cromwell Lane, Burton Green, Kenilworth, CV4 8AP

Erection of single storey side/ rear extension, including a veranda to the side/ rear after partial demolition of existing extensions FOR Hickory's (Rhos) Ltd)

This application is being presented to Committee due to the number of objections received.

RECOMMENDATION

Planning Committee are recommended to grant planning permission, subject to conditions.

DETAILS OF THE DEVELOPMENT

Erection of single storey side/ rear extension, including a veranda to the side/ rear after partial demolition of existing extensions.

THE SITE AND ITS LOCATION

The property is a 1960's detached Public House set in a wide plot between a ribbon development of houses. There is a large expansive car park to the north east and south west of the building, with the Pub's garden sited to the west of the building. The whole of the application site is washed over by Green Belt.

PLANNING HISTORY

3724 - Demolition of existing public house and erection of new public house, granted April 1961.

W/80/0256 - Erection of a single storey rear kitchen extension, granted 3rd April 1980.

W/85/0912 - Erection of a lounge extension at the rear; canopy at the front and alterations to elevations, granted 15th October 1985

S/89/2750 - Kitchen extension, granted 24th November 1989

W/10/1337 - Erection of smoking shelter / pergola, granted 30th November 2010

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- RAP2 - Extensions to Dwellings (Warwick District Local Plan 1996 - 2011)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- DS19 - Green Belt (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- The 45 Degree Guideline (Supplementary Planning Guidance)

SUMMARY OF REPRESENTATIONS

Burton Green Parish Council - Made comments on the application with regards to noise and disturbance; odour and cooking smells and increase in opening hours and are aware that the application is only for the extensions. All the other concerns raised are controlled by different legislation.

WCC Highways - No objection

WCC Ecology - Comments awaited

Public Response - 13 objections have been received which centre around the Hickory brand, the method of the smoking of the meat and the potential odour issues it might cause; the increase in traffic; the additional noise and disturbance due to the increase in opening hours. Of these, only 3 object specifically in respect of the proposed extensions.

Assessment

The key issues in the consideration of this application are:

- Whether the proposal constitutes appropriate development in the Green Belt and if not, whether any very special circumstances exist to outweigh the harm by reason of inappropriateness.
- Impact on living conditions of neighbours;
- Impact on highway safety;
- Impact on ecology.

Green Belt and impact on character of the area

Paragraph 89 of the National Planning Policy Framework sets out exceptions to inappropriate development in the Green Belt which includes the extension or alteration of a building where they do not result in disproportionate additions over and above the size of the *original* building. This is echoed in Policy RAP2 in the Local Plan which states extensions to dwellings will be permitted unless they result in disproportionate additions to the original dwelling (excluding any detached buildings) which:-
a) do not respect the character of the original dwelling by retaining its visual dominance;
b) do not retain the openness of the rural area by significantly extending the visual impression of built development; or
c) substantially alter the scale, design and character of the original building.

Paragraph 8.25 of Policy RAP2 clarifies that extensions in excess of 30% over the original floor area are likely to be considered as disproportionate.

The proposed extensions equate to a 30% increase of the gross floor space of the original public house. If the verandas are included, the percentage increase is 40%.

Whilst it is acknowledged that the proposed extensions together with the verandas will exceed the 30% guideline, the proposed brick built extensions are considered to be proportionate to the existing building and equate to a 30% increase. The verandas are lightweight structures which are open on all sides and the resultant impact on bulk and massing is limited. The proposed extensions are considered to respect the character of the original building by retaining its visual dominance.

Furthermore, the applicant has submitted financial information to illustrate that the existing public house is running at a loss and that the brewery are subsidising the existing business. Without the investment from the applicant the pub would be likely to close down. It is therefore considered that due to the brick extensions being no more than 30%, the verandas being of a lightweight construction with open sides, coupled with the existing viability of the business, the proposal is considered to be acceptable.

Impact on neighbours

The comments from the surrounding residents with regards to objections centred around the Hickory brand, the method of smoking the meat and the potential odour issues it might cause; the increase in traffic; the additional noise and disturbance due to the increase in opening hours are noted. However, the current planning application is only for the extensions to a lawful Public House and therefore the issues raised are not material to the consideration of the proposal.

The building is an existing Public House and the planning system cannot control who runs and operates it. To extend the opening times the new licensee will have to apply for a variation to the existing licence. If there are noise or odour issues when the Public House is running as a Hickory Smokehouse, then Environmental Health have powers under separate legislation to deal with those issues.

No.198 will not be affected by the extensions or verandas as they are located on the south side of the public house. No.248 to the south is located in excess of 25 metres away from the proposals. On this basis, the proposed extensions will not result in material harm to the living conditions of the neighbouring property through visual intrusion or loss of light.

Impact on Highways

The objections centred around increase traffic have been noted, however, as stated above, the existing building is a public house, the proposal is for the extensions only. The existing public house has ample parking and highways have not objected to the planning application.

Therefore, the proposals are considered acceptable and will not lead to a highway safety issue.

Impact on Ecology

A bat survey has been submitted with the application; however, the County Ecologist's comments are awaited. These shall be reported in the additional observations report ahead of the Planning Committee meeting.

Summary/Conclusion

The objections raised are noted, however, only 3 objections have been raised in respect of the extensions. As stated above, the brick built structures amount to a 30% increase and the verandas are open sided lightweight structures which will not harm the openness of the Green Belt and therefore the extensions are not considered to be inappropriate development within the Green Belt.

Furthermore, very special circumstances have also been submitted which illustrate that without the extensions to increase the floor space; the public house is not a viable business and will very likely have to cease trading.

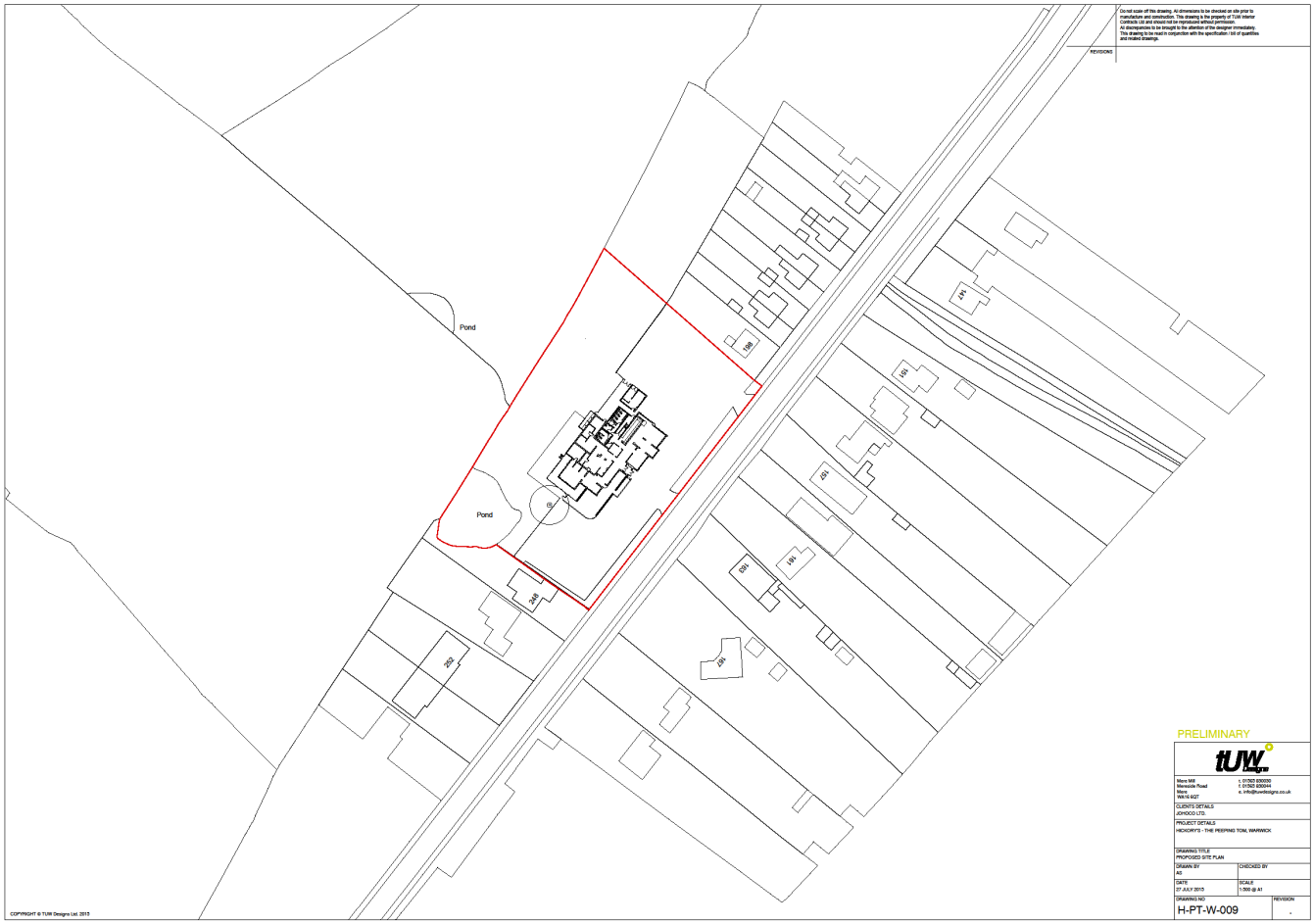
Taking all of the above into account, the proposals are considered to be acceptable.

CONDITIONS

1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing H-PT-W-009; H-PT-W-004; H-PT-W-005; H-PT-W-006; H-PT-W-007; H-PT-W-008 , and specification contained therein, submitted on 21st August 2015. **REASON**: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

3 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.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PROJECT DETAILS
HICKORYS - THE WEEPING TOM, WARWICK
DRAWING TITLE
PROPOSED SITE PLAN
DRAWN BY
AS
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DATE
07 JULY 2015
SCALE
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DRAWING NO
H-PT-W-009
REVISION
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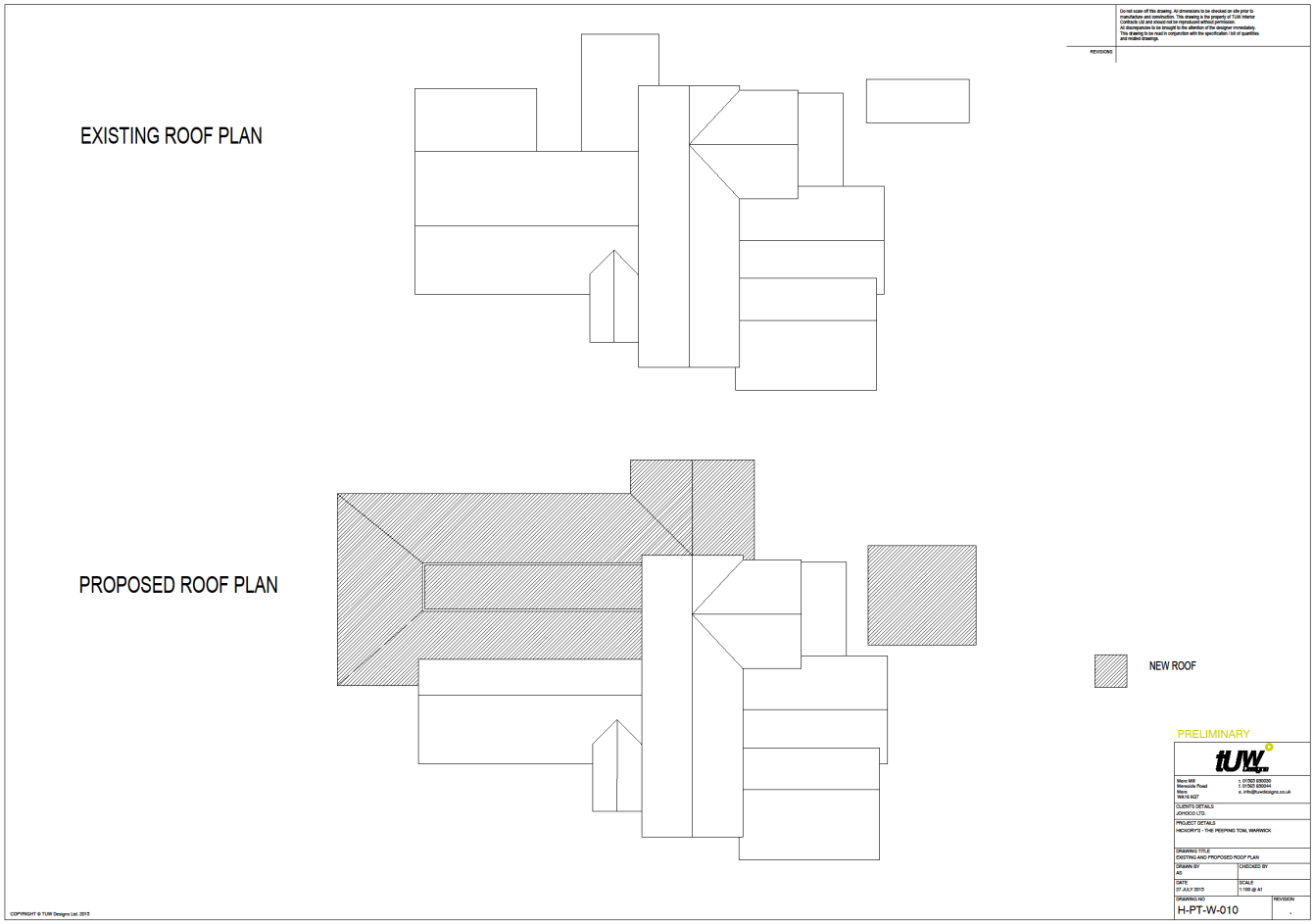
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EXISTING AND PROPOSED ROOF PLAN
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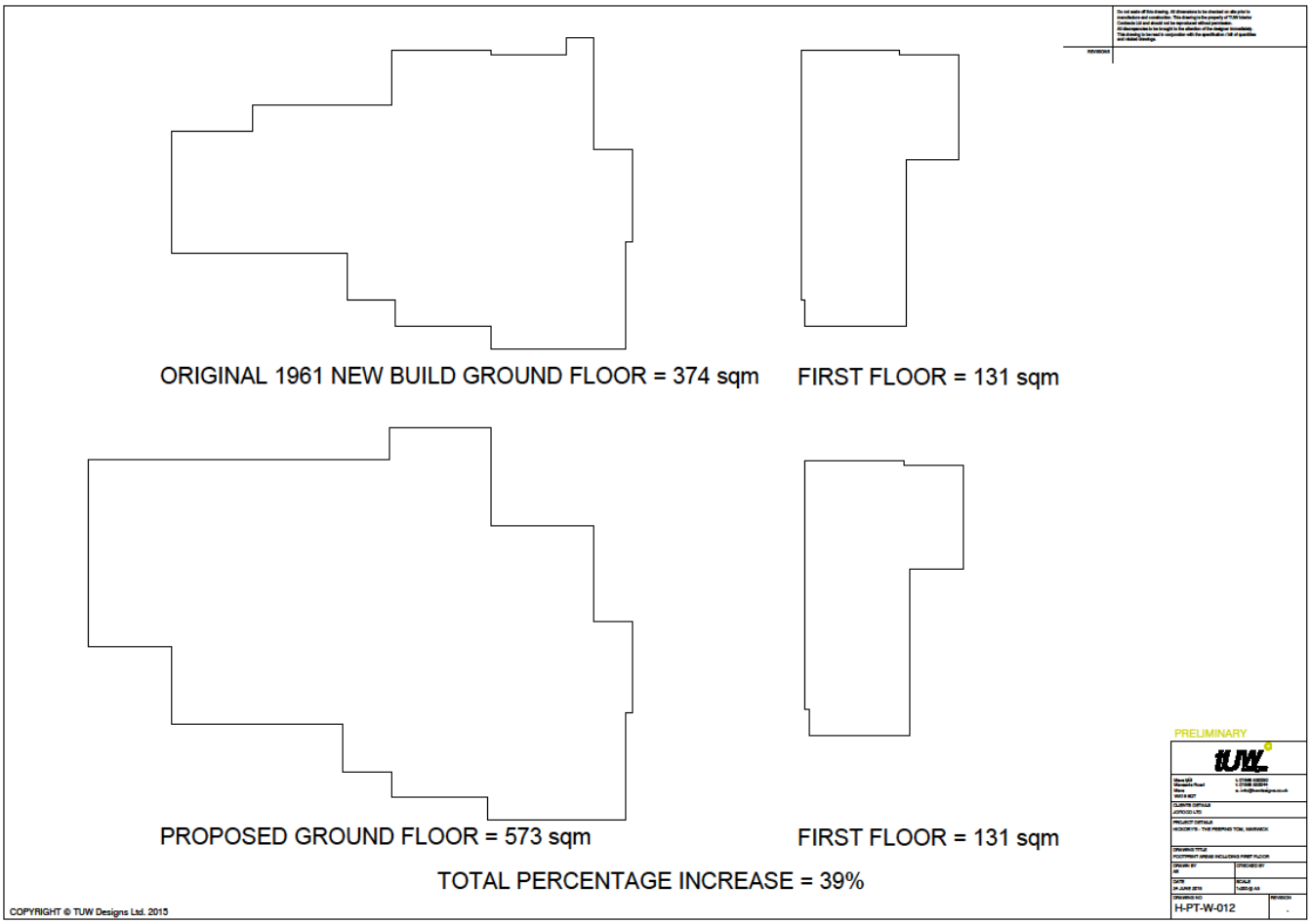
ORIGINAL 1961 NEW BUILD GROUND FLOOR = 374 sqm
FIRST FLOOR = 131 sqm
PROPOSED GROUND FLOOR = 573 sqm
FIRST FLOOR = 131 sqm
TOTAL PERCENTAGE INCREASE = 39%
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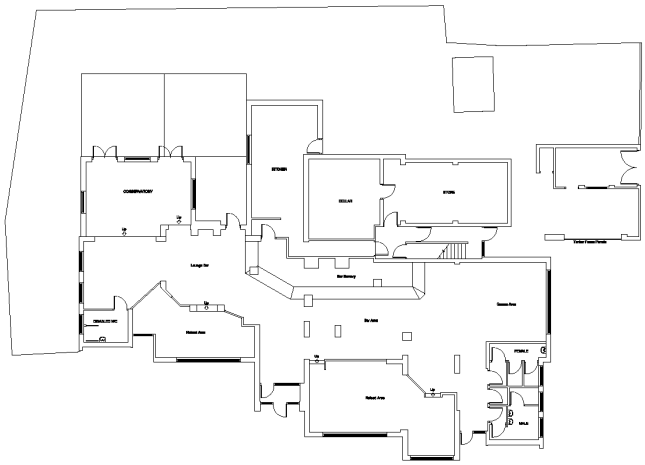

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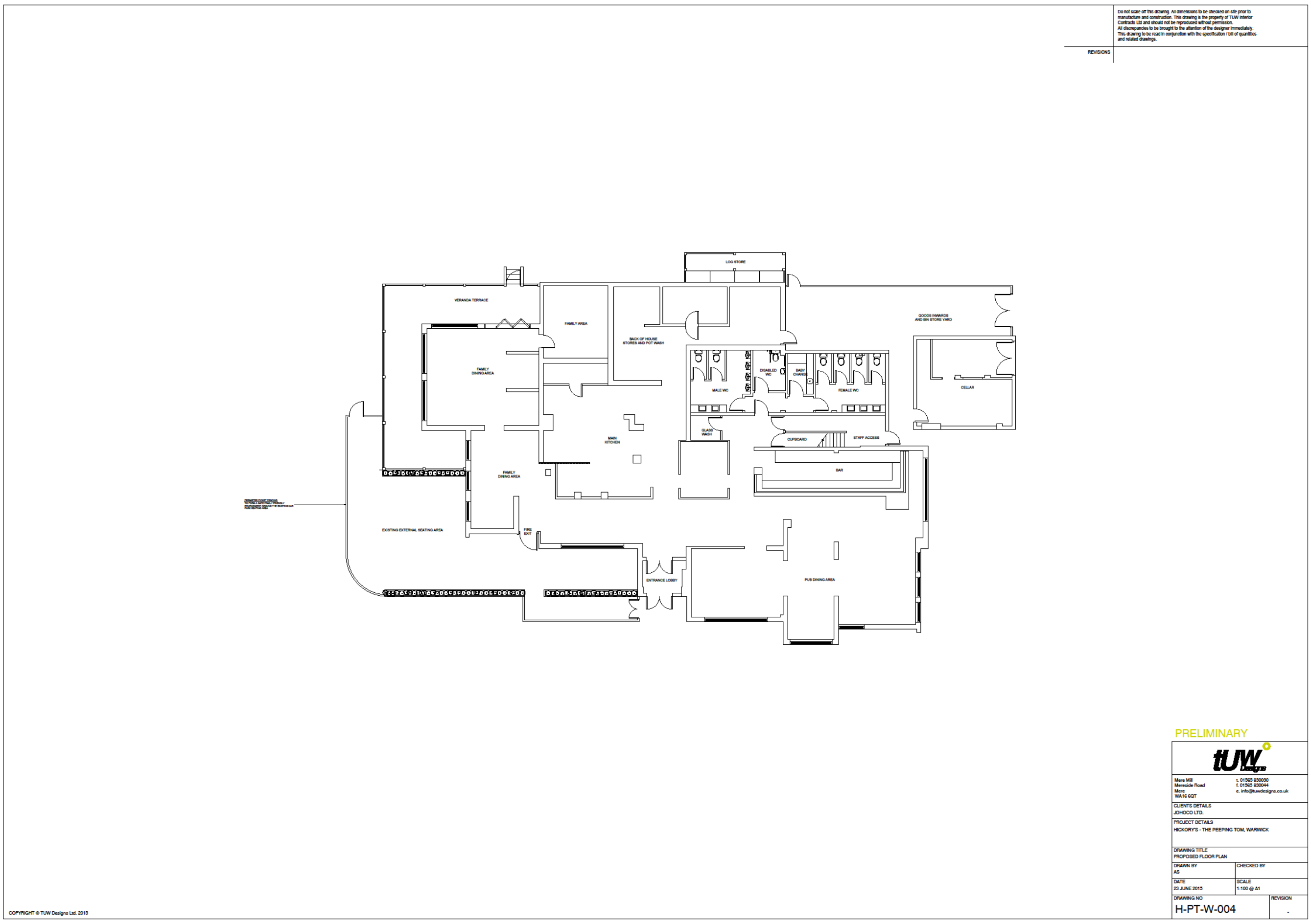
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LOG STORE
VERANDA TERRACE
FAMILY AREA
BACK OF HOUSE STORES AND POT WASH
GOODS INWARDS AND BIN STORE YARD
FAMILY DINING AREA
MALE WC
DISABLED WC
BABY CHANGE
FEMALE WC
CELLAR
MAIN KITCHEN
GLASS WASH
CUPBOARD
STAFF ACCESS
BAR
FAMILY DINING AREA
EXISTING EXTERNAL SEATING AREA
FIRE EXIT
ENTRANCE LOBBY
PUB DINING AREA
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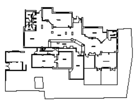
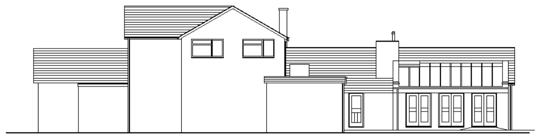
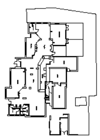




REAR ELEVATION



RIGHT SIDE ELEVATION

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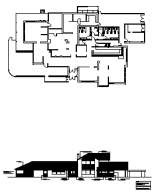

FRONT ELEVATION

FRONT ELEVATION WITH RAILINGS

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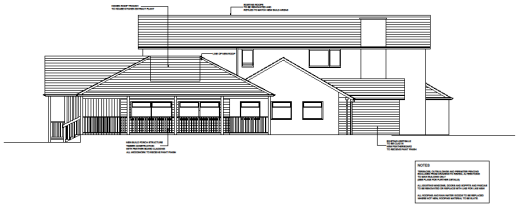

LEFT SIDE ELEVATION

LEFT SIDE ELEVATION WITH RAILINGS

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