
Site Address: The Town Brewery, 2 West Street, Emsworth, PO10 7DY
Proposal: External alterations in connection with proposed change of ground floor A4 use to flexible A1/ A2/A3 /A4/A5 use including rear extension. Conversion of first and second floors to form 2 x two bed apartments and rear extension to form 1 x two bed apartment with associated parking and external works.
Application No: APP/16/00093 Expiry Date: 04/04/2016
Applicant: Town Brewery Emsworth Ltd Team: Team 2
Agent: Mr T Holt Case Officer: Rachael McMurray
PLC Architects
Ward: Emsworth

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site comprises the Town Brewery public house in West Street, Emsworth which is located in the heart of the conservation area and Chichester Harbour Area of Outstanding Natural Beauty. The main building is comprised of three storeys with triple gables to the front of the property. The ground floor contains a bar and seating area. To the rear of the property beyond the primary rear elevation a single storey subsidiary room extends towards the south elevation. The first floor and second floor of the building contains a number of rooms which form an apartment ancillary to the pub.

To the rear of the pub are a group of masonry and timber single storey extensions and outbuildings. Beyond this, the site is currently grassed and turns towards a rear court area to the rear of West Street and joins on to an alleyway which joins directly to West Street. Currently a hard standing area at the end of the garden provides a single parking space. The site is flat and there are no significant landscape features in the grounds to the rear. Vehicular access to the site is gained via the rear of the public house close to the southern boundary, whereby the rear gardens adjoin adjacent properties, which are accessed via an alley from West Street.

The buildings either side of the site consist of a Grade II listed building to the east of the site at No. 1 High Street and a terrace of buildings to the west with retail units at GF level and residential uses above.

2 Planning History

None

3 Proposal

External alterations in connection with proposed change of ground floor A4 use to flexible A1/ A2/A3 /A4/A5 use including a rear extension to increase the commercial floor space.

Conversion of first and second floors to form 2 x two bed apartments with access via a staircase at the rear of the building and insertion of 2no. conservation style roof lights in the front roof elevation.

A pitched roof rear extension to form 1 x 1no. bed apartment with a private rear garden enclosed by a 2.1m high brickwall with close boarded timber infill panels. Bin and cycle storage provided for all apartments and three parking spaces.

(The original submission included a design for the two rear extensions to include a flat roof design. However, after concerns raised by the Conservation Officer, these were amended to include pitched roofs).

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
CS21	(Developer Requirements)
CS9	(Housing)
DM10	(Pollution)
DM3	(Protection of Existing Employment and Tourism Sites)
DM5	(Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses)

Havant Borough Local Plan (Allocations) July 2014

AL3	(Town, District and Local Centres)
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Listed Building Grade: Not applicable.

Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy:

No objections subject to the use of matching facing and roofing materials and the use of conservation style rooflights which are to be maintained and retained in that condition thereafter once installed.

Conservation Officer:

Initial response:

The principle of an extension on the rear elevation of an appropriate size and design would indeed be appropriate. However, it is considered that the footprint of the extension would be large when viewed in the context of the original building. The size, design and orientation of the structure would make seem excessively dominant and out of character with the host dwelling and the wider character of the conservation area.

The scheme is also not considered acceptable due to its flat roof design. It is considered that the existing flat roof extension to the rear is not sympathetic to the host building and picks up little detail or character of the area.

The existing extensions and alterations to the rear of the application building are not in keeping with the character of the original building. However, the fact that inappropriate

extensions and alterations have been erected / granted permission in the past does not justify a further degradation of the original property.

As a recommendation I would suggest the extension (furthest west on the site) is reduced in size and the design is altered to reflect local character and the building by relating to the form and scale of existing buildings and by using sympathetic materials.

Further response based on amended plans:

The design which features a pitched roof is now acceptable.

Natural England Government Team:

An SRMP contribution is required for new residential development.
No concerns over impact on SAC, SPA/Ramsar or CH SSSIs.

Development Engineer:

No adverse comment subject to provision and retention of parking and cycle facilities as shown.

Environmental Health Commercial:

No adverse comments. Please include a condition about plant or extraction equipment and informatives on hours of work, dust control and light pollution.

Environmental Health Contamination:

Caution should be made towards potential sources of contamination and Radon, however, the likelihood of contaminants being found on site is not necessarily high. If any contamination is found on site during groundwork, work should cease until a scheme to deal with risks associated with the suspected contamination is submitted and approved in writing by the LPA.

It is recommended that a condition should be applied to this effect.

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: 7

Number of site notices: 1

Statutory advertisement: 19/02/2016

Number of representations received: 2

Two objections have been received which are summarised below:

- a) The pub should be retained. No more accommodation needed in town centre.
- b) The application does not take account of narrow and difficult access adjacent to

West Cottage which may cause issues during the construction phase. The developer must not damage the driveway and associated boundaries.

(Officer Note - This is a civil matter and does not form part of the planning decision).

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
- (ii) Appropriateness of the design and effect on the conservation area
- (iii) Impact on the neighbouring properties
- (iv) Impact of the extended use
- (v) Highway / parking considerations
- (vi) Developer contributions

(i) Principle of development

The site is located within an urban area where development is considered to be acceptable in principle subject to other development management considerations. In terms of the change of use of the ground floor, the site is located within a designated town centre and a secondary shopping frontage. As such, Policy AL3 (Local, town and district centres) of the adopted Allocations Plan applies. The site is also located within the Emsworth Conservation Area and therefore Policies CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough) and CS16 (High Quality Design) is relevant. Policy DM2 which protects community facilities and local shops applies, as does Policy DM5 (Control of A3, A4 and A5 uses). Policy CS9 also applies as new housing is proposed.

(ii) Appropriateness of the design and effect on the conservation area

The existing frontage of the building will remain largely unchanged, but with the insertion of 2no. conservation style rooflights. The alterations to the rear of the building would include various infills and a new roof extension which would enclose the internal staircase to serve the upper residential accommodation. Existing chimney stacks would be retained. The rear extension to serve the commercial floor space would replace various extensions and outbuildings. The other extension which would form a residential unit would be located adjacent to the west boundary. Both of these extensions would feature a pitched roof and would be separated by a 1m pathway leading to the rear of the building.

The Council's Conservation Officer has been consulted and initially raised concerns over the flat roof design of the rear extensions. In response to this amended plans were submitted to show these with pitched roofs. The extension to form a residential unit was also reduced in size to 50m² and only now proposes one bedroom. The amended design is considered to be appropriate to the character of the main building and as such, would not have an adverse impact on the visual amenity of the conservation area. Whilst a greater plot coverage will occur at the rear of the building, it is considered to tidy up the existing rear space with the added benefit of providing further residential accommodation in a sustainable location. The use of appropriate conditions will be important and relevant conditions will be applied to secure a good quality development.

It is considered that the proposal would not impact on the adjacent listed building at No. 1 West Street.

(iii) Impact on the neighbouring properties.

No. 6 West Street comprises a laundrette at ground floor level with residential accommodation above. This is accessed from the rear via an external staircase. The proposed rear extension which would form a residential unit would be adjacent to the shared boundary with No. 6. However, given this residential neighbour is at first floor, with no private external amenity space, it is considered that the impact would be minimal.

No. 1 West Street contains a shop unit at ground floor with a residential flat above. Again, given this neighbour is at first floor, with no private external amenity space, it is considered that the impact of the development would be extension to the commercial unit would be minimal.

In terms of the impact of the proposed uses, these are considered to be similar in nature to a pub and therefore are not considered to have any greater impact on the adjacent residential amenity than the existing use.

(iv) Impact of the extended use

The existing building is a pub and therefore falls under use class A4. The proposed use is a flexible use including A1/A2/A3/A4 and A5. This is considered to be consistent with Policy AL3 of the Allocations plan, providing a main town centre uses within a defined centre. The site sits within a secondary frontage and whilst it has not previously operated as an A1 use, this would give an opportunity to increase the number of retail units within this frontage. Policy AL3 requires 25% of the units to remain in A1 use and at present approximately over 50% of the units are Class A1 so the proposal accords with this policy.

The proposal would not result in the loss of a community building as the proposed uses would allow for this to be either be retained or other similar uses or a retail unit to occupy the unit. As such, the vitality, viability and shop front within the town centre would be retained. The existing use as a pub already includes the provision of hot food and therefore includes an extract flue and system. However, as this may be replaced or upgraded by a new tenant, a condition would be included for details of any new or replacement system to be agreed by the LPA. With regards to the potential use of the unit as Class A5, there may be scope here for take away deliveries to form part of a business. As such it is considered reasonable to include a condition to restrict any take away deliveries unless otherwise agreed by the LPA.

(v) Highway and parking considerations

The site is in a sustainable location in the town centre and as such can be easily reached by public transport. It is also close by to several public car parks and there is some on street parking nearby. The development includes three parking spaces for the residential unit which is one space per unit and cycle storage. This falls short of the requirements in the adopted residential parking standards however, given its sustainable location, the Council's Development Engineer has confirmed this is acceptable subject to car parking and cycle parking being provided and retained on site as proposed.

(vi) Developer contributions

The proposal is CIL liable for £7205.36. It also requires a payment of £528 (Plus monitoring and admin fee) towards the SRMP. This contribution has been made to the Council and the proposal therefore accords with Policy DM24 in this respect.

8 Conclusion

The proposal is considered to comply with the relevant local and national policies by providing a mixed use development in a sustainable location. As such, the application is recommended for permission.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00093 subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsary Purchase Act 2004.
- 2 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and or a full specification of the materials to be used on the main building and new boundary treatments and on the extensions hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 3 The car parking, cycle parking and bin storage and other vehicular access arrangements 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 No new or replacement extract or plant equipment shall be installed without the prior written approval of the Local Planning Authority. Any such extract or plant equipment shall be subsequently installed and maintained in accordance with the approved details.
Reason: In the interests of the amenity of the locality and having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 5 The premises shall only be open for trade or business between the hours of 0800 until 2300 unless otherwise agreed in writing by the Local Planning Authority.
Reason: To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 6 There shall be no deliveries of takeaway food from the premises unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of the amenity of the locality and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 7 The development hereby permitted shall be carried out in accordance with the following approved plans:
Design and Access Statement
Heritage Statement
Planning Statement
Proposed floor plans - DN: 15-2129/100 Rev P3
Proposed elevations, section and roof plans - DN: 15-2129/101 Rev P3
Proposed west elevation and west internal elevation - DN: 15-2129/106 Rev P2
Block plan and location plan - DN: 15-2129/100 Rev P2
Reason: - To ensure provision of a satisfactory development.
- 8 In the event that suspected contamination (soil, groundwater or buried waste materials) is encountered during groundwork; works in affected areas of the site shall cease until a scheme to deal with the risks associated with the suspected contamination has been submitted to and approved in writing by the Local Planning Authority.

The scheme may comprise separate reports/statements as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

- i) Investigation in the vicinity of suspected contamination, sufficient to characterise its nature, likely extent & mobility,
- ii) An appropriate assessment of the risks to all receptors that may be affected, based upon i), and;
- iii) Where potentially unacceptable risks are identified by ii), a Remediation Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability

All assessments, works, monitoring & other actions required by i)-iii) above (and B, below) shall be undertaken by competent persons, and the scheme shall be implemented as approved.

Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;

- A) A statement confirming that no suspected contamination was identified during development, OR;
- B) Documentation in accordance with i-iii) above; together with a Verification Report (where appropriate) demonstrating that remediation objectives have been met.

Reason: In the interests of the amenity of the locality and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 No above ground construction works shall take place until details of (including the manufacturer and specification) the conservation style roof light windows to be used on the main building have been submitted to and approved in writing by the Local Planning Authority. The roof lights shall thereafter be installed and maintained in accordance with the approved details.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 The unit shall not operate as a Class A5 use unless a plan relating to refuse management has been submitted to and agreed in writing by the Local Planning Authority. Refuse management shall thereafter be carried out in accordance with the agreed plan unless otherwise agreed by the Local Planning Authority.

Reason: To in the interests of the amenities of the local area and having due regard to policies DM10 and DM5 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.