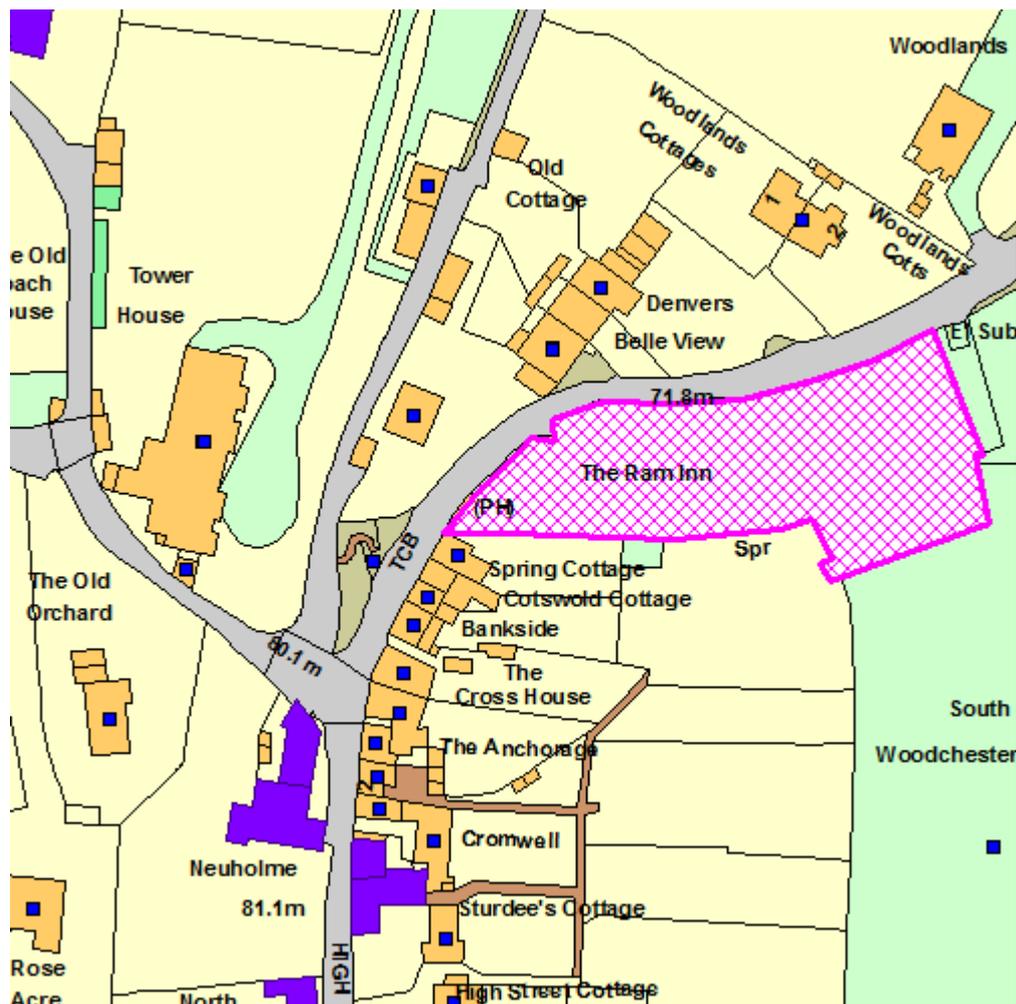




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Item No:	08
Application No.	S.18/1039/FUL
Site No.	PP-06957516
Site Address	Ram Inn, High Street, South Woodchester, Stroud
Town/Parish	Woodchester Parish Council
Grid Reference	383948,202186
Application Type	Full Planning Application
Proposal	Restaurant and kitchen extensions to the public house and erection of two dwellings (amended 03.09.2018)
Recommendation	Permission
Call in Request	Chair of DCC





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Applicant's Details	MACSEYCO Limited C/O AC Planning Solutions Ltd, 12 Marling Crescent, Stroud, Gloucestershire, GL5 4LB
Agent's Details	AC Planning Solutions Ltd 12 Marling Crescent, Stroud, GL5 4LB, United Kingdom,
Case Officer	Ceri Porter
Application Validated	16.05.2018
CONSULTEES	
Comments Received	Woodchester Parish Council Development Coordination (E) SDC Water Resources Engineer Contaminated Land Officer (E)
Constraints	Affecting the Setting of a Cons Area Area of Outstanding Natural Beauty Consult area Conservation Area Within 50m of Listed Building Woodchester Parish Council Rodborough 3km core catchment zone Settlement Boundaries (LP) Village Design Statement
OFFICER'S REPORT	

MAIN ISSUES

- * Principle of development
- * Design and appearance
- * Residential Amenity
- * Noise
- * Highways
- * Landscape impact
- * Affordable Housing
- * Ecology/Trees
- * Archaeology and Heritage Assets
- * Obligations



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DESCRIPTION OF SITE

The application site is located to the south of High Street in South Woodchester.

The site rises from east to west with the stone pub building sitting directly on the western boundary dropping to two levels of car parking that are connected by a pedestrian stepped link.

The site is located within the settlement boundary of South Woodchester, within the Conservation Area and the Cotswolds Area of Outstanding Natural Beauty (AONB).

Cllr McAsey (Amberley and Woodchester Ward) is a Director of company making the application (Maseyco Ltd).

PROPOSAL

Planning permission is sought for two elements:

1. the construction of extensions to the pub to the north and east elevations. To the north, an existing mono-pitch element is proposed to be widened and a gable roof added that will allow the creation of an improved kitchen, store and preparation areas by moving the main kitchen into a current dining area. To compensate for the loss of dining area, a new extension is then proposed on the eastern boundary. This would be a gable roof, stepping down slightly from the main building with full height glazing to the north and east elevations.
2. a pair of semi-detached houses is proposed at the eastern boundary of the car park. It was initially proposed to construct 2 dwellings plus a cafe with manager's accommodation over. Following negotiation and consultee comments, the proposal has been revised to remove the cafe and flat above.

REVISED DETAILS

The scheme has been revised to remove the cafe and manager accommodation unit from the proposal and the car parking area reorganised.

MATERIALS

Roof: Plain concrete tiles

Walls: Natural stone, render and glazing

REPRESENTATIONS

Statutory Consultees:

Environmental Protection Manager – recommends conditions re. scheme for control of smells/fumes etc

Biodiversity Officer - No objection, the parts of the building that will be altered are considered modern extensions and as such it is not considered that they offer suitable roosting habitat for bats.

Contaminated Land – No comments



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Planning Strategy Officer – No objection

GCC Highway Authority – No objection subject to conditions

Woodchester Parish Council – Object

- * Parking – no allowance for staff/owner/residential accommodation above the pub. Spillage of parking into surrounding lanes will be dangerous. Parking bays should be marked out if approved.
- * AONB – additional floorspace with restricted parking will have an adverse effect on the environment.
- * Housing – There is a demand for affordable housing in Woodchester. The location of the houses is not suited for family accommodation. Smaller units would be more suitable.
- * Pedestrian access through site should have low level lighting.
- * An acceptable planting scheme to soften gabion walling to maintain the screen of trees should be agreed
- * A planning obligation should be negotiated to ensure the applicant uses the money from the houses for the pub is required.

Public:

13 objections received. The comments are available in full via the website and are summarised as follows:

- * Loss of community asset
- * Loss of car parking spaces – halving the number.
- * Parking numbers shown are erroneous – at least 35 spaces not 25
- * Overspill parking on the road will limit emergency service access potentially
- * Additional dining room space would equate to more parking – approximately 90 seats inside pub already excluding external seating
- * Contrary to policy ES3
- * Pub has been rundown with no food and limited opening times
- * Separate coffee shop unnecessary
- * If a freehold attractive country pub with views, outside seating and parking cannot succeed then no pub in the country would succeed
- * Why does a cafe need a manager flat above?
- * Cafe could become a shop under permitted development and undermine existing village shop
- * Odour from kitchen extraction may be a problem
- * Noise smoking of people outside coffee shop would affect residents
- * Land could be structurally unstable

Following re-consultation on revised scheme;

1 letter of support – proposal will help secure future of the pub

2 objections received and summarised as follows:

- * need for housing to finance the scheme is illogical
- * Parking issues,



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- * Land stability issue
- * No food, pub looks closed

NATIONAL AND LOCAL PLANNING POLICIES

National Planning Policy Framework.

Available to view

at:<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 72(1).

Stroud District Local Plan.

Policies together with the preamble text and associated supplementary planning documents are available to view on the Councils website:

https://www.stroud.gov.uk/media/1455/stroud-district-local-plan_november-2015_low-res_for-web.pdf

Local Plan policies considered for this application include:

CP1 – Presumption in favour of sustainable development.

CP3 – Settlement Hierarchy.

CP4 – Place Making.

CP8 – New housing development.

CP9 – Affordable housing.

CP12 – Town centres & retailing

HC1 – Meeting small-scale housing need within defined settlements.

EI6 – Protecting individual and village shops, public houses and other community uses.

EI12 – Promoting transport choice and accessibility.

ES1 – Sustainable construction and design

ES3 – Maintaining quality of life within our environmental limits.

ES6 – Providing for biodiversity and geodiversity.

ES7 – Landscape character.

ES8 – Trees, hedgerows and woodlands.

ES10 – Valuing our historic environment and assets.

The proposal should also be considered against the guidance laid out in:

Residential Design Guide SPG (2000)

Stroud District Landscape Assessment SPG (2000)

Planning Obligations SPD (2017)

IHCA Conservation Area Management Proposals SPD (2008)

Woodchester Village Design Statement Supplementary Planning Advice

The application has a number of considerations which both cover the principle of development and the details of the proposed scheme which will be considered in turn below:



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PRINCIPLE OF DEVELOPMENT

The Local Plan has been adopted and full weight should be given to its contents, in accordance with paragraphs 12 and 15 of the NPPF. There is a presumption in favour of sustainable development as applied locally through the policies contained within the Local Plan. Consequently, decision makers should approve proposals that accord with the Local Plan without delay, but should refuse proposed development that conflicts with the Local Plan, unless material considerations indicate otherwise.

The principles of ensuring the vitality of villages and conserving and enhancing the historic environment are supported by national and local planning policy. Guiding principles 4, 5, 6 and 9 (Page 44) of the Stroud District Local Plan seek to cater for local needs, use brownfield, conserve and enhance the Valleys' heritage assets and secure high quality, distinctive design, in keeping with local character, within Conservation Areas.

Core Policy CP12 of the Stroud District Local Plan seeks to maintain and enhance the vitality and viability of town centres. The proposal is for the expansion and continued use of the local public house in a lower tier settlement. The proposal, located within settlement development limits, is considered to be of a scale and nature appropriate to the size and function of this settlement. It would help maintain a village centre use and as such would be supported by Core Policy CP12 and the guiding principles for the locality.

In respect of the proposed dwellings, the site is located within the identified settlement limits of South Woodchester. As such the principle of new housing in this location is acceptable subject to meeting the criteria of Policy HC1 (small scale housing needs within defined settlements) and all other material considerations.

DESIGN AND APPEARANCE

The dining extension is a simple gable addition, set at a slightly lower level with full length glazing to the north (courtyard) elevation and south (car park) elevation. The extension to the store on the northern side of the pub would result in the current mono-pitch roof building being made wider and the roof being replaced with a gable.

Given the scale and design, it is considered that the proposed extensions to the pub are in-keeping with the main building and would be completed in materials to match existing.

The proposed dwellings are simple in design finished in natural stone with stone lintels and canopy porches. Careful choice of materials and detailing would ensure the houses do not look out of place.

The application site is located within South Woodchester therefore whilst within the AONB there would be little impact upon the overall wider setting of the natural and scenic beauty of the landscape.

RESIDENTIAL AMENITY

The proposed dwellings would be approximately 25m from Woodlands Cottages, the nearest neighbouring properties, that are located on the opposite side of High Street and set at an angle to the site and a much higher level than the application site.



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Given the above, it is considered that the development would not result in an overbearing effect or cause a loss of light to neighbouring occupiers. The proposed new dwellings will not result in any unacceptable overlooking due to changes in level. The proposal is therefore considered to comply with policies ES3 and CP14(7) of the SDLP.

In respect of odours/noise, following discussion and revisions to the proposal our Environmental Protection Officer is happy for ventilation and extraction details to be submitted prior to being brought into use.

HIGHWAYS

Many concerns from residents and the Parish Council have been received in respect of loss of parking. Clearly the area of car parking would be reduced by the construction of the 2 proposed houses and there is also proposed to be an increase in floor area to the public house; however, the parking requirements of the adopted SDLP is 1 space per 5sqm of public area and the proposal provides 28 spaces for the pub (that would have a proposed public area of 79.5 sqm). At this ratio it means the pub would need to provide a minimum of 16 spaces and the proposal therefore has 12 more spaces than is necessary to meet SDLP car parking standards. 2 spaces are also proposed for each dwelling in accordance with SDLP parking standards.

The proposal has been amended following initial concerns and provides a pedestrian link from the upper level to the lower level within the site.

Although the site has two existing accesses, the eastern access will be moved approximately 9m to the west. This coupled with intensification of use of the site warranted the completion of a traffic survey.

The submitted speed survey recorded the 85th percentile of wet weather vehicle speeds to be 13mph eastbound and 16.7mph westbound. The required visibility splays for vehicles travelling at these speeds are 12.5m to west of the access and 17.6m to the east. The submitted layout plan no 1455/02 Rev F demonstrates visibility splays of 2.5m x 45m to the east and 32.8m to the west which are more than adequate to accommodate the increase in use of the eastern access. Conditions are recommended in respect of completion of the access and parking areas prior to occupation of the new development.

Given the above, the proposal is considered to be fully policy compliant in respect of highway matters.

AFFORDABLE HOUSING

Adopted Local Plan policy CP9 specifies that small scale residential schemes (1 -3 dwellings) should pay a contribution to affordable housing of at least 20% of the total development value (where viable). This policy has now been tested and it has been identified that the majority of these very small sites have been unable to support a payment towards affordable housing. As such the Council will only pursue an affordable contribution for sites less than 4 units where the combined floor area of the units exceeds 1000m².



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In light of this, whilst the comments of the Parish Council regarding affordable housing are noted, as a small site within a settlement boundary there is no policy mechanism to secure this.

ECOLOGY/TREES

Having reviewed the proposal the Senior Biodiversity Officer is satisfied that the parts of the building to be altered are not considered suitable for roosting bats and therefore raises no objection to the proposal.

The application would involve the removal of the Cypress hedge on the eastern and southern boundary. It should be noted that the hedge could be removed at any point by the owner of the land because hedges are not protected under Section 211 of the Town and Country Planning Act 1990 (Trees in Conservation Areas). In addition, the hedge does not meet the criteria set out in the 1997 Hedgerow Regulations. The only constraint to removing the hedge would be the Wildlife and Countryside Act 1981 (as amended) and provided the work was undertaken outside of the nesting season, no offence would be committed.

The north-east corner of the land contains a multi-stemmed ash tree. The tree overhangs the highway and the adjacent sub-station. The crown of the tree has started to go into decline and branches have fallen into the highway and car park. The Senior Tree Officer has categorised the tree as 'C' in line with the cascade chart for tree quality contained within BS 5837: 2012. This is for trees of low quality with an estimated remaining life expectancy of at least 10 years. Given this assessment there is no objection to the proposal.

The site is located within the 3km of the Rodborough Common SAC site where Stroud District Council has adopted an interim strategy. Each new dwelling is required to pay £200 per dwelling to contribute to projects that relieve the recreational pressure on the designated site. A condition requiring the submission of a mitigation strategy is recommended.

ARCHAEOLOGY & HERITAGE ASSETS

The site is situated in the South Woodchester Conservation Area. It has to be remembered that the built environment derives its character as much from the spaces between and around the buildings as it does from the buildings themselves.

This proposal is for the extension of the public house, landscaping of the car parks and erection of two dwellings. The extension to the public house will have little impact on the character of the existing building and will not cause it any harm.

There is existing car parking on the site and the landscaping of this will not be detrimental to the appearance of the areas.

The erection of two semi-detached houses to the bottom of the site would introduce new built form to an otherwise open space. It would also result in the loss of some trees. However, part of the character of the built form within the immediate vicinity is that of houses in spacious plots set some distance from each other. As such, whilst the new buildings would contrast from the existing appearance of the site, they would conform to the established



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pattern of development. Careful choice of materials and detailing would ensure the houses do not look out of place.

Paragraph 196 of the Framework states that any less than substantial harm should be weighed against the public benefits of the proposal. There would be some public benefit from these proposals both in the provision of a community facility and the provision of two new homes. The proposals are therefore considered to comply with paragraph 196 of the NPPF.

This would comply with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act, paragraphs 89 - 202 of the NPPF (The Framework); and Policy HC1 of the Stroud District Local Plan.

OBLIGATIONS

The Council has implemented a Community Infrastructure Levy (CIL). A completed CIL additional questions form has been submitted with the application.

A unilateral undertaking in respect of the £400 Rodborough Common SAC mitigation strategy is necessary and has been received.

REVIEW OF CONSULTATION RESPONSES

The concerns raised regarding the condition and trading of the pub are noted however the proposal does not seek to close the pub but rather improve the facilities. It is understood that the pub has been registered as an Asset of Community Value therefore should there be any change to circumstances the community have the ability to influence its future.

The Parish Council have requested that a legal agreement be negotiated to make sure the proceeds of the housing are used for the improvements to the pub. The submitted statement does justify the housing as providing finance for the pub works however this is misleading as the proposal is not 'enabling development' in the true sense. Enabling development generally refers to development that would otherwise be considered harmful is considered acceptable because it would facilitate (or 'enable') benefits that outweigh that harm. Typically the benefits in question are the generation of funds that would be used to pay for work to be done to a listed building or other heritage asset that is in pressing need of substantial repairs. In this instance, the housing element of the proposal is policy compliant and would be acceptable without works to the pub to justify it. As such, the requirement of such a legal agreement is unreasonable and unnecessary.

Land stability has been referenced within a public comment. The proposal does not detail any changes to land levels and should any land become unstable due to the development, it would be the responsibility of the developer to address this.

RECOMMENDATION

In light of the above, it is considered that the proposal complies with the policies outlined and is recommended for resolution to permit, subject to the submission of a completed unilateral undertaking.



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HUMAN RIGHTS

In compiling this recommendation we have given full consideration to all aspects of the Human Rights Act 1998 in relation to the applicant and/or the occupiers of any neighbouring or affected properties. In particular regard has been had to Article 8 of the ECHR (Right to Respect for private and family life) and the requirement to ensure that any interference with the right in this Article is both permissible and proportionate. On analysing the issues raised by the application no particular matters, other than those referred to in this report, warranted any different action to that recommended.

Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from 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 Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:

Drawing No. 1455/01 A – Site Location Plan – Received 09.05.2018

Drawing No. 1455/02 F – Proposed Site Plan – Received 03.09.2018

Drawing No. 1455/03 E – Proposed Plans & Elevations of Houses – Received 03.09.2018

Drawing No. 1455/05 A – Existing Ground Floor Plan – Received 03.07.2018

Drawing No. 1455/06 B – Floor Plans Roof Plan Proposed – Received 03.07.2018

Reason:

To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.

3. No works shall take place on the external surfaces of the building(s) hereby permitted until samples of the materials to be used in the construction works have been submitted to and approved in writing by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details.

Reason:

In the interests of the visual amenities of the area.



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4. The development hereby permitted shall not be brought into use until details of a scheme of hard and soft landscaping for the site have been submitted to and approved by the Local Planning Authority. Development shall then be carried out in strict accordance with the approved details.

All painting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first complete planting and seeding seasons following the occupation of the buildings, or the completion of the development to which it relates, whichever is the sooner. Any trees or plants which, within a period of five years from the completion of the development, die, or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason:

In the interests of the visual amenities of the area.

5. Before the public house extensions hereby permitted are brought into use, a scheme shall be submitted to, and approved in writing by, the Local Planning Authority detailing the means of ventilation for the extraction and dispersal of cooking smells/fumes from the kitchen extension, including details of its method of construction, odour control measures, noise attenuation measures, appearance and finish. The approved scheme shall be installed before the use hereby permitted commences and thereafter shall be retained.

Reason:

To ensure that the amenities of occupiers of neighbouring premises in the vicinity are protected.

6. No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
- a. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - b. include a timetable for its implementation; and



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c. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason:

To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution for the lifetime of the development.

7. Prior to the occupation of the development hereby permitted, the vehicular and pedestrian access within the car park shall be laid out and constructed in accordance with the submitted plan 1455/02 Rev F with the area of driveway within at least 5.0m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

Reason:

To reduce potential highway safety impact by ensuring that a safe and suitable access is laid out and constructed that minimises the conflict between pedestrians, cyclists and vehicles in accordance with paragraph 108 and 110 of the National Planning Policy Framework.

8. The residential dwellings hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no. 1455/02 Rev F, and those facilities shall be maintained available for those purposes thereafter.

Reason:

To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraphs 108 and 110 of the National Planning Policy Framework.

9. The extensions to the public house hereby permitted shall not be occupied until the vehicular parking (including disabled parking spaces) and turning facilities have been provided in accordance with the submitted plan 1455/02 Rev F, and those facilities shall be maintained available for those purposes thereafter.



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Reason:

To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraphs 108 and 110 of the National Planning Policy Framework.

10. No construction site machinery or plant shall be operated, no process shall be carried out and no construction related deliveries taken except between the hours of 08:00hrs and 18:00hrs on Monday to Fridays, between 08:00hrs and 13:00hrs on Saturdays and not at any time on Sundays, Bank or Public Holidays.

Reason:

To protect the amenity of the locality, especially for the people living/ or working nearby, in accordance with Stroud District Local Plan Policy ES3.

Informatives:

1. In accordance with Article 35 (2) the Local Planning Authority have worked with the Applicant. The case officer contacted the applicant/agent and negotiated changes to the design which has enhanced the overall scheme; these have been detailed in the Officer Report.
2. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise, dust, smoke/fumes and odour during the construction phases of the development. This should include not working outside regular day time hours, the use of water suppression for any stone or brick cutting, not burning materials on site and advising neighbours in advance of any particularly noisy works. It should also be noted that the burning of materials that gives rise to dark smoke or the burning of trade waste associated with the development, are immediate offences, actionable via the Local Authority and Environment Agency respectively. Furthermore, the granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated smoke, fume, noise or dust complaints be received. For further information please contact Mr Dave Jackson, Environmental Protection Manager on 01453 754489.