

Reference: 14/00639/FUL

Date submitted: 4.08.14

Applicant: Charles Wells Pub Company

Location: The Peacock Inn, 22 Main Street, Redmile

Proposal: Removal of existing 'lean to' canopy to rear of property;
Installation of raised decking area and covered canopy at rear;
Alterations to car park with provision of small garden area;
Alteration of surfaces to front courtyard area;
Internal alterations



Introduction:-

The Peacock Inn is a grade II listed building which occupies a prominent roadside location close by the Parish Church in the village of Redmile. It is within both the village envelope and the designated conservation area.

The former Public House has been disused for several months but the proposal is to bring it back into use.

Listing Description: Public House. Dated 1702. Coursed ironstone with roof of black glazed pantiles. Lobby-entrance plan, now altered. 2 storeys in 3 bays with additional bay for door left of centre. One 3-light mullioned casement left of door, 2 to the right. 3 similar, smaller, casements to first floor. All windows under ironstone skewback arches. Over door a plaque: S.R.E. 1702. High gable parapets on kneelers, the thatch removed early C19 and roof structure altered. Ridge stack over door. Internal gable-end stack to north. Brick fireplace divides 2 ground floor rooms. Chamfered bridging beams with run-out stops. Winder staircase to rear wall.

The application is for:

- Removal of existing 'lean to' canopy to rear of property;
- Installation of raised decking area and covered canopy at rear;
- Alterations to car park with provision of small garden area;
- Alteration of surfaces to front courtyard area;
- Internal alterations

To date three sets of plans have been received by the Council.

- the original submission;
- an amended plan in regard to certain internal changes and the removal of the proposed children's play area- following negotiation;
- a further amended plan relating to the car parking arrangements

It is considered that the main issues relating to the application are:

- **Impact upon the host listed building**
- **Impact on residential amenity**

The application is required to be considered by the Committee due to the number of objections received.

Relevant History:

01/00755/FUL – Proposal for new decking over rear access steps. Proposal to remove condition for the retention of 4 no. parking spaces. Install car park lighting – Refused 13/12/01

02/00112/FUL – Proposal for new decking over rear access steps. Relocation of and additional rear car park lighting. Permit 15/03/02

03/00711/FUL – Proposed retention of external decking to rear of public house. Permit 2/09/05

14/00640/LBC - Removal of existing lean to canopy to the rear of the property, installation of a raised decking area and covered canopy at rear, alterations to the carpark and provision of garden area, alteration to surfaces of the front forecourt area, internal alterations to the ground, first and second floor areas – currently under consideration

Development Plan Policies:

Melton Local Plan (saved policies):

Policies OS1 and BE1

Policies OS1 and BE1 allow for development within Town Envelopes providing that:-

- the form, character and appearance of the settlement is not adversely affected;
- the form, size, scale, mass, materials and architectural detailing of the development is in keeping with its locality;
- the development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity; and,
- satisfactory access and parking provision can be made available.

National Planning Policy Framework – Introduces the ‘Presumption in favour of Sustainable Development’ and states that development proposals should be approved if they accord with the Development Plan, or, if it is out of date or does not address the proposal, approve proposals unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits,
- specific policies in this Framework indicate development should be restricted.

The NPPF introduces three dimensions to the term Sustainable Development: Economic, Social and Environmental: It also establishes 12 core planning principles against which proposals should be judged. Relevant to this application are those to:

- Proactively support **sustainable** economic development to deliver homes and business that local areas need
- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings

- encourage the effective use of land by reusing land that has been previously developed (brownfield land)
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable
- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

On Specific issues relevant to this application it advises:

Require Good Design

- Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.
- Securing high quality and inclusive design goes beyond aesthetics considerations and should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Conserving and enhancing the historic environment

- In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
- Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.
- In determining planning applications, local planning authorities should take account of:
 - the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness.
- When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
- Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
<p>Highway Authority</p> <p>In regard to the original submission (denoting 21 car parking spaces) the Highway Officer commented as follows:</p> <p>The proposal, if permitted would result in the loss of car parking provision within the site which would, in turn lead to vehicles parking in the highway to the possible detriment of the safety of road users, including pedestrians.</p> <p>The proposal would be likely to increase the number of customers able to visit the premises whilst significantly decreasing the number of off street car parking spaces, as such this is likely to exacerbate the existing parking problems on Main Street and Church Corner, to the detriment of highway safety.</p> <p>An amended plan was subsequently submitted increasing the number of parking spaces to 27. Highway comments were as follows:</p> <p>The amended plans have increased the number of parking spaces slightly from the previous scheme. However remain concerned that the proposed parking is likely to be insufficient to cater for the numbers that are likely to be generated. The size of the area at the front of the property that was formally hard standing/car parking that will now become an outdoor seating area which in itself is likely to generate a significant amount of parking. The initial reaction is therefore that the proposal is not acceptable, and without any justification for the level of parking by the applicants currently not able to remove my objection.</p> <p>A second amendment to the parking layout was received on 9 October 2014 further increasing the number of spaces to 33. Revised Highway Comments are as follows:</p> <p>Given that the proposal will not increase the trading area and it reduces the number of bedrooms by 2, I consider that the proposed car parking layout will be acceptable. Although some of the spaces are relatively small and the manoeuvring area is restricted, as presumably this was the case previously anyway, and the size of the car park has not been reduced, it would be difficult to argue that the proposal would now make the situation any worse.</p> <p>It may perhaps be advisable to use spaces 27 to 30 for staff parking, as staff are likely to arrive and leave outside of peak times and can organise moving other staff cars if they are blocked in.</p>	<p>Noted</p> <p>The proposal, given its previous use as a public house, will not have a detrimental impact upon the existing highway safety and following the submission of a two revised parking layout plans there is adequate parking provision.</p>

<p>Further revised highway observations follow receipt of the amended site plan dated 9 October 2014 showing a revised car parking layout. It is understood that the proposal will not increase the trade area and the number of bedrooms will be reduced by 2.</p> <p>Whilst the parking layout submitted does not meet normal standards, particularly in terms of aisle width, it is as exists now and therefore is not making the problem any worse.</p> <p>On that basis the Highway Authority would not be able to demonstrate that the proposal would lead to severe harm</p>	
<p>MBC Environmental Health Officer</p> <p>In reviewing the application I need to consider if the proposed development constitutes reasonable use of land from a public health perspective. I can confirm that the proposed activities are consistent with those typical of a public house. Given the historic use of the property as a public house I would not be justified in objecting to the proposed application in its current form.</p>	Noted
<p>Parish Council</p> <p>Encouraged by receipt of <u>amended plans</u> which seem to suggest that the brewery is sensitive to the concerns of Redmile residents. However the PC still objects to these plans for the following reasons:</p> <ul style="list-style-type: none"> • Car parking is a long standing issue in Redmile so the PC is reluctant to see the problem exacerbated by the re-opening of The Peacock with a reduction in car parking spaces; • PC feel that parking should be to the rear and the decking and garden areas reduced to enable additional parking; • Whilst this may result in a reduction in the decked area the PC may be sensitive to changes to the frontage. 	<p>The first set of amended plans did indicate a reduction in car parking spaces. However the second amended plan relating purely to parking provision indicated an increase in spaces., whilst reducing the garden area but retaining the decking.</p>

Representations

A site notice was posted and neighbouring properties consulted. As a result eleven letters of representation (one support and ten objections) were received to the original submission making the following comments:

One further objection was received, from a previous objector, relating to the amended plans received on 9 September 2014 still concerned in regard to car parking issues.

Two further objections were received, from previous objectors, relating to the second amended plan received on 9 October 2014 still concerned regarding parking issues.

Representation	Assessment of Head of Regulatory Services
<p>Support</p> <p>The single letter of support received was happy that the public house was to re-open but with the proviso that there was no change of use.</p>	<p>The former public house is to re-open as a public house</p>

<p>Residential Amenity</p> <p>Noise issues from outside drinking areas</p> <p>Provision of a children's play area</p>	<p>When the public house was previously operational there were outside drinking areas. Any future noise issues resulting from this proposal to re-open the public house will be dealt with under the Environmental Health Act</p> <p>Whilst the original submission indicated provision for a children's play area this was subsequently removed from the amended plan following negotiation and is therefore no longer an issue</p>
<p>Highway safety</p> <p>Lack of parking spaces in the rear car parking area</p> <p>On street parking issues</p> <p>Traffic issues at junction with Church Lane</p> <p>Potential for accidents</p> <p>Traffic issues relating to an additional public house in the village</p>	<p>The original submission allowed for 21 car parking spaces which LCC Highways considered to be insufficient and recommended refusal accordingly. An amended plan increased the number of spaces to 27 which was still considered by Highways to be insufficient. Revised plan no 2 has increased the number of parking spaces to 33 which LCC Highways consider acceptable.</p> <p>LCC highways have not objected on these grounds</p> <p>LCC highways have not objected on these grounds</p> <p>LCC highways have not objected on these grounds</p> <p>This building had always been a public house until its temporary closure. It will re-open as a public house and therefore there is no change of use.</p>
<p>Other</p> <p>Litter problems</p> <p>Licensing Issues</p> <ul style="list-style-type: none"> • Conditions being breached • Various noise issues • Request noise control system be installed 	<p>This is a perceived problem that is not a planning issue.</p> <p>This is an Environmental health/Licensing issue</p>

Other material considerations (not raised through consultation or representation)

Consideration	Assessment of Head of Regulatory Services
<p>Application of Development Plan and other planning policy</p> <p><u>Policies OS1 and BE1</u> allow for development within Town Envelopes providing that:-</p> <ul style="list-style-type: none"> • the form, character and appearance of the settlement is not adversely affected; 	<p>The site lies within the village envelope and conservation area for Redmile</p> <p>The listed building has been vacant for some time and there are signs of deterioration. Left vacant and unused it</p>

<ul style="list-style-type: none"> • the form, size, scale, mass, materials and architectural detailing of the development is in keeping with its locality; • the development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity; and, • satisfactory access and parking provision can be made available. <p><u>Policy BE1</u> allows for development providing that (amongst other things):-</p> <ul style="list-style-type: none"> • The buildings are designed to harmonise with surroundings in terms of height, form, mass, siting, construction materials and architectural detailing; • The buildings would not adversely affect occupants of neighbouring properties by reason of loss of privacy or sunlight or daylight; • Adequate space around and between dwellings is provided; 	<p>will continue to deteriorate. In terms of the internal works, minimal intervention is proposed to enable the building to operate as a country inn.</p> <p>Externally the principal works proposed in the original submission were the upgrading/landscaping of the frontage area and the car park to the rear through provision of a children’s play area. Following negotiation revised plans were submitted that removed the play area and allowed for the provision of a small formal garden area and some additional parking spaces. The second amended plan provided further additional parking which satisfied the LCC Highways Officer.</p> <p>The remodelling and extension of the decking area and the replacement of the rear canopy will enhance the rear elevation of the building and will reflect and respect the host listed building and the conservation area location.</p> <p>The proposal is therefore considered to comply with Policies OS1 and BE1.</p>
<p>Heritage Issues</p> <p>Paragraph 129 states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.</p> <p>Paragraph 131 states that in determining planning applications, local planning authorities should take account of:</p> <ul style="list-style-type: none"> • the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; • the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and • the desirability of new development making a positive contribution to local character and distinctiveness. <p>Paragraph 132 States that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight</p>	<p>The Peacock Inn is a grade II listed building. It is also within the conservation area. Its prominent roadside location and close proximity to the parish Church ensures that it is a heritage asset of some significance</p> <p>The public house has unfortunately been temporarily closed. Whilst apparently sound there are signs of deterioration to the fabric of the building. However the proposal to re-open the building again as a public house will enable these issues to be addressed and the deterioration arrested.</p> <p>Re-opening will also ensure the longer term maintenance of the building.</p> <p>Very few internal alterations are proposed and for the most part have little effect on the historic fabric of the building. It is however proposed to remove some small sections of the original walls which when balanced against the overall proposal and future of the building are considered to be acceptable</p>

<p>should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.</p>	
<p>Design & Impact on Streetscene</p>	<p>Externally the principal works proposed in the original submission were the upgrading/landscaping of the frontage area and the car park to the rear through provision of a children’s play area. Following negotiation revised plans were submitted that removed the play area and allowed for the provision of a small formal garden area and some additional parking spaces. The second amended plan provided further additional parking which satisfied the LCC Highways Officer.</p> <p>The proposed changes to upgrade the landscaped area to the frontage of the building, which is visible in the street scene, will represent an improvement in terms of the setting of the host listed building and the nearby Church. It will also enhance the conservation area setting in this part of the village.</p> <p>The remodelling and extension of the decking area and the replacement of the rear canopy, although not directly visible in the street scene, will enhance the rear elevation of the building and will reflect and respect the host listed building and the conservation area location.</p>
<p>Impact on Residential Amenity</p>	<p>The existing rear decking area is currently basically a rectangular area measuring approximately 10 m by 8 m. the proposed remodelling of the decking results in a somewhat random arrangement with an additional area measuring 8 m (maximum) by 3.5m which protrudes to the rear of the properties on Main Street. It will be separated from the rear garden boundary by a walkway to the garden area and is 8 m from the rear building line.</p> <p>The building has of course always been a public house and will continue in that use. As such the rear car park/hardstanding has always abutted the rear boundary of the Main Street houses and has always been available for drinkers to gather. In residential amenity terms therefore there is no change</p>

Conclusion

The proposal site lies within the village envelope and conservation area for Redmile and thus benefits from a presumption in favour of development under policies OS1 and BE1, and fulfils the objectives of the NPPF in terms of sustainability. The host building is a grade II listed former public house that has been temporarily closed but is scheduled to re-open as a public house, a continuation of its former use.

As a grade II listed building the Peacock Inn is a designated heritage asset that is considered to be of significance. Relatively minor internal changes together with external works would enable its proposed re-opening and would in turn address the current deterioration of the building and also ensure its on-going maintenance. Paragraph 129 states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.

The proposed development of the building and landscaping of its grounds together with the provision of a small garden area will enhance the listed building and will serve to improve the setting. It is considered that the proposals will help to secure the continued use of the temporarily closed building for the foreseeable future and will ensure that the existing building is re-used in an appropriate manner. This will help to enhance the character and appearance of the Listed Building and Conservation Area. The parking issues have been resolved through negotiation and submission of amended plans and it is not considered that the proposals will adversely affect the residential amenities of neighbouring properties. Accordingly the proposal is recommended for approval.

RECOMMENDATION:- Permit, subject to the following conditions:-:

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The works hereby permitted shall be undertaken strictly in accordance with Drawing Nos :
 - 5032/401A (Revision A), dated 9 September 2014;
 - 5032/402B (Revision D), dated 9 October 2014;
 - 5032/403A (Revision A), dated 9 September 2014;
 - 5032/404A (Revision A), dated 9 September 2014;
3. The proposed parking and turning facilities shown on the revised plan 5032/402B (Revision B) submitted on 9 October 2014, shall be provided, hard surfaced and made available for use before the re-opening of the public house and shall thereafter be permanently so maintained.
4. All works in making good the historic fabric of the listed building shall be carried out using reclaimed materials which shall match the existing in all respects
5. The car parking facilities shown on the amended plan, shall be provided, hard surfaced, marked out and made available for use before the development is first brought into use and shall thereafter be permanently so maintained.

The reasons for the conditions are:

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt
3. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area.
4. To preserve the historic character of the building.
5. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area.

Officer to contact: **R Spooner**

Date: 27 October 2014