

Approved - Sept 2013

3 Proposal

This is an alternative to the permission of change of use to Class A3 (food and drink) use granted in 2013. The differences include:

External:

- Amended window configuration at ground floor, south elevation (elimination of one approved and reduction in size of one existing)
- Insertion of first floor external door on rear elevation
- Creation of roof terrace on reconstructed rear single storey part of building
- External side wall (1.9m high) above single storey roof along edge of proposed roof terrace
- Rear railing to roof terrace (1.2m high) along rear edge of roof
- New chimney in central roof valley, to contain kitchen vent
- Revised glazing design to gable end of renovated barn building
- Slightly wider external fire-escape gate in replacement rear boundary wall (to public car park beyond)
- Bin store position swapped to opposite side of external southern passage.
- Two rooflights to the barn area

Internal:

Ground floor

- Revised internal restaurant servery bar punching-through smaller area of internal wall
- Revised (narrower) internally door between barn and existing shop area
- Revised design for existing inglenook fireplace
- Secondary internal servery bar, relocation of customer toilet and internal store

First floor

- Relocation of 2nd 'letting' bedroom and internal partitions
- Use of formerly approved 2nd 'letting' bedroom as a customer lounge, accessing roof terrace

In summary, the proposal does not affect the previously approved principle of this use nor the layout external courtyards (one of which is shown as a smoking area). The main changes are the introduction of new external roof-terrace and external wall/railing, the proposed chimney and amended gate and ground floor windows, and the external bin store. The internal changes are largely listed building considerations although accessibility is also considered below.

4 Policy Considerations

National Planning Policy Framework

NPPF 2012

In particular sections 2 - Town Centres, 7 - Good design, 8 - Healthy Communities 11 Natural Environment & 12 Historic Environment.

Havant Borough Local Plan (Core Strategy) March 2011

CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)

CS16 (High Quality Design)

Listed Building Grade: Grade ii
Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Conservation Officer

The property is listed as 18th century with late 19th century front but internally it appears to be earlier than suggested in the listing with large amounts of timber framing still evident. The principle of a restaurant was previously consented.

Having reviewed the amended details that have been submitted it appears my concerns have been addressed:

- The previously incongruous flue is now located in a new chimney stack which in-keeping
- The rooflights and arrangement of the rear elevation are appropriate
- Rainwater goods additional plans submitted) are acceptable.

In conclusion the amended proposal would not harm the historical significance of this listed building whilst putting the building to a use that will hopefully secure its long term future and viability.

Recommended conditions

1) The works to the sitting room fireplace shall be limited to the removal of the surface finishes and clearly modern (brick) infill only. At least 14 days notice of the intention to carry out this work shall be provided to the Local Planning Authority to provide an opportunity to view it in progress. Following this phase of work a repair specification related to accompanying drawings, informed by what has been revealed, shall be prepared and submitted to the Local Planning Authority for approval. All work shall be carried out in full accordance with such approval.

Reason - To ensure the extent of and form of the work is appropriate and informed by what is revealed.

- 2) Materials to be submitted prior to development
- 3) Compliance with other details e.g rainwater goods

English Heritage. No response

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: 10

Number of site notices: Two

Number of representations received: 16

Summary:

Ten objectors:

Some support for the use (although one objection due to five other food/drink establishments), but objections to the smoking terrace out of keeping and will harm neighbouring amenities, extra noise and light and will look into neighbouring bedroom window and across to dwellings in Bridgefoot path. Safety should be questioned, including fire risk and falling from balcony. Smoking should be discouraged. Refuse storage on patio of neighbour public house is unacceptable, (noise and odour) provision should be made in the rear courtyard, not as proposed. Access has never been to the rear, but only since the courtyard wall was demolished by weather; potential loss of parking revenue to the Council and trade in the town. The external doorway would be to the adjoining yard, but in future the owner may sell this. There is inadequate means of escape. Additional traffic. Division of the barn area will harm its character and cause over-crowding. Concern for wheelchair users / people with disabilities due to width of internal and external accesses, external step and inadequate WC.

Six supporters

Proposal will enhance South Street and Emsworth centre, smoking butts would avoid cigarette butts on pavement, Two of the letters: as regular visitors to Emsworth it provides exciting scheme, support smoking terrace.

Emsworth Residents Association: concerned about noise and light emitted from first floor and noise generally, can restrictions be imposed regarding closing time?

Havant Area Disability Group: Concern for wheelchair users / people with disabilities due to width of internal and external accesses, external step and inadequate WC.

Comment

Comments are considered under the planning application APP/14/1165. Disabled access is also referred to below

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) Effect on the listed building
- (iii) Other matters

- (i) Principle of development

- 7.2 The site is in the urban area where development is acceptable in principle. The change of use has already been consented under permission APP/13/00454 and the increased floorspace since then is limited to the roof terrace. Policies since the grant of permission in 2013 are largely unchanged; the introduction of policy AL3 for town centres, encourages a range of use and does not specify the proportion of various uses in this part of the town centre and the requirements of policy DM2 were met previously as part of the extant permission.

(ii) Effect on listed building and conservation area

- 7.3 The conservation officer is satisfied with the current proposals, this follows amendment of the submitted plans to include the new chimney (in place of the indicative metal flue of the original approval) and raising the height of the external terrace wall. These details use materials and detailing which is either present on the building or sympathetic to it. The new external materials are the external railings (black painted steel with oak handrail) and two rooflights, which will be 'conservation' type. Details of materials for the chimney and repair to the rear boundary wall will be submitted for approval. the amended gable end to the barn includes timber divisions which are considered to be sympathetic for this prominent aspect The proposed roof terrace has undergone significant amendment to simplify its appearance and use a narrow range of materials, brick and render to match. No external lighting is indicated but a condition can be used to ensure that any used without is approved. The proposal, which removes and replaces some dilapidated additions to the building is considered to conserve and enhance its appearance and by re-invigorating it, it is a benefit to the conservation area. The amended plan has increased the height of the screen wall to the terrace up to eaves level in the interests of neighbouring amenities (see APP/14/1165). The simple design to match the existing side wall and finish is considered to be acceptable in relation to the listed building. Lighting would be controlled by condition, both in consideration of the listed building and neighbouring amenities.

(iii) Other matters

- 7.4 The proposal would reconfigure elements of the internal layout shown on the previous plans. Much of this is in order to limit the impact on the listed building fabric, especially the timber frame (e.g doorways and service). One consequence of the internal re-planning is the relocation of the customer wc, which appears to reduce accessibility for people with disabilities. Whilst this would not be a point on which consent could be refused, it has been referred to the Building Control officers so that the point is raised through the Building Regulations process. An informative can also be attached to any consent.

8 Conclusion

The changes to the approved scheme are largely minor and the two most significant, the chimney and roof terrace, have been designed to harmonise with the listed building/conservation area. The internal changes, including watching brief for the chimney are acceptable in terms of the fabric of the listed building. Details of bricks and tiles required, other materials are contained in the Heritage Statement / Schedule of Repairs.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT LISTED BUILDING CONSENT** for application APP/14/0120, subject to the following conditions:

- 1 The works to which this Listed Building Consent relate must be begun within a period of 3 years beginning with the date on which this consent is granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Prior to the installation of any external lighting to the roof terrace hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority. There shall be no external lighting of the roof terrace other than as thereby approved.
Reason: To safeguard the amenities of the locality, the Emsworth Conservation Area having due regard to policies CS16, DM8, CS11 and DM20 of the Havant Borough Local Plan - Core Strategy 2011 and Allocations Plan 2014 and the National Planning Policy Framework 2012.

- 3 Unless otherwise approved in writing by the Local Planning Authority the external materials to be used in the development hereby approved shall be as stated in the current application, including the submitted document: 'Heritage Statement & Schedule of Repair' and the agent's letter of 25th September 2014, (which refers to the colour of external rendering).

Notwithstanding this information, a sample of bricks and tiles to be used for the construction of the chimney, boundary wall and roof shall be submitted to and approved by the Local Planning Authority prior to the commencement of those particular construction works. Thereafter only such approved materials and finishes shall be used in carrying out the development.

Reason: To ensure the appearance of the development is satisfactory and appropriate to the listed building and conservation area having due regard to policies CS11.4 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 4 The side wall to the roof terrace shall be fully completed in accordance with the approved plans before the terrace is first used. It shall be permanently maintained in good repair thereafter.
Reason: In the interests of the amenities of the occupiers of nearby properties, to minimise the risk of noise or nuisance and in the appearance of the listed building and conservation area having due regard to policies CS11.4, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 The works to the sitting room fireplace shall be limited to the removal of the surface finishes and clearly modern (brick) infill only. At least 14 days notice of the intention to carry out this work shall be provided to the Local Planning Authority to provide an opportunity to view it in progress. Following this phase of work a repair specification related to accompanying drawings, informed by what has been revealed, shall be prepared and submitted to the Local Planning Authority for approval. All work shall be carried out in full accordance with such approval.

Reason: To ensure the extent of and form of the work is appropriate and informed by what is revealed. In accordance with policies DM8, CS11 and DM20 of the Havant Borough Local Plan - Core Strategy 2011 and Allocations Plan 2014 and the National Planning Policy Framework 2012.

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

Existing block and location plans - DN: 12A_050 001- Rev D
Existing floor plans - DN: 12A_050 003 - Rev C
Existing elevations - DN: 12A_050 004 - Rev D
Proposed floor plans - DN: 12A_050 005 - Rev E
Proposed elevations - DN: 12A_050 006 - Rev D - Sheet 1 of 2
Proposed elevations - DN: 12A_050 007 - Rev E - Sheet 2 of 2
Key Issues -DN: 12A_050 010 - Rev A
Key Issues -DN: 12A_050 011 - Rev A
Key Issues -DN: 12A_050 012 - Rev A
Design & Access statement (received 15/7/13)
Structural Statement - letter dated 12/7/13

Reason: - To ensure provision of a satisfactory development.