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Site Address: Brookfield Hotel, 93-95 Havant Road, Emsworth, PO10  
7LF

Proposal: Remodelling of the existing entrance lobby, front extension, alterations to the front façade, external works to provide an outdoor seating area to the front including decking and associated landscaping, reconfiguration of the car park layout, and minor alterations to the rear elevation.

Application Type: Full Planning Permission

Application No: APP/23/00630

Expiry Date: 02/10/2023

Applicant: Mr Veitch

Walsingham Planning

Agent: Mr Veitch

Case Officer: Tina Pickup

Walsingham Planning

Ward: Emsworth

Recommendation: **GRANT PERMISSION**

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## **1 Site Description**

- 1.1 The application site relates to an established hotel and restaurant/bar located on the north side of the Havant Road at the western edge of Emsworth, previously known as the Brookfield Hotel. The Brookfield hotel had 42 bedrooms and an associated bar and restaurant that was open to members of the public. As such it is considered that the lawful use of the site is a C1 Hotel with ancillary bar and restaurant.
- 1.2 The site comprises a traditional Victorian style two storey building with third storey in the roof space, which has been extended and altered over the years, with single storey link to a two storey accommodation wing. The original buildings are traditional red brick with first floor elements of red tile hanging beneath gabled and hipped plain tile roofs. They are not Listed or Locally listed, and the site is beyond Emsworth Conservation Area.
- 1.3 The buildings are set in a large site with two vehicular access points within a feature brick frontage boundary wall. Behind the frontage wall are some significant trees that are important in the streetscene. Three of the frontage trees are protected by TPO, including a large oak tree located near the entrance to the hotel. There are other trees within the site, particularly along the northern boundary at the rear.
- 1.4 The majority of the site frontage is hard surfaced for parking and the site layout serving the Brookfield provided 59 parking spaces, but no cycle storage. To the rear is a customer garden which is largely laid to lawn with landscaped beds and borders.
- 1.5 The site is surrounded by residential properties to the east in Nore Farm Avenue and the north in Nore Crescent - these are generally bungalows on modest plots. There is also a backland residential property (number 91) adjacent the north-east corner of the site which has its drive immediately adjacent the eastern boundary and the garden extends along the northern boundary of the site. On the Havant Road to the west is a health care clinic and a pre-school nursery beyond that, together with further residential dwellings.
- 1.6 The Brookfield Hotel closed in September 2023 and whilst the site was vacant for a

period, works have commenced, and are nearly complete, on this proposed development. It is understood that the new business, now called The Ropemaker, is due to open on 23rd July 2024. All works to date that require planning permission have been undertaken at the applicants own risk, making this application retrospective.

## **2 Planning History**

2.1 It appears from the historic planning records that the site of the Brookfield Hotel originally existed on the eastern half of the site only, and in 1980 the link building extension was permitted, joining the Brookfield Hotel with a guest house then operating at 95 Havant Road, the Nore Farm Guest House (application 22355/8 refers, permitted on 24 July 1980). Since the hotel use at the site has evolved over time, with numerous extension applications, there is no over-riding original permission controlling the hotel use, so there are no conditions limiting the operation of the existing hotel use at the site.

2.2 More recent planning history includes the following:

90/50430/004 - Single storey front extension., PERM,  
90/52058/001 - C/U within grounds of Brook-field Cot to form an extension to the Brookfield Hotel car park creation of new vehicular access to Brookfield Cot & 1.7M high wall along Havant Road, PERM, 07/06/1990  
01/50430/017 - Alterations to external appearance of entrance lobby and new external paving., PERM, 31/07/2001  
99/50430/016 - Single storey front infill extension and two storey side/front extension, PERM, 14/05/1999  
98/50430/015 - Crown reduction by no more than 20% and deadwood an Oak tree subject to TPO 1162, PERM, 16/07/1998  
97/50430/014 - Single storey rear extension to provide storage facilities, PERM, 16/12/1997  
96/50430/012 - Amendment to Planning Permission 93/50430/10 to incorporate repositioning of fire escape stairs and exit door to north elevation, PERM, 27/06/1996  
96/50430/013 - Externally illuminated double sided replacement pole sign and externally illuminated board sign to front boundary, PERM, 04/02/1997  
92/50430/006 - Single storey front extension., PERM,  
93/50430/010 - First floor alterations to form 2 No. new bedrooms in north-west corner to replace 2 No ground floor bedrooms (nos 16 & 17) to be used as administration offices, PERM, 06/01/1994  
93/50430/007 - Single storey side/rear extension, PERM,  
04/50430/018 - Tree pruning., UNK,  
89/50430/001 - Two-storey extension with rooms in roof at rear (west end of site) to provide additional accommodation, with additional car parking to rear (as amended by plans received 10.5.89), UNK, 08/06/1989

## **3 Proposal**

3.1 Remodelling of the existing entrance lobby, front extension, alterations to the front façade, external works to provide an outdoor seating area to the front including decking and associated landscaping, reconfiguration of the car park layout, and minor alterations to the rear elevation.

3.2 Since works are nearly complete this application is now retrospective. The use does not require planning permission - the site will remain a C1 Hotel with ancillary bar and

restaurant. The internal alterations, refurbishment and modernisation of the internal layout also does not require planning permission. This amended application now only seeks permission for some modest extensions and alterations to the external appearance of the building and car park layout.

- 3.3 During the course of determining this application lengthy negotiations have taken place over the scale of the front alterations and decked area and their impact on the parking layout. As originally submitted the front extension was some 3m deep and 'squared off' the front to align with the front of the main building; and there was an additional 3.8m x 20m wide deep raised timber decked area creating an outside dining terrace, as well as a further 4.5m x 20m wide landscaped area with benches under the canopy of the mature oak tree. This impacted the parking layout which then only achieved 43 car parking spaces, 4 motorbike spaces and a cycle shelter for 6 bikes., ie a net loss of 16 car parking spaces. The parking layout was initially amended in isolation, providing 52 car parking spaces, 4 motorbike spaces and a cycle shelter for 10 bikes., ie reducing the net loss to 7 car parking spaces.
- 3.4 However this loss of 7 spaces could still not be justified and subsequently the plans have been amended to reduce the front extension and alterations, enabling the existing car parking layout to largely remain. The amended alterations to the front would simply be a small lobby infill of about 2.3m x 2.3m, with some change to window and door openings, but otherwise the front facade remains unaltered in footprint. The front decked area has been reduced in size to 9m wide x 4.9m deep (capable of accommodating about 24 covers). The front landscaped area and benches have been omitted entirely.
- 3.5 A minor reconfiguration of the car park would result in 58 car parking spaces being provided, 2 of which would be disabled spaces; 4 motorbike spaces and 2 separate cycle shelters for up to 16 bikes, of which 10 would be for customers and 6 would be for staff.
- 3.6 At the rear of the site, the existing bay windows in the west elevation of the eastern wing (i.e. forming one side of the rear courtyard), would be replaced with a small extension levelling these off with a glazed monopitched section. An additional door would be inserted into the south elevation of this courtyard, which equates to the rear, north elevation of the single storey link building. The east elevation of this rear courtyard would also change slightly with the ground floor bedroom windows being replaced with opening doors and some of the bedrooms allocated a small private sitting out area.
- 3.7 Overall the enlargements that require planning permission amount to some 45sqm of additional floor space. A landscaping plan has been submitted proposing 2 new trees, one in the rear garden area and one in the south-western frontage corner.
- 3.8 The application is accompanied by a Design & Access Statement; an Arboricultural Statement including Tree Survey, Impact Assessment and Method Statement; a Highways Technical Note, and Landscape Proposal, all of which have been updated to reflect the amended scheme.

#### **4 Policy Considerations**

National Planning Policy Framework  
Havant Borough Council Borough Design Guide SPD December 2011  
Havant Borough Council Parking SPD July 2016

#### Havant Borough Local Plan (Core Strategy) March 2011

|      |                                                                                   |
|------|-----------------------------------------------------------------------------------|
| CS11 | (Protecting and Enhancing the Special Environment and Heritage of Havant Borough) |
| CS16 | (High Quality Design)                                                             |
| CS17 | (Concentration and Distribution of Development within the Urban Areas)            |
| CS2  | (Employment)                                                                      |
| CS5  | (Tourism)                                                                         |
| DM14 | (Car and Cycle Parking on Development (excluding residential))                    |
| DM3  | (Protection of Existing Employment and Tourism Sites)                             |
| DM5  | (Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses)               |
| DM8  | (Conservation, Protection and Enhancement of Existing Natural Features)           |

#### Havant Borough Local Plan (Allocations) July 2014

|     |                                                                  |
|-----|------------------------------------------------------------------|
| AL1 | (Presumption in Favour of Sustainable Development)               |
| AL2 | (Urban Area Boundaries and Undeveloped Gaps between Settlements) |

#### Emsworth Neighbourhood Plan Post Examination Version 2020

|        |                           |
|--------|---------------------------|
| ENP_M1 | (Cycle Storage Provision) |
| ENP_D1 | (General Design Policy)   |
| ENP_W4 | (Technology & Tourism)    |

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

## **5 Statutory and Non Statutory Consultations**

### **Arboriculturalist - on original layout, following submission of AIA/AMS**

The Council seeks to protect tree coverage in the Borough, sympathetically incorporating existing features into the overall design of the scheme including measures taken to ensure their continued survival.

The proposed application has reflected initial comments and the additional information proposed in Arboricultural Statement (reference LAS\_641) is welcomed. Working collaboratively with the agent the Arboricultural Statement outlines suitable tree protection measures and method statement that outlines an approach to protect trees on site with potential improvements to the land surrounding the oak tree (T5) in close proximity to the front entrance. The proposed removal of some of the hard standing and replacement with a grass reinforcement system, such as Golpa, and raised decking for the outdoor seating area would result in an improved rooting environment for the tree (57.7% reduction of hard surfacing in the root protection area), which would be in accordance with Policy DM8 of the Havant Core Strategy (2011).

The supporting information (Arboricultural Statement, reference LAS\_641) confirms that the existing levels in the root protection areas of the trees will be retained which again would be in accordance with Policy DM8 of the Havant Core Strategy (2011) to protect natural features of amenity importance on site.

The development proposals do include the removal of two trees (T17 and T24), but Appendix 7 of Arboricultural Statement (reference LAS\_641) identifies the species and location for

replacement planting. Whilst it is disappointing to see the loss of a tree on site, on balance the proposed works are considered acceptable considering condition of the trees and the works would be in accordance with Policy DM8 of the Havant Core Strategy (2011).

The collaborative working with the agent is commended. If the officer is minded to grant planning permission for the application, tree protection measures, foundation design and landscaping details, plus replacement planting should be secured by condition.

The proposed works, subject to the conditions listed below would be in accordance with Policy CS16 and DM8 of the Havant Core Strategy (2011).

**Recommendation:**

Approval subject to the following conditions: Pruning works; Tree protection measures; Foundations and landscaping; Hand digging; Replacement planting; Management of replacement planting - *see file for conditions in full*

**Arboriculturalist - on amended plans:**

The amendments dated 24/05/24 are noted, and in particular the arboricultural statement provided by Land Arb Solutions, ref: LAS\_641\_A; appears to be broadly arboriculturally sympathetic.

Provided that the details found in the arboricultural statement are closely followed, I would raise no objections in arboricultural terms.

I would also recommend that the usual suite of arboricultural conditions be applied where possible to any planning approval.

**Crime Prevention**

None received

**Economic Development**

None received

**Emsworth Residents Forum - on original submission**

The Emsworth Residents Forum supports the application to upgrade an important hotel facility which supports the local tourist economy.

However, there are concerns about the reduction in car-parking in the proposed scheme compared to the current provision. The number of car-parking places is proposed to be reduced to be roughly equal to the number of bedrooms but the use of the hotel restaurant would generate considerable further demand, as would events held at the hotel. There is a real prospect therein for surrounding residential roads to become overflow parking areas. Even the current provision is insufficient at peak times to satisfy demand.

**Emsworth Residents Forum - on first set of amended plans**

We have continuing concerns regarding car-parking provision for the new hotel and restaurant. Whilst the modelling adopted by the applicant suggests that parking will be generally sufficient, there is a reliance on the prediction that there will be an overlap between hotel residents and restaurant/bar customers. We are not convinced that this will be the case, since the joining of a destination restaurant with a conventional hotel is likely to lead to a different parking demand.

The shortfall of car-parking provision against the standards set out by the local authority in its Supplementary Planning Guidance and the fact that it represents a

reduction from the current provision, is a continuing concern.

Two sets of data would be useful in this context. Firstly the parking demand in similar hotel/restaurant establishments operated by the group would demonstrate how realistic the contention that there is an overlap in demand by the hotel and restaurant in practice. Secondly an impact survey to demonstrate where any excess demand could be accommodated on roads adjacent to the hotel/restaurant would show the potential effect of different levels of excess demand on adjoining roads.

The provision for employees transport needs to minimise car-parking demand seems optimistic, relying simply on encouraging journeys being made by cycle. Such encouragement does not include changing and shower facilities and in any effect may not be effective in inclement weather or for employees, especially female employees, on shift work.

### **Emsworth Residents Forum - on final set of amended plans**

The new information suggests that the revised plans are for only a minor extension of the previous restaurant and that the parking proposed would be adequate and there would be no overflow parking on neighbouring residential roads. We believe, however, that the parking requirement should be assessed using the HBC standards on the basis of the new offer (rather than a marginal adjustment of the historic requirements). That will indicate the quantum of the potential problem.

Para 5.17 of the revised Planning, Design and Access statement (May 2024) states that most people using the restaurant will be hotel guests. So 43 rooms x max 2 persons = possibly a maximum of 86 diners per evening. However the new ground floor plan shows 178 covers in total, including the bar and deck area. Whilst the application continues to state that most users of the restaurant would be residents, those figures suggest that this would hardly be a commercially viable situation and that inevitably customers would be drawn from a wide area. Most, though not all, would probably wish to use a car as their mode of transport.

The implications of overspill into the surrounding streets should be modelled at different levels and a mitigation strategy should be provided in the event that overspill is at an unacceptable level. This probably means (at the least) staff parking remote from the site.

A monitoring regime with some sort of enforcement should be a condition of any consent.

I should make it clear that the ERF supports new facilities for tourism in Emsworth, as set out in the Neighbourhood Plan, but we think it important that the impact of developments for tourism on existing residents should be carefully considered.

*Officer Note - the proposal is not for a new tourist facility, it is an existing facility and therefore issues about the use are not relevant to the consideration of this application*

### **Hampshire Highways - on original submission**

The applicant is proposing an extension of the existing hotel to provide additional covers for the restaurant use with the number of hotel rooms remaining unaltered. In order to facilitate this extension, the number of parking spaces are to be reduced by 19 spaces from 59 to 40.

The location of the hotel is circa 1.2km west of Emsworth Town Centre and is therefore not regarded to be in a highly accessible town centre location. The Highway

Authority understand that the sustainable transport provision in the vicinity of the site is limited, and it is likely that this expansion will attract custom from outside of Emsworth where the private car will be utilised.

#### Parking

The Highway Authority have concerns with the parking quantum for the proposed extension due to the additional demand that this will create for external customers. Despite commentary within the Design and Access Statement, the proposed parking does not meet the minimum standards as laid out within Havant Borough Councils Parking SPD. Whilst one parking space has been provided for each hotel room, the standards explicitly state that should eating and drinking be available to non-residents then additional on-site parking should be provided. This has not been considered.

Whilst parking is a matter for Havant Borough Council to comment on as Local Parking Authority, the Highway Authority need to be satisfied that appropriate parking can be provided on site to ensure that overspill parking on the wider highway network does not occur. To justify the reduction in parking the applicant should undertake a parking survey to review the occupancy rate at different times of the day. This will assess the current parking demand and assess whether the reduction in parking is sufficient for the existing demand and whether there is spare capacity to accommodate the additional demand.

The Highway Authority understand that the hotel currently operates events such as weddings, and it is unclear how this parking demand will be accommodated within the revised layout following the addition of the proposed restaurant expansion.

Cycle parking provision has not been provided in accordance with the standards when considering the eating and drinking establishment on its own merits and therefore additional cycle parking should also be provided.

The proposed parking layout provides an inefficient use of the available space, and it is requested that this is revised to accommodate additional parking spaces where possible. The dimensions of the parking spaces should be confirmed to ensure that they meet the standards as laid out within Havant Borough Council's parking SPD.

#### Refuse/Servicing

Refuse and servicing arrangements should be confirmed, and tracking should be provided at 10mph for an 11.20m 'super large' refuse, fire tender and delivery vehicle navigating the proposed site layout to ensure that this can be undertaken in an appropriate manner. Distances for the refuse and fire tender should be confirmed and should comply with the standards as laid out within Manual for Streets.

#### Trip Generation

The applicant should undertake a trip generation assessment to assess the increase in covers at the restaurant within the hotel. This should be benchmarked against the existing restaurant operation to assess the additional number of vehicular trips proposed by this expansion.

#### Recommendations

Having regard to the above, the Highway Authority require the further information requested before a formal recommendation can be made.

#### **Hampshire Highways - on final set of amended plans**

In the earlier Highway Authority response dated 1 September 2023 a number of

matters were raised which needed to be addressed; Parking; Refuse/Servicing; and Trip Generation. A Transport Addendum has now been submitted Ref 2024/7491/TN02 and this document sets out responses on the outstanding matters and this has been reviewed. The proposed extension has now been reduced in scale from 106 sqm to 45sqm providing 24 restaurant covers.

As the Hotel was temporarily closed in September 2023 the likely trip generation has been based on TRICS Database outputs based on sites which are considered to closely align with the characteristics and operations of this Hotel. This demonstrates the proposed extension of 45 sq metres would generate some 20-2 way movements weekdays and 30 2-way movements across a Saturday. The peak hour for the Saturday relating to the extended provision was identified as 13:00 -14:00 with 4-2 way movements. It is accepted by the Highway Authority that the additional vehicle movements associated with the proposed extension would not result in a significant impact on the operation and safety of the local highway network.

With regard to parking the proposed scheme now includes an improved parking layout which results in a loss of a single car parking spaces (58 spaces provided) from existing levels of provision and does now provide two accessible spaces, four motor cycle spaces and a secure cycle store. Whilst parking is a matter for Havant Borough Council to comment on as Local Parking Authority, the Highway Authority need to be satisfied that appropriate parking can be provided on site to ensure that overspill parking on the wider highway network does not occur. The applicants have undertaken a parking Accumulation Assessment which is based on the existing hotel being fully occupied, the trade area and the proposed extension. This does identify some limited spare capacity even at peak time identified as Saturday between 20:00 and 21:00 and should not therefore result in a demand for off-site parking to the potential detriment of highway operation and safety.

The Transport Addendum at 3.11 reconfirms that a Parking Management Plan would be introduced to seek to rationalise the demand for parking on site particularly encouraging staff to use alternative modes of travel including walking/cycling/public transport and car share and managing the use of the car park to ensure the maximum number of spaces are available. The Highway Authority would recommend to the Planning Authority that a Parking Management Plan is secured by Condition/Legal Agreement.

The Swept Path analysis as previously requested, relating to Refuse Vehicle (11.2m), Delivery Vehicle (13/18 Tonne Rigid Vehicle), Fire Tender and Standard Motor Vehicle have been provided and demonstrate that these vehicles are able to enter/turn/leave in a forward gear in an appropriate manner. The larger vehicles will obstruct the parking areas but this would be for relatively short periods of time and could be managed to limit any obstruction to parked cars.

Having regards to the above comments the Highway Authority would recommend - No objection subject to following conditions:

#### PARKING PROVISION

Before use of the development is commenced provision for parking shall have been made within the site in accordance with the approved plans and shall be retained thereafter.

Reason - To ensure adequate on-site car parking provision for the approved development.

**Landscape Team - on amended plans**

No landscape objection.

**Southern Gas Network**

None received

**Councillor Rason** - Following circulation of draft report:

I would ask that there is a robust car parking management plan and monitoring regime as a condition. There are 36 employees and their use of the car park has not been fully accounted for. ( I know the 700 bus service well and though, it is one of the best services, it is often late due to holds up in Portsmouth or Chichester).

**Officer Response**

The issue of parking management is been discussed at paragraph 7.18 below.

**6 Community Involvement**

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 12

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: **18**: 8 on the first sets of plans; and a further 10 on the final amendments:

| <b>Comment</b>                                                                                                                                                                                                                                                                                                                                                                                                 | <b>Officer Comment</b>                                                                                                                                                      |
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| <b><u>On Original and 1st set of Amended Plans</u></b>                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                             |
| <u>Principle of alterations</u><br>No problem with refurbishment; happy if sufficient parking on site to avoid overflow into neighbouring streets                                                                                                                                                                                                                                                              | Noted                                                                                                                                                                       |
| <u>Intensification of use</u><br>200 meal covers is a large increase on present hotel                                                                                                                                                                                                                                                                                                                          | Noted - see section 7 below                                                                                                                                                 |
| <u>Parking</u><br>Only 38 parking spaces for 200 covers, bar & 42 rooms - this will cause major issue with parking for residents<br><br>The plan shows a loss of 19 spaces to just 40 - is this sufficient to support a hotel of this size that has a restaurant and bar capacity of something like 350?<br><br>The road directly outside the development has a cycle path on it so is unsuitable for parking. | Subsequent amendments resulted in loss of 1 space but gain of 2 disabled spaces; 4 motorbike spaces and 16 cycle spaces<br><br><br>See section 7 for parking considerations |

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| <p>Nore Farm Avenue is narrow and already obstructed by overflow parking from the nursery;</p> <p>Against this proposal until parking problems resolved</p> <p>should avoid overflow into neighbouring streets</p> <p>Some documents indicate will become Hope and Anchor Pub with rooms and a restaurant - as such disagree that the pub will mainly cater for those staying at the hotel or locals - will also attract customers from further afield with a large proportion driving and parking. This will result in parking in surrounding roads causing congestion and inconvenience to residents close by.</p> <p>Parking layout should be maximised, not minimised</p> | <p>Noted - see section 7</p> <p>see Accumulation Assessment &amp; section 7 below</p>                                                                                                                        |
| <p><u>Noise &amp; Disturbance</u></p> <p>Properties that back onto site already put up with considerable loud music from weekend discos parties; if rear glazed infill extension with sliding folding doors is going to be used as a party area then source of noise will be closer to our properties;</p> <p>should be no music after midnight</p>                                                                                                                                                                                                                                                                                                                           | <p>The new venue would not hold functions/discos in the same way as the Brookfield did - see section 7 below</p>                                                                                             |
| <p><u>Bonfires</u></p> <p>Environmental Health have previously prohibited the hotel owners from having bonfires due to smoke problems. If permission granted can a condition prevent any waste of any type from being burned on site</p>                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p>Bonfires cannot be controlled via planning conditions, although an Informative can be added. Any future issues would again be dealt with by EH</p>                                                        |
| <p><u>Trees</u></p> <p>all trees should be maintained to a suitable height and not hang over walls into gardens</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>Noted - a future management issue</p>                                                                                                                                                                     |
| <p><u>Facilities for Disabled</u></p> <p>No lift and all bedrooms showing as baths; disappointed at lack of consideration of disabled peoples needs.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p>These comments were forwarded to the agent for their information; and access for the disabled a Building Regulations matter - though it is noted that an access ramp to the main entrance is proposed</p> |
| <p><b><u>Additional Comments on Final Amended plans:</u></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                              |
| <p><u>Noise</u></p> <p>Note 4 pairs of French doors on north</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                              |

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| <p>elevation opening from the bar area - concerned when open noise will spill out into garden affecting neighbours; previous disturbed by loud thumping discos; request restrict music amplification levels, hours and flashing lights; bar and restaurant open until midnight every night is a potential source of late night noise which is unacceptable in a residential area;</p> <p>use of external decking could cause unreasonable noise disturbance; Barn Close opposite and noise from decking at the front with late music and increased partying at night will result in unacceptable noise levels; children in bed from 7pm and in summer with windows open will affect ability to sleep;</p> <p>Brookfield music functions used to keep us awake</p> | <p>Noted - see section 7 below</p> <p>Noted - see section 7 below</p> <p>Noted</p>                                           |
| <p><u>Variation of Premises Licence</u><br/>applicant has asked for the removal of the Restaurant and Residential Licence Conditions which, in summary, require that alcohol is served ancillary to the provision of table meals indoors; new Full Licence would allow drinking and music on the decking at the front. Use of the external decking area could cause unreasonable noise disturbance to near-by residents which would not be caused if the consumption of alcohol were restricted to the internal spaces of the building<br/>no reason to allow alcohol served until midnight, goes against the website image of a family restaurant with bar</p>                                                                                                   | <p>Premises Licence a separate Environmental Health matter - but see section 7 below for notes about the revised Licence</p> |
| <p><u>Raised Decking</u><br/>Front external decking area uses valuable parking spaces and possibility of excessive noise;<br/>Residential area which is quiet after 9pm but decking area will be used up to midnight seven days a week for consumption of alcohol with or without table meals; risk of unacceptable noise disturbance when background levels quiet - noise carries considerable distance at night; external decking does not accord with DM Policy 5 and could</p>                                                                                                                                                                                                                                                                                | <p>Noted - see section 7 below</p>                                                                                           |

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| <p>amount to a statutory noise nuisance. Should be no drinks on decking area at night; use of front decked area in summer will travel across fields and affect sleeping with windows open</p> <p>Should condition decked area to be only used for table meals and not after 9 or 10pm; and doors to decking area remain closed except for access or egress to reduce noise transmission; other suggestion for hours of decking use 1pm to 10.30pm Fri &amp; Sat; and 1pm to 9pm Sundays</p> <p>Might look nice and be attractive and important for pub's advertising, but would be bad news for noise for residents</p>                                                                                                                                     | <p>Noted - see section 7 below</p>                                                                                                                                            |
| <p><u>Parking</u></p> <p>insufficient parking for a significant intensification of use; will impact nearby streets, business already use Barn Close and Nore Farm and these roads should be residents only; decking area uses potential additional parking spaces; policy DM 5 should only permit development if it would not result in indiscriminate customer parking and/or traffic movement that would likely create hazards for traffic or pedestrians.</p> <p>Transport Addendum is narrow point of view and states 10 rooms but plans show 12. parking issue being hoodwinked as a hotel operation which is at odds with the licensing application which proposes meals up to 2400hrs 7 days a week; hours outside operation of public transport</p> | <p>Internal intensification of use does not require planning permission - see section 7 below</p> <p>Lawful use of site is as C1 hotel with ancillary bar and restaurant.</p> |
| <p><u>Intensification of use</u></p> <p>Still intend to operate 200 covers for which there is no parking; concerned this chain will hold live music events</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>Internal intensification of use does not require planning permission - see section 7 below</p>                                                                             |
| <p><u>Anti-social behaviour</u></p> <p>will be ant-social activities and disturbance to surrounding roads including exuberant clients collecting vehicles late at night; Brookfield did not cause problems as was mainly a hotel with odd functions; no reason to serve alcohol until midnight</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>Any anti-social behaviour a Police matter and for the management of the venue to control</p>                                                                               |

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| which will likely result in an increase in public nuisance, crime and disorder; likelihood of glass bottles being broken with children's nursery just 2 houses away; litter in nearby streets;      |                                                          |
| <u>Works on site without permission</u><br>Horried that works progressed without permission; what happens if not permitted?                                                                         | Works progressed at applicants own risk                  |
| <u>Use of site</u><br>Ropemakers been advertised as a "Pub with Rooms"                                                                                                                              | Noted                                                    |
| <u>Hours</u><br>All other Emsworth and Havant restaurants have a 11pm curfew - making this a later venue will draw drinkers from wider areas descending on foot or by taxi causing noise pollution; | Not verified, opening hours of Emsworth venues will vary |

## 7 **Planning Considerations**

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development and use
- (ii) Impact upon the character and appearance of the site and area
- (iii) Impact upon residential amenity
- (iv) Highways and Parking
- (v) Impact on TPO tree and landscaping

(i) Principle of development and use

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. The site is lawfully a C1 hotel site and has operated as a 42 bedroom hotel with restaurant and bar open to the public for many years. The proposal would not change that use, the site would remain a 42 bedroom C1 hotel with restaurant and bar open to the public. Whilst the re-vamped site might place more emphasis on the bar/pub element of the use than the Brookfield did, nevertheless a 42 bedroom hotel is quite large, and the hotel use would remain in planning terms the main use of the site.

7.3 Therefore the determination of this application cannot consider anything associated with the lawful use, including any intensification as a result of a refurbishment. The hotel and bar area could be completely modernised inside, increasing capacity without requiring planning permission. It is acknowledged that works have progressed before the determination of this application, but it was not considered expedient of the Council to take any enforcement action in this case when the majority of the works were permitted development and there was an application for the remainder minor development pending determination.

7.4 The only development which requires permission and can be considered is the very modest external alterations. The applicant has therefore progressed at his own risk, undertaking the small 2.3m x 2.3m front lobby infill, construction of front decked

terrace, levelling off of the former rear bay windows, and some fenestration changes. The car park re-configuration is also very minor and includes provision of two cycle shelters.

- 7.5 Therefore the material considerations for the determination of this application fall solely on the consequences of the external additions and alterations, as discussed below:

(ii) Impact upon the character and appearance of the site and area

- 7.6 In design terms the front infill lobby area is flat roofed, with full height glazing with glazing bars proportionate to the adjacent entrance doors. It therefore appears visually sympathetic to and cohesive with the overall appearance of the front elevation. The single storey link building has been painted cream, and three original front windows changed to doors, opening onto the new front decked area. This measures 9m x 4.9m and has been constructed of timber with railings and front steps. This is unobtrusive in design and appropriate for the host building. Since the building is set back from the highway by at least 20m then the alterations are not considered to be overbearing or inappropriate in street scene terms.
- 7.7 To the rear the squared off bays with shallow hipped roof above is also considered sympathetic and appropriate to the building, as are the opening doors in the rear elevation, allowing access to the outside area. Overall it is considered that the external alterations, in design terms, are acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Impact upon residential amenity

- 7.8 As noted above the use is not under consideration and the existing hotel use at the site has no planning conditions limiting its use e.g. hours. It is known that the former Brookfield Hotel hosted large functions, including weddings, celebrations and wakes that included discos and as such the properties immediately adjacent the site in Nore Crescent and Nore Farm Avenue to the rear have in the past experienced noise disturbance, as well as overflow parking in the nearby roads, when events were held.
- 7.9 However the historic nuisances occurring at the site should not influence the current application which must be considered on its merits having regard to relevant material considerations only. Whilst the site is under new management, by Heartwood Inns, the management of the business is not a valid land use planning consideration. It is however understood that there will be no longer be large functions held at the site, although Christmas meals/parties and wakes would still be catered for, just as many restaurants and pubs do.
- 7.10 Completely separate to planning, Environmental Health do have some control over the use of the site via the Premises License. This always allowed live music (indoors), recorded music (indoors) and the sale of alcohol for consumption on and off the premises, all week from 0700 - 0000 hours ie midnight. The Premises License has recently been varied to reflect the new internal and external layout and omitted the previous requirement for alcohol to be ancillary to a substantial meal, and provision of a separate sitting area for residents, as well as sale of hot food and/or drink to non-residents until midnight. The varied License was subject to an objection and mediatory meeting which resulted in some conditions addressing the potential noise and disturbance from the use of the new front decked terrace area. These License

conditions state:

1. The doors to the decking area to be fitted with self-closers and kept closed except for immediate access and egress to and from the decking area.
2. The decking area shall be cleared of customers by 10.00pm.
3. There will be no loudspeaker positioned on or over the decking area.
4. A maximum of 20 persons shall be permitted on the decking area at any one time.
5. There shall be no amplified music or live music played on or to the decking area.

- 7.11 Third party comments on the planning application also raised concerns about potential for noise and late night disturbance from the use of the new front decked terrace to the properties in Barn Close opposite. With a separation distance of over 125m to the closest dwelling in Barn Close it is considered the use of the small front terrace, which could accommodate a maximum of 24 covers, would be relatively minimal. The Premises License conditions above would go a long way to mitigating any noise disturbance, especially in the evening when the surrounding area is quieter. A planning condition can also be added that prevents the use of amplified equipment that is audible outside the premises. This would help protect the amenity of the nearby residents at Barn Close from the new decked terrace, but also the properties to the rear from any amplified sound leakage from the new rear doors, which was also subject to third party comment.
- 7.12 Licensing and Planning are separate but the applicant/licence holder must adhere to whichever is the most restrictive conditions. The use of the site has never had any planning hours condition, and since this application does not relate to the use, just some minor operational development, then it would be unrelated to the application and unreasonable to now impose any hours of use conditions. The Environmental Health Premises License, which can be reviewed in the event of evidence of statutory nuisance, is considered adequate to control the use.
- 7.13 Overall it is considered that the works that require permission, i.e. the front decked terrace, small lobby, squaring off of bays at the rear and some new fenestration would not appear overbearing or lead to a loss of light, outlook or privacy and would have limited and acceptable noise impact on the amenity of neighbours to the rear and opposite the application site, meeting the requirements of Policies DM10 and CS16 of the HBLP (Core Strategy).

(iv) Highways and Parking

- 7.14 When originally submitted the impacts of the larger works at the front that included a complete overhaul of the parking layout and resulted in the loss of 7 spaces on site was a concern to the Highway Authority. The loss of the spaces could not be justified and as a result the scheme amended and reduced to largely maintain the existing parking layout. The revised plans technically result in the loss of 1 space on site, (58 spaces provided) but other benefits have been achieved, including the provision of 2 dedicated disabled spaces, 4 motorbike spaces and 2 cycle racks providing parking for 10 bikes. It is considered that overall there would be a gain in alternative on site parking provision to meet the needs of future customers different modes of transport.
- 7.15 Whilst it is noted in the third party comments, and those from the Emsworth Residents Forum, that there is concern about the increase in future customer numbers and possible overflow of parking to nearby roads, it must be noted that the internal

refurbishment works and associated intensification of use of the site does not require planning permission. Heartwood Inns could have taken over the site and made the majority of the changes without the need for this planning application. The intensification of the use of the site would have occurred anyway and is permitted development.

- 7.16 The amended application proposes an additional 45sqm of floorspace. The Parking SPD requires 1 space per 5 sqm of dining area so strictly this development should provide an additional 9 on site spaces. These cannot be provided and a Transport Addendum by RGP has been provided to justify the development. In terms of trip generation the data demonstrates that the new development would generate 20-2 way daily movements during the week, and 30 2-way daily movements in a Saturday. The Highway Authority note that these additional vehicle movements would not result in a significant impact on the operation and safety of the local highway network.
- 7.17 In terms of parking the Transport Addendum has undertaken a Parking Accumulation Assessment which predicts the number of vehicles that would need to park based on the trip modelling for the whole site i.e. hotel and full restaurant/bar area including extension. The submitted assessment assumes 42 spaces serving the hotel bedrooms are parked overnight and occupied at the start of the day. The assessment demonstrates that even at peak times not all of the 58 spaces would be required - a Saturday peak between 20:00 and 21:00 is likely to generate the need for 54 spaces. Therefore the report notes that no off-site overflow parking in the nearby roads should occur.
- 7.18 The Transport Addendum also discusses at paragraph 3.11 parking management options, such as clear signage that on site parking is for patrons only; hotel guests registering their longer stay vehicles at check-in; encouraging staff to use alternative means of travel to/from the site, or car share etc. However the proposals are too vague and imprecise to condition, and therefore it is considered appropriate that a clear Parking Management Plan is provided by condition that accounts for the daily management and monitoring of the 58 spaces, 4 motorcycle spaces and cycle racks on the site for both customers and staff, to help maximise the number of spaces available at all times. The Highway Authority also recommend such a condition.
- 7.19 It is considered that in the past problems with overflow parking occurred when large events/functions were held. Under the new management there will no longer be large functions held and although the business may be more consistent with more cars parked on a daily basis than when the site was operated as the Brookfield, the submitted information adequately demonstrates that there is sufficient capacity on site to serve the business model.
- 7.20 In addition the site's location on a main cycle path is noted and the provision of new cycle racks on site would encourage cycling to the site as an alternative transport mode. Overall it is considered that adequate on site parking is available to serve the site and there would be no harm to highway operation or safety as a result of the proposed development for minor extensions/alterations. Notably the Highway Authority no longer object to the amended proposal which is now considered compliant with policy DM14 of the HBLP (Core Strategy).

(v) Impact on TPO trees and landscaping

- 7.21 The supporting Arboricultural Statement for the amended reduced proposal notes the potential impacts of the front lobby on the adjacent TPO'd oak tree to be negligible.

The raised timber decking would encroach the RPA of the same TPO'd oak tree but it is noted that this area is already hardsurfaced and the timber decking would be above ground on timber supports. The report notes the potential to remove some of the existing impermeable hardsurface beneath the timber decking thus creating a slightly better rooting environment for the tree. Since no additional hardsurfacing or change to levels is proposed, then there would be limited impact on any tree.

- 7.22 The proposal also involves the removal of a pollarded plane tree at the rear of the site and some bamboo and laurel shrubs at the rear. The original front landscape proposal has been omitted in the amended plans and as such the revised landscape plan simply offers two additional trees on the site as replacements for those lost - one in the rear and one in the front south-western corner of the site. These would supplement the existing mature planting at the site and are welcomed. The Arboricultural officer has raised no objection in principle and the proposal is considered compliant with policies CS11 and DM8 of the HBLP (Core Strategy).

## **8 Conclusion**

- 8.1 It is considered that the reduced amended proposal for a small front decked terrace, small infill lobby, rear infill of bay windows, and fenestration changes and associated modest change to the car park layout resulting in 58 car parking spaces on site, 2 of which would be disabled spaces, 4 motorbike spaces and 10 cycle spaces, is acceptable and would not result in any adverse harm to either the visual appearance of the area, neighbouring amenity or highway safety and amenity. The proposal is considered compliant with policies CS11, CS16, DM8, DM10 and DM14 of the HBLP (Core Strategy).
- 8.2 Since works have commenced and at the time of writing nearly completed, then this application is now retrospective and the standard 3 year commencement condition not necessary. For ongoing compliance purposes it is necessary to condition the plans and documents, provision and retention of the car parking spaces and cycle racks, provision of offered tree planting, as well as prevention of the use of amplified equipment that is audible outside the premises. With these conditions it is considered the proposal would be acceptable and is therefore recommended for permission.

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## **9 RECOMMENDATION:**

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/23/00630

(A) subject to the following conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Planning, Design & Access Statement by Walsingham Planning dated July 2023, Revised May 2024

Transport Addendum by RGP ref 2024/7491/TN02 dated May 2024

Arboricultural Statement by LANDARBSOLUTIONS Ref LAS 641 A Dated 21.05.2024

Location Plan - Drawing Number 4893-01-04

Tree Survey and Constraints Plan - Drawing Number LAS 641 01

Proposed Site Layout - Drawing Number 4893-02-02 Rev L  
Proposed Ground Floor plan - Drawing Number 4893-02-01 Rev K  
Proposed First Floor Plan - Drawing Number 4893-02-04  
Proposed First Floor Plan - Drawing Number 4893-02-05  
Proposed South, North & West Elevations - Drawing Number 1864/06 REV E  
Landscape Proposal - by LANDARBSOLUTIONS - Drawing Number LAS 641 03 REV A

**Reason:** - To ensure provision of a satisfactory development.

- 2 No sound amplifying equipment shall be installed in the premises, which when operated is audible outside the premises, without the consent of the Local Planning Authority in writing.

**Reason:** To protect the amenities of the area and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 3 The car parking, servicing and other vehicular access arrangements, including 2 bicycle shelters providing 10 cycle spaces in total, as shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

**Reason:** In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The two replacement trees shown on Drawing Number LAS 641 03 Rev A by LANDARBSOLUTIONS should be a minimum heavy standard with a stem girth of 12-14 cm at the time of planting. The location and species type for replanting of the replacement trees are to be in accordance with LANDARBSOLUTIONS plan and document dated 16/05/2024, with tree planting being undertaken in the first available planting season following removal of the existing trees. Each replacement tree shall be planted in accordance with BS8545:2014 'Trees: from nursery to independence in the landscape Recommendations', BS:3936:1992 Part 1 of Part 4: 'Nursery Stock-Specification for trees and shrubs' and BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations'.

If within a period of 5 years from the date of the planting of a replacement tree, or any further tree planted in replacement, is removed, uprooted, destroyed, dies or becomes, in the opinion of the local authority, seriously damaged or defective, another tree of the same species as that originally planted, shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

**Reason:** To conserve and safeguard the visual amenities of the locality having due regard to policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

- 5 Within 3 months of the date of this decision, a Parking Management Plan shall be submitted to the Local Planning Authority. The Parking Management Plan shall reflect paragraph 3.11 of the Transport Addendum prepared by RGP dated May 2024, and shall include precise details to encourage alternative modes of transport for staff and customers and management actions to ensure the maximum number of parking spaces are available to customers, and measures for ongoing monitoring. The Parking Management Plan shall be

approved within a timescale agreed with the Local Planning Authority. Thereafter the approved details shall be implemented in full and monitoring records must be kept and made available to the Local Planning Authority upon request to demonstrate ongoing compliance. Any subsequent variation to the Parking Management Plan shall first be agreed in writing with the Local Planning Authority.

**Reason:** To maximise and manage the efficient use of the parking on the site, in the interests of highway safety and local amenity, having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.