

Application reference: 13/0070/FUL
NORTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
04.01.2013	15.01.2013	12.03.2013	12.03.2013

Site:

The Mitre, 20 St Marys Grove, Richmond, TW9 1UY

Proposal:

Demolition of existing stable block, single garage and attached storage shed. Reinstatement of boundary wall. Levelling and landscaping to pub garden.

Status: Pending Consideration (If status = HOLD please check that all is OK before you proceed any further with this application)

APPLICANT NAME

Mr James Dorey
8 The Green
Richmond
TW9 1PL

AGENT NAME

Mr Stuart Saville
9 - 11 The Quadrant
Richmond
TW9 1BP

DC Site Notice: printed on 16.01.2013 and posted on 25.01.2013 and due to expire on 15.02.2013

Consultations:

Internal/External:

Consultee

LBRUT Transport
14D Urban D
LBRUT Environmental Health

Expiry Date

30.01.2013
30.01.2013
30.01.2013

Neighbours:

Flat, The Mitre, 20 St Marys Grove, Richmond, TW9 1UY, - 16.01.2013
18A St Marys Grove, Richmond, TW9 1UY, - 16.01.2013
Flat 18, Church Almshouses, Sheen Road, Richmond, TW9 1XD, - 16.01.2013
Flat 17, Church Almshouses, Sheen Road, Richmond, TW9 1XD, - 16.01.2013
Flat 16, Church Almshouses, Sheen Road, Richmond, TW9 1XD, - 16.01.2013
Flat 15, Church Almshouses, Sheen Road, Richmond, TW9 1XD, - 16.01.2013
18 Church Estate Almshouses, Sheen Road, Richmond, TW9 1UX, - 16.01.2013
17 Church Estate Almshouses, Sheen Road, Richmond, TW9 1UX, - 16.01.2013
16 Church Estate Almshouses, Sheen Road, Richmond, TW9 1UX, - 16.01.2013
15 Church Estate Almshouses, Sheen Road, Richmond, TW9 1UX, - 16.01.2013
18 St Marys Grove, Richmond, TW9 1UY, - 16.01.2013
17 Townshend Road, Richmond, TW9 1XH, - 16.01.2013
15 Townshend Road, Richmond, TW9 1XH, - 16.01.2013
13 Townshend Road, Richmond, TW9 1XH, - 16.01.2013
11 Townshend Road, Richmond, TW9 1XH, - 16.01.2013
26 St Marys Grove, Richmond, TW9 1UY, - 16.01.2013
24 St Marys Grove, Richmond, TW9 1UY, - 16.01.2013
22 St Marys Grove, Richmond, TW9 1UY, - 16.01.2013

History: Development Management, Appeals, Building Control, Enforcements:

Development Management

Status: REF

Date: 13/04/2007

Application: 07/0608/FUL

Erection of an external white powder coated steel frame canvas canopy at the front of the property, to supply external sheltered seating area to patrons..

Development Management

Status: PCO

Date:

Application: 13/0070/FUL

Demolition of existing stable block, single garage and attached storage shed.
Reinstatement of boundary wall. Levelling and landscaping to pub garden.

Building Control

Deposit Date:

10.03.2009

Reference:

09/FEN00751/FENSA

3 Windows

Building Control

Deposit Date:

02.04.2009

Reference:

09/FEN00269/GASAFE

Installed a Gas Fire

Constraints:

Professional Comments:

SEE REPORT ATTACHED.

Recommendation:

The determination of this application falls within the scope of Officer delegated powers YES / NO

I therefore recommend the following:

- 1. REFUSAL
- 2. PERMISSION
- 3. FORWARD TO COMMITTEE

Case Officer (Initials): RON

Dated: 11/03/13

I agree the recommendation:

DEPUTY
Team Leader/Development Control Manager

Robert [Signature]
[Signature]

Dated:

This application has been subject to representations that are contrary to the officer recommendation. The Development Control Manager has considered those representations and concluded that the application can be determined without reference to the Planning Committee in conjunction with existing delegated authority.

Development Control Manager:

Dated:

REASONS:
CONDITIONS:
INFORMATIVES:
UDP POLICIES:
OTHER POLICIES:

SEE CAPS

The following table will populate as a quick check by running the template once items have been entered into Uniform

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS:

INFORMATIVES:

ADDITIONAL NOTES CONTINUED FROM ABOVE:

DELEGATED REPORT

13/0070/FUL & 13/0172/CAC

The Mitre, 20 St Marys Grove, Richmond TW9 1UY

Development Plan Policies:

Core Strategy Adopted 2009 – Policy CP7

Local Development Framework – Development Management Plan 2011 – Policies DM HD1, DM HD3, DM DC1 and DM DC5

Supplementary Planning Guidance:

Sheen Road Conservation Area Statement (CA31)

Sheen Road Conservation Area Study (CA31)

Site, History and Proposal:

The application site is a public house located on the western side of St Mary's Grove and forms the end property of a small terrace. The property is located within the Sheen Road conservation area and has been designated as a Building of Townscape Merit (BTM). The main property fronts St. Mary's Grove, whilst there is a service road that leads around the site of the property to the coach house and garages at the rear. Despite being located in close proximity to the mixed use of Sheen Road the surrounding area is mainly residential in feel.

The Sheen Road conservation area statement indicates that the area to the north of Sheen Road is characterised by rows of large terraced and semidetached late Victorian houses sometimes with attractively detailed brickwork and slate roofs. Many are designated Buildings of Townscape Merit. The streets provide views down towards the railway and are mostly well planted with trees. The rear gardens of Alton Road and Sheen Park are important areas of green space.

In regard to planning history the only recent application that is relevant to the site was a refusal of permission for the erection of an external white powder coated steel frame canvas canopy at the front of the property, to supply external shelter seating areas to patrons (Ref: 07/0608/FUL). The reason for refusal was the proposed canopy, by reason of its siting, prominent location, size, height, and design would represent a visually intrusive form of development that would appear unduly over dominant and result in unacceptable street clutter, that would be detrimental to the character, appearance and setting of this and nearby Buildings of Townscape Merit, the streetscene and Sheen Common Conservation Area in general, and the amenities of nearby occupiers.

Proposal:

Demolition of existing stable block, single garage and attached storage shed. The proposal also includes the reinstatement of boundary wall and the levelling and landscaping to pub garden.

Public and Other Representations:

In regard to the planning application (Ref: 13/0070/FUL) one letter of representation has been received from a resident, who raises the following issues:

- Objects to the demolition of the stable block.

- The existing lean to garages should be demolished and bring the stable block back into use.
- Original structures like this should be valued and given a new lease of life.

Professional comment:

These comments follow a site visit undertaken at the proposal on the 4th February 2013. The main issues associated with this application are a) whether the proposal would have any impact on the character or appearance of the Sheen Road Conservation Area (CA31) and the Building of Townscape Merit (BTM); b) whether the proposal is considered acceptable in terms of design; and c) whether the proposal is considered acceptable with respect to the character of the surrounding environment in the interests of amenity.

Impacts on the Conservation Area and BTM

The National Planning Policy Framework (NPPF) indicates that LPAs should have a *positive strategy* for the conservation and enjoyment of the historic environment through the recognition that heritage assets are an irreplaceable resource and should conserve them in a manner appropriate to their significance. The NPPF further indicated that 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.

Policy CP7 of the Core Strategy 2009 seeks to maintain and improve the local environment by protecting buildings of high quality and historic interest from inappropriate development, and encouraging places of high architectural and urban design quality.

Policy DM HD1 of the DMP 2011 has a presumption to protect areas of special significance by designating Conservation Areas. Impact of proposals within and affecting the setting of Conservation Area *will be taken into account. Features that contribute to character and appearance of the area will be retained, whilst new development should conserve and enhance the character and appearance of the area.*

Policy DM HD3 seeks to preserve and enhance Building of Townscape Merit (BTM) by protecting their significance, character and setting. Alterations and extensions should be based on an accurate understanding of the structure and respect the architectural character and detailing of the original building.

The public house is a BTM and the Council as LPA would be looking to conserve the character and appearance of the host property and the surrounding conservation area. The conservation team has been consulted in regard to the scheme and indicated that there is an in principal objection to the demolition of the coach house to the rear of the public house. The pub has significant character and coach house would have formed part of the function of the site as a whole, therefore being part of the history, grain and character of the area.

It has been acknowledged that the applicants are investing in the public house to maintain the use as a facility for the community. A recent scheme of repair and upgrading to preserve the pub have been recently undertaken including arranging for a period stained glass to the front elevation to be restored due to significant deterioration. The scheme to demolish old stable has been initiated at the currently building is in a

poor state of repair and structurally unsound and is not longer practical for the function of the public house. The demolition would allow the pub garden to be used more

The LPA would acknowledge that the demolition of the lean to structures around the coach house would be acceptable, as these obscure views of the historic building, however this should not be at the expense of the coach house itself. The LPA considers the building to be of local interest/significance, given that much of the original form and buildings has been retained relatively unchanged since construction.

The intimate relationship between the coach house and the host property is important in the local setting as the coach house remains as evidence of the earlier development of the area following the arrival of the railway in 1846.

As a result the site is a locally significant example of such intimacy, with small scale buildings historically dependant on the grander frontage buildings. The character of this part of the conservation area appears to be of small scale commercial activity and its appearance is low-key and intimate. Due to its back land location there is a lesser element of aesthetic value as the lower floor building is not readily visible from the public realm. *Notwithstanding this, the coach house is significantly taller than the surrounding garages and lean to extensions and still retains views from public vantage points.*

The demolition of the coach house would therefore be resisted as the loss of the important feature would fail to either preserve or enhance the character and appearance of the conservation area or the setting of the BTM.

Acceptability in terms of design

Policy DM DC1 of the DMP 2011 states that new development must be of a high architectural and urban design quality. Development must be inclusive, respect local character including the nature of a particular road, and connect with, and contribute positively, to its surroundings based on a thorough understanding of the site and its context. Particular regard should be had to the compatibility with local character and detailing and materials.

Notwithstanding the in principle objection in regard to the demolition of the coach house given its position within a conservation area, the design of the proposal will also need to be considered. The application proposes to extend the beer garden to the rear of the public house through the demolition of the existing outbuildings. When considered in isolation it is acknowledged that new paving and additional hardstanding area could be considered of an adequate standard of design and something that could attract additional patrons to the "community" use.

It is considered that there will not be a significant intensification in the use of the garden, although the usable footprint will be extended and may attract additional patrons and approval could be conditioned to limit hours of use within this area. Given the retention of the boundary wall around the site, public views from outside the site of the beer garden itself would be limited.

The proposal also includes the provision of a parking space, which would be walled on three sides. The Councils transport team has raised concerns in regard to size of the garage and its use. There also are concerns that the parking bay will have no sightlines. Furthermore the increase in the size of the beer garden will result in an increase in

patronage. Policy currently requests an additional parking space per 16m² public floor area, and an additional cycle stand should be these issues have currently not been addressed as part of the application. Nevertheless, assuming that the issues raised by transport can be overcome, overall, in design terms the proposal would comply with the aims and objectives of policy CP7 of the Core Strategy 2009 and DM DC1 of the DMP 2011.

Acceptability in term of the surrounding environment and amenity.

Policy DC5 of the DMP 2011 seeks to ensure that the design and layout of buildings is sufficient to ensure that adjoining land or properties are protected from unreasonable loss of privacy, pollution, visual intrusion, noise and disturbance.

Whilst the application proposes alterations to the rear of the property, which is located within a fairly utilitarian rear garaged area there are a number of residential properties located within close proximity to the proposed extension of the beer garden. There are no issues associated with a loss of light or privacy from the proposal. However, the increase in the beer garden could increase patronage and use of the external area, with could have impacts in respect to additional noise and light pollution with the surrounding area.

Given that there is an existing beer garden at the site this would be considered an ancillary use to the main use of the host property. It is acknowledged that the Council as Local Planning Authority would have little control over the popularity or use of the public house or the ancillary uses, however given the proximity to residential properties it would be considered prudent to attach a condition that could limit the use of the outside to a specific time. Whilst it is acknowledged that noise pollution could be controlled under the licensing act or through the environmental health legislation, given the increase in the beer garden a condition would be considered suitable in this particular case.

Subject to conditions the proposal would broadly comply with the aims and objectives of policy DM DC5 of the DMP 2011.

Conclusion:

- Planning permission refusal (Ref: 13/0070/FUL):

The proposal by reason of the demolition of the coach house would fail to preserve or enhance the character and appearance of the Sheen Road Conservation Area by losing important historic local building and which would be detrimental to the setting of the neighbouring Building of Townscape Merit, contrary to policy CP7 of the adopted Core Strategy 2009, and policies DM HD1 and HD3 of the Development Management Plan 2011.

- Conservation area consent refusal (Ref: 13/0172/CAC):

The proposal by reason of the demolition of the coach house would fail to preserve or enhance the character and appearance of the Sheen Road Conservation Area by losing important historic local building and which would be detrimental to the setting of the neighbouring Building of Townscape Merit, contrary to policy CP7 of the adopted Core Strategy 2009, and policies DM HD1 and HD3 of the Development Management Plan 2011.

I therefore recommend **REFUSAL**