

10/51222/020 Listed Building Consent for installation of 2No. kitchen extract ducts, 2No. condenser housings and new extractor to w.c. Not Proceeded With

10/51222/019 Installation of 2No. kitchen extract ducts, 2No. condenser housings and new extractor to w.c. Not Proceeded With

09/51222/018 Listed Building Consent for installation of new galvanised kitchen extract ducting to the rear roof. (Retrospective.) Withdrawn

09/51222/017 Installation of new galvanised kitchen extract ducting to the rear roof. (Retrospective.) Withdrawn

3 Proposal

Installation of decking and other alterations to beer garden at rear of The Royal Oak public house, including removal of existing bin store and provision of new bin store; installation of ramp; and installation of planters. The original plans indicated the removal of a small outbuilding (privy) but it has since been clarified that the building is to remain.

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)
CS12	(Chichester Harbour Area of Outstanding Natural Beauty (AONB))
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS5	(Tourism)
DM10	(Pollution)
DM5	(Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)
DM9	(Development in the Coastal Zone)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
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Listed Building Grade: Grade 2

Conservation Area: Langstone

5 Statutory and Non Statutory Consultations

Conservation Officer

The work is confined to the rear of the grade II listed pub which is a popular summer destination. The rear garden area provides the principal outside amenity area. The proposals are limited in scope and well contained by the existing perimeter wall limiting any external impact. I have no objection to the rearrangement of the bin storage area (all modern fencing) which makes for a more practical layout. The decking etc. provides a practical and cosmetic

improvement to the current facilities.

The proposals entail the demolition of a small outbuilding (former privy?) Its construction appears to pre-date 1948 which in legislative terms means it is covered by the listing as a curtilage building. I do not consider it any longer has any great significance to merit retention and I would not oppose its loss. Unless there is evidence to the contrary concerning the date of construction, for administrative purposes they ought to be a separate listed building application solely concerning its demolition.

Comment: The agent has clarified that the outbuilding is to remain in-situ.

I do not consider the changes will impact negatively on the conservation area or setting of the listed building. The pub use, to which the garden is an essential component, contributes to the vibrancy of the local area. Support.

Arboriculturalist

No tree removal is required to facilitate this project and the supporting arb evidence Ref SW.AMS.259.14 is comprehensive, and provided that the methodology prescribed in the report is strictly adhered to (inclusive of pre commencement meeting and site monitoring works) the on site trees will survive the development unscathed and continue to grow on safely and healthily in the future, therefore it complies with policy DM8 and I have no objections to this scheme in arboricultural terms.

Chichester Harbour Conservancy

No comments received.

Environmental Health

No comments received.

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: 30

Number of site notices: 2

Statutory advertisement: 30/01/2015

Number of representations received: 7 with 8 names including Langstone Residents Association.

Summary:

Loss of outbuilding which adds to character and historic interest of the site not acceptable.

Comment:

Building to be retained (amended plans received).

More sympathetic garden design would be better.

Flooding issues.

Colour of 'Jumbrellas' questioned

Grass worn and should be replaced with shingle

Concerns over decking: maintenance, slippery, gaps catching shoes, concerns over rats and vermin.

Shingle could be displaced by flooding.

With so many tables outside, noise, smoke and fumes from extractor fan will make it unpleasant for residents.

Parking issues

Concern if wall or fence altered

Concern over condition of the Listed Royal Oak PH

Suitability of shingle questioned.

Should ensure that decking sealed to prevent rats.

Outbuilding should be repaired.

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) Impact upon the character and setting of the Royal Oak Listed Building, Conservation Area and AONB
- (iii) Impact upon residential amenity
- (iv) Flood Risk issues
- (v) Concerns over decking
- (vi) Impact on recreation and Public House business
- (vii) Car parking issues

(i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. In this case the proposals are also within the Langstone Conservation Area and within the grounds of The Royal Oak a Grade 2 Listed Building.

(ii) Impact upon the character and setting of the Royal Oak Listed Building, Conservation Area and AONB

7.3 The proposals essentially seek to improve the usability and appearance of the existing rear garden area to the Royal Oak and increase the number of outside seats. The proposals do not directly impact on the fabric of the Listed Building and therefore do not in themselves require Listed Building Consent. The garden is rather secluded due to the wall, planting and fence surrounding it. The works have been considered by the Councils Conservation Consultant who concludes that the changes will not impact negatively on the conservation area or setting of the listed building.

7.4 The original plan indicated that a small outbuilding (former privy) would be demolished, this would have required a separate Listed Building Consent application, however the agent has confirmed that demolition is not proposed and an amended plan has been received. The outbuilding is in a poor condition and repair/maintenance is required

- 7.5 The enclosed nature of the site reduces any impact on the AONB. The main visible element beyond the site is likely to be the Jumbrellas. Some concern has been expressed about the possible colour of the Jumbrellas and a condition is recommended to ensure that an acceptable colour is used to ensure that the features impact on the conservation area is restrained and acceptable.

(iii) Impact upon residential amenity

- 7.6 Concern has been expressed in relation to the number of external tables, noise and fumes from the extractor fan. The tables are separated from the closest neighbours at 18 Langstone High Street by the private garden/store area for the PH. Whilst the improvements to the garden area would be likely to increase the public use of the garden, this area has been used as the PH garden for many years. Given the commercial use of the site and the set off to residential properties it is not considered that any additional use of the garden, which is beneficial to the business use of the PH and the vitality of the area, would warrant a refusal of planning permission.

- 7.7 The kitchen extract is not proposed to be changed as a result of this proposal and facilities have recently been altered under APP/14/00053 to seek to improve the noise and fume impact of the kitchen extract system.

(iv) Flood Risk issues

- 7.8 The site is within flood zone 3 and the site is vulnerable to sea flooding and also pooling water in wet weather. The proposals would not significantly increase the hardstanding within the garden. The use is weather dependent and would not increase vulnerability to flooding. As such it is not considered that there is any significant impact from the development on flood risk. Any impact by flooding on loose surfacing materials would be for the PH to manage within the garden area.

(v) Concerns over decking

- 7.9 A number of concerns about the suitability of decking and the safety of its use have been raised. Decking is a common solution to PH external seating areas and the PH would need to ensure that its design/finishes are suitable to limit any potential safety concerns.
- 7.10 A further issue raised relates to vermin and the possibility of the decking increasing an existing issue in the locality. This is not considered to be a planning issue, however, an informative is suggested to bring the matter to the attention of the applicants so that this issue can be taken into account in the design of decking and the subsequent maintenance/cleaning regime.

(vi) Impact on recreation and Public House business

- 7.11 The Royal Oak is a historic and iconic PH within the Borough which provides a valued facility for residents and visitors to the Borough as part of the areas tourism offer. The proposals are considered to be an important element in improving the attractiveness of the PH and support the vitality and viability of the business which is supported by policy CS5 as it improves existing tourist facilities.

(vii) Car parking issues

- 7.12 In relation to car parking, there is no parking at the PH and parking is on street or

within the public car park at The Ship PH. Whilst concern over parking issues in the area are understood the change to the garden seating proposed is not considered to be likely to result in a significant increase in on street parking which is used for residents, visitors to the coastal footpath and visitors to the two pubs.

8 Conclusion

- 8.1 In conclusion, the proposed garden and bin store alterations are considered to support the operation of The Royal Oak PH and would have a limited and acceptable impact on the setting of the listed building and the character and appearance of the Conservation Area. The impact on the AONB would be limited and acceptable subject to the imposition of a condition relating to the Jumbrella colour.
- 8.2 Any additional impact on residential amenity by potential increases in the use of the garden are considered limited and acceptable. There are considered to be no additional flood risk issues resulting from the proposals. Off site car parking arrangements remain unaltered and are unlikely to be significantly changed as a result of the development.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/15/00003

(A) subject to the following conditions

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Notwithstanding the submitted details, prior to the installation of the new Jumbrellas the colour of these features shall be submitted to and agreed in writing by the Local Planning Authority. The Jumbrellas shall thereafter be installed and maintained in the approved colour unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of the character and appearance of the Chichester Harbour Area of Outstanding Natural Beauty and Langstone Conservation Area having due regard to policies CS11, CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 together with the National Planning Policy Framework 2012.
- 3 Unless otherwise agreed in writing with the Local Planning Authority, within 6 months of the date of this permission or the completion of the works covered by this planning permission (whichever is the sooner), the outside privy shown as 'existing outbuilding' on drawing number 14:126/03 Rev B shall be repaired in accordance with a scope of works repair schedule to be first submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure the retention of the curtilage listed structure in an appropriate state of repair within a suitably defined time scale in accordance with policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

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

Walsingham Planning letter including Heritage Impact Assessment, Flood Risk Assessment dated 18th December 2014
Arboricultural Information StoundWood Tree Consultancy Ref: SW.AMS.259.14 dated 12th December 2014
Tree Constraints Plan SW1 Appendix 1a to report SW/AMS/259/14
Final Landscaped Layout SW3 Appendix 1c to report SW/AMS/259/14
Location Plan and Block Plan Drawing Number 14:126/05 Rev A
Proposed Garden Plan and Sections Drawing Number 14:126/03 Rev B

Reason: - To ensure provision of a satisfactory development.