



Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 05/08/10

Subject: APPLICATIONS 10/02119/FU & 10/02121/CA. CHANGE OF USE INCLUDING ALTERATIONS AND EXTENSION OF PART OF PUBLIC HOUSE TO FORM 3 FLATS AND COVERED CAR PARKING AND ERECT DETACHED BLOCK OF 2 ONE BEDROOM FLATS, AND DEMOLITION OF PART OF ANNEXE TO PUBLIC HOUSE. SITE OF FORMER GEORGE & DRAGON PUB, 8 HIGH STREET, WETHERBY

APPLICANT

RDF Building Services

DATE VALID

25/05/10

TARGET DATE

20/07/10 (05/07/10 for the CAC).

Electoral Wards Affected: Wetherby

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

GRANT PLANNING PERMISSION, subject to the specified conditions;

10/02119/FU

1. Standard time limit.
2. Approval of walling and roofing materials.
3. Details of shopfront.
4. Approval of window materials, downspouts, gutters etc.
5. Details of external lighting.
6. Provision of cycle storage.
7. Parking to remain unallocated.
8. Provision of suitable bin storage.
9. Details of provision for bats.
10. Landscaping scheme (hard and soft landscaping).
11. Landscaping implementation.

12. Landscaping retention.
13. Preservation of existing and retained trees.
14. Laying out of vehicle areas.
15. Contamination reports.

10/02121/CA

1. Standard time limit.
2. Contract for carrying out of work.
3. Details of shopfront.
4. Approval of window and door materials, downspouts, gutters etc.

Reasons for approval: The principle of residential development on this site is considered acceptable and the design is considered appropriate to the local context and to enhance the character and appearance of the Conservation Area. The scheme raises no concerns over residential amenity or highway safety. The application is therefore considered to comply with policies GP5, GP11, H4, T2, T24, N12, N13, N18A, N18B, N19, N20, N23, BD5, BD6, BD7, BC7, BC8 and LD1 of the UDP Review, as well as guidance contained within Neighbourhoods for Living and the Wetherby Conservation Area Appraisal and Management Plan and, having regard to all other material considerations, is considered acceptable.

1. INTRODUCTION:

- 1.1. This report considers two applications, 10/02119/FU is a full application for change of use and new build, whilst 10/02121/CA is for Conservation Area Consent for a partial demolition to enable the new build. The two are brought together for the sake of completeness.
- 1.2. These applications are brought to Panel at the request of Ward Councillor John Procter due to concerns raised by local residents and the Wetherby Town Council regarding the impact of the proposed development on the Conservation Area, neighbouring properties and highway safety.
- 1.3. The applications are made in full and both will be outside of the 8 week determination period by the date of the Panel Meeting. The applicants will therefore have a right to appeal against non-determination.

2. PROPOSAL:

- 2.1. The development involves the following;
 - Change of use of the ground floor of existing pub (A4) to retail (A1, although possibly A2/A3). This element constitutes permitted development.
 - Conversion of the first floor of the pub to residential (C3) creating 3, two bedroom flats.
 - Existing rear extension to be partially demolished, re-built and extended to enable the third flat to be accommodated above 5 covered parking bays. The ridge height of this extension remains the same whilst the eaves will rise slightly to provide headroom.
 - An existing outbuilding located on the southern boundary will be demolished and re-built with additional windows/doors to provide an additional 2, one bedroom duplex flats.
 - Alterations to ground floor frontage including removal of existing doors and windows (believed to date from 1930's) and insertion of a more traditionally designed shop front. The ground floor is likely to be split into 2 units so there will be two doorways inserted.

- Insertion of 2 doorways into the northern elevation providing access to the flats.
- Inclusion of additional windows to flats and outbuilding.
- Removal of two sycamore's from the site due to damage being caused to the buildings. Scope for some re-planting within a landscape area on the northern boundary.
- Provision of 5 covered parking bays under the rear extension, and one disabled bay adjacent to the outbuilding. Loading bay area to rear of shop units. Stone setts to be used for central courtyard area. Bins and cycle storage for both shops and houses incorporated into the ground floor of the rear extension.
- Provision of steps from High Cliffe Terrace up into the residential part of the site.

2.2. The following documents were submitted with the application:

- Design and Access Statement which includes a Heritage Statement.
- Bat Survey which recommends replacing lost habitat.
- Desk Top Survey.
- Flood Risk Assessment.
- Noise Attenuation Report.
- Structural Survey of Outbuilding.
- Transport Statement.
- Tree Report.

3. SITE AND SURROUNDINGS:

- 3.1. The application site lies within the historic core of Wetherby, and is one of the first buildings viewed when coming across the listed structure of Wetherby Bridge. The main building is a two storey high stone building which fronts onto High Street. The building appears to have been extended out at the rear through use of a double gabled roof, and there is a further single storey extension which extends along the northern boundary.
- 3.2. At the rear of the pub, and sitting on the southern boundary of the site is a two storey, stone built outbuilding, presumably used for storage or manufacturing purposes in connection with the pub use. This has been unused for some years and decay is evident.
- 3.3. Between the buildings is a concrete yard, with no parking laid out, whilst to the very rear of the site the area has become scrubby and overgrown. There is a steep change in levels across the site, with a 1 – 1.5m rise from High Cliffe Terrace up to the site, and then a 2m rise from the site up onto Cliffe Terrace on the north. As a result there are a number of retaining walls evident around the site.
- 3.4. To the south is a semi-detached building, partly operating as a café, and partly a dwelling with associated garden space. This building sits much lower than the pub and is accessed off High Cliffe Terrace which also leads to the Wilderness Car Park and riverside area. To the north is a row of two storey office buildings, built in the late 80's, separated from the application site by a narrow access road.

4. RELEVANT PLANNING HISTORY:

- 4.1. 10/02651/FU – 3 two bedroom terrace houses. Withdrawn. This application site is the area to the immediate east of the application under consideration here. The site is all within the pub demise, but has previously been unused for some considerable time. Access would have been via the pub drive. The application was withdrawn due to concerns regarding access and parking and the intensification of use of the site.
- 4.2. 31/31/99/FU – Extension to the rear of the public house. Approved 24/03/99.

5. HISTORY OF NEGOTIATIONS

- 5.1. Concerns were raised regarding the re-design of the shop frontage, however following discussions involving the Conservation Officer, changes have been made to the scheme including reducing width of pilasters, giving a clear divide between the two units, and reducing the appearance of heaviness in the fascia detailing.
- 5.2. Discussions have also taken place regarding the site to the east and how the additional houses proposed there would impact on this current application. As a result the application for three further houses has been withdrawn, but it is understood that a further application will be made once the concerns raised have been addressed. The applicants have undertaken to fully represent the site as a whole on any further application.

6. PUBLIC/LOCAL RESPONSE:

- 6.1. A site notice advertising development affecting the character of a conservation area was posted on 2nd June 2010. Publicity expired on 05/07/10.
- 6.2. Wetherby Town Council – Consider that the site should be considered as a whole [*comments relate to the now withdrawn application*]. Concerns are raised about limited parking and the ability for delivery vehicles to turn within the yard space. Also concerns about the shop frontage and that it should enhance the Conservation Area and retain existing features. *Please see appraisal below.*
- 6.3. The Victorian Society – Do not object in principle or to the removal of the C20th doors and windows on the frontage. However feel that the proposed shopfront fails to relate to the earlier, first floor windows. *Please see appraisal below.*
- 6.4. One letter of objection has been received from a neighbour which raises the following concerns;
 - Loss of privacy for residents and office workers. *See Appraisal.*
 - No right of way for applicant from Cliffe Terrace potentially leading to issues of access for the flats. Also the access doors may lead to residents parking on Cliffe Terrace rather than in the site. *Rights of access not a planning issue. With regards to potential parking applicant indicates that he is willing to consider providing parking restrictions on Cliffe Terrace. This is however outside of the red line boundary. See appraisal.*
 - Lack of amenity space for residents. *See appraisal.*
 - Lack of parking for both the residents and commercial uses. *See appraisal.*
 - Extension of the rear annexe will visually close up development on the site and result in a loss of views. *See appraisal. There is no right to a view under planning legislation.*
 - Bulk and scale of the rear extension will be harmful to the Conservation Area. *See appraisal.*

- Proximity to trees. See *appraisal*.
- Shopfront alterations fail to respect the proportions of the building. See *appraisal*.

7. CONSULTATIONS RESPONSES:

Statutory:

7.1. None required.

Non-statutory:

- 7.2. Ecology – Bat survey submitted is acceptable. Bat activity has been recorded in and around the site with 3 species of bat found foraging and commuting across the site. Replacement planning will be required as will details of external lighting. New roosting opportunities also required.
- 7.3. Highways – Parking is provided at 1 space per dwelling, plus 1 disabled space, with no space for commercial use. Parking provision for the residential uses are acceptable given the location, however concerns are raised over the lack of provision for the commercial units, and over provision for bin servicing.
- 7.4. Mains Drainage – Site is within the SFRA but is not within the Environment Agency's flood risk data which is more up to date. There are no known records of flooding incidents at the site, perhaps due to the rise in levels at the site. Discharges from the site should be no greater than existing and the use of permeable paving will help with this.
- 7.5. Contaminated Land – Intrusive site surveys needed.
- 7.6. Neighbourhoods and Housing – Require conditions for a sound insulation scheme.

8. PLANNING POLICIES:

Development Plan –

- 8.1. The statutory Development Plan is made up of the Unitary Development Plan Review, along with relevant Supplementary Planning Guidance/Documents. Under the UDP the site is designated as within a Conservation Area, and within an S2 Town Centre.
- 8.2. Unitary Development Plan (Review) (UDPR)
- GP5 – general planning considerations.
 - GP11 – sustainable development.
 - H4 – housing on unallocated sites.
 - N12 – urban design principles.
 - N13 – building design principles.
 - N18A – presumption against demolition of positive buildings within Conservation Area.
 - N18B – approval for demolition only granted if a scheme for redevelopment is approved.
 - N19 – new built and extensions within Conservation Areas.
 - N20 – protection of positive features within Conservation Areas such as trees etc.

- N23 – incidental open space around developments should be well designed.
- N25 – appropriate boundary treatments.
- T2 – highway and access.
- T24 – car parking guidelines.
- S2 – Town Centre.
- BD5 – general amenity concerns.
- BD6 – alterations and extensions to match existing.
- BD7 – alterations to shop fronts should be sympathetic to host.
- BC7 – use of traditional local materials.
- BC8 – re-use of materials from demolished buildings in CA.
- LD1 – good landscaping.

Relevant supplementary guidance –

- 8.3. Neighbourhoods for Living.
- 8.4. Street Design Guide
- 8.5. Wetherby Conservation Area Appraisal and Management Plan – identifies the buildings as positive buildings within the conservation area.

Government Planning Policy Guidance/Statements

- 8.6. PPS1 – Delivering Sustainable Development
- 8.7. PPS3 – Housing
- 8.8. PPS5 – Historic Environment.

9. MAIN ISSUES

- Principle of Use & Sustainability.
- Impact on Conservation Area.
- Highway issues.
- Residential amenity.
- Tree issues.

10. APPRAISAL

Principle of Use & Sustainability

- 10.1. The application site lies within a designated town centre so the location is considered highly sustainable in terms of provision of local services. A residential use here is therefore appropriate. Furthermore the site is previously developed and makes good use of an area that is currently under used. The proposal therefore complies with Policy H4.

Impact on Conservation Area

- 10.2. The proposal can be judged in two ways, firstly the impact of the proposed shop front changes on the character of the High Street, and secondly the wider impact of the changes on the Conservation Area.

- 10.3. Taking the shop front first, the proposal will alter the ground floor element from what is a relatively domestic looking frontage of the pub, and create a more traditional shop front, with large glazed windows, timber stall risers and pilasters. The ground floor frontage is to be split in two to reflect the two intended users of the space.
- 10.4. The initial design was felt to result in a rather heavy frontage, so the design has been modified to create a lighter aspect through narrowing the pilasters. The two units also now have a definite split between the frontages, again breaking up the heaviness. The Victorian Society raise concerns that the ground floor did not reflect the first floor, however the first floor windows are not arranged symmetrically and as a result aligning the ground floor with this could unbalance the overall aspect.
- 10.5. It is considered that the shop front reflects traditional shop units within the historic core, and replaces the more modern pub frontage with a fitting frontage which clearly announces the start of the retail hub of Wetherby. Care needs to be taken over the finer detailing and materials but this can be dealt with through conditions.
- 10.6. The other alterations include extending out the existing annexe at the rear, and re-building the outhouse, with the inclusion of additional windows and doorways and a small, rear, single storey extension. On the whole it is noted that the existing openings have been retained, and new ones are designed to tie in with the originals, making use of timber materials. The extension of the rear annexe is subordinate to the original, and whilst it does close the visual gap this is not considered detrimental, especially given the solid block of development that already exists along Cliffe Terrace. Re-building of the outbuilding is welcomed as this is identified as a positive building, although it is recognised that its current state makes conversion/re-use unfeasible. The small extension proposed is minimal and raises no concerns.
- 10.7. On balance therefore, provided the finer detailing and materials are right, the proposal is considered to enhance the appearance of the site as a whole, and will be beneficial to the character of the Conservation Area.

Highway Issues

- 10.8. The level of parking for the residential units is 1 per dwelling plus 1 disabled space, which given the sustainable location is acceptable, especially as visitor parking can be accommodated within the adjacent Wilderness Car Park. Concerns have been raised about the lack of parking for the commercial units for staff provision. The applicant has stated that the arrangement as existing is such that although there was space for parking at the rear this was little used by staff. It is further recognised that staff are likely to be drawn from the local area and so may be more inclined to walk or use public transport to work. Free parking is also available in the adjacent car park area. It is also possible that parking bays of residents may not be in use during the opening hours of the commercial units so it may be feasible for joint use of these bays to take place. Given these circumstances it is not considered that a refusal on lack of parking could be upheld, or that it is likely to cause such harm that a refusal would be merited.
- 10.9. The applicant has undertaken a parking survey of shops within Wetherby and found that out of 70 units only 7 had any form of parking provision (survey carried out on 23/07/10). This is borne out by looking at aerial photographs which shows that due to the historical formation there is little opportunity available for parking provision adjacent to or behind shop units.
- 10.10. Another concern of highway officers has been the arrangements for bin collections. Given the narrowness of the access it is unlikely that bin wagons would access the site, however the leaving of bins on the pavement for collection would not be acceptable. Bin stores have been provided within the site and it is considered feasible that collections could occur from this area. Again this is not an issue that is considered to

be of such harm to merit a refusal, and it is considered that a condition for details of bin collection could iron out the remaining concerns.

- 10.11. The agent has had separate discussions with waste management officers who have indicated to him that they would be accepting of the arrangement provided that the commercial and domestic bins were kept segregated.
- 10.12. The access point is considered to be acceptable for the intensity of use on the site, and with the above exceptions the proposal is not considered to give rise to concerns of highway safety and to comply with Policies T2 and T24.

Residential Amenity

- 10.13. Unit 1 sits at the front of the George and Dragon pub with the main habitable rooms on the southern and western corner, Unit 2 sits behind with windows on the southern and eastern elevation. The outlook will be dual aspect, across High Street and High Cliffe Terrace. There is potential overlooking of the garden of the property on High Cliffe Terrace, however it is already possible to look directly into this garden from High Cliffe Terrace itself due to the drop in levels, and there is an existing window at first floor level on the southern elevation of the pub which overlooks the site, and which could be used for residential purposes associated with the pub. It is therefore not considered that the development would result in a worsening of the existing situation.
- 10.14. Unit 2 has a bedroom on the northern elevation which is on Cliffe Terrace. Due to the level change this is almost at ground floor level, but the window is elevated slightly. The properties on Cliffe Terrace are all in office use, and the road is little used other than by the office employees. The bedroom window will therefore not receive much passing traffic that would result in loss of privacy. The office buildings are approximately 5m away, but given the town centre location this close juxtaposition of different uses is in no way unusual.
- 10.15. Unit 3 is located above the parking bays in the rear annexe. There are no windows in the northern elevation, other than 3 roof lights providing light to the living room and a hallway. The living room's main aspect is to the south where there is a 12m outlook to the site boundary. Concerns have been raised about overlooking of the flats by the adjacent offices, but the internal layout, and use of rooflights will minimise the chances of overlooking, and this is not considered to be detrimental to residential amenity.
- 10.16. The outbuilding will provide 2 one bedroom duplex flats, which will have their main outlook to the south where the potential for impact is on the dwelling on High Cliffe Terrace. This is located 8m from the outbuilding, however it is offset to the side, so that the closest unit looks on the corner of the building and the access, which is used for the café purposes. Whilst this is considered close, the use of the café and the location within a busy town centre have to be considered. Again the residents of the dwelling on High Cliffe Terrace will already suffer from loss of privacy from people walking down High Cliffe Terrace due to the change in levels, and from the operation of the café use. The addition of two small units is therefore not considered to result in any greater level of overlooking that would be detrimental to their amenity.
- 10.17. The potential outlook of residents of the duplex flats is also considered, as these will be adjacent to High Cliffe Terrace and entrance to the car park with main living area windows looking directly out onto this. However the elevations show that these windows are elevated up above the roadway so there will be some separation. Any resident buying the property will be fully aware of the potential for noise and disturbance that arises out of living in such a location. It is further recognised that the re-building of the outhouse on an almost like for like basis helps to retain a positive building within the conservation area as identified in the Conservation Area Appraisal and Management Plan. The benefit of retaining such a feature is considered to

outweigh any harm to residential amenity that may arise out of the arrangement of the internal layout.

- 10.18. Concern has been raised by the lack of garden space for the units, however these are small units which would be unsuitable for families with children, and there is open space available close by on the riverside. Any garden is unlikely to be private due to overlooking by the offices on Cliffe Terrace. For these reasons it is considered appropriate to waive the requirement for the provision of private amenity space.

Tree Issues

- 10.19. Two trees are scheduled for removal, and indeed have already been (approval sought from tree officer first). These were both sycamores, probably self seeded which were growing out of the boundary walls and causing damage to both buildings. The loss of these is not considered detrimental to the Conservation Area, and it is feasible to obtain some replacement planting within the site through condition.

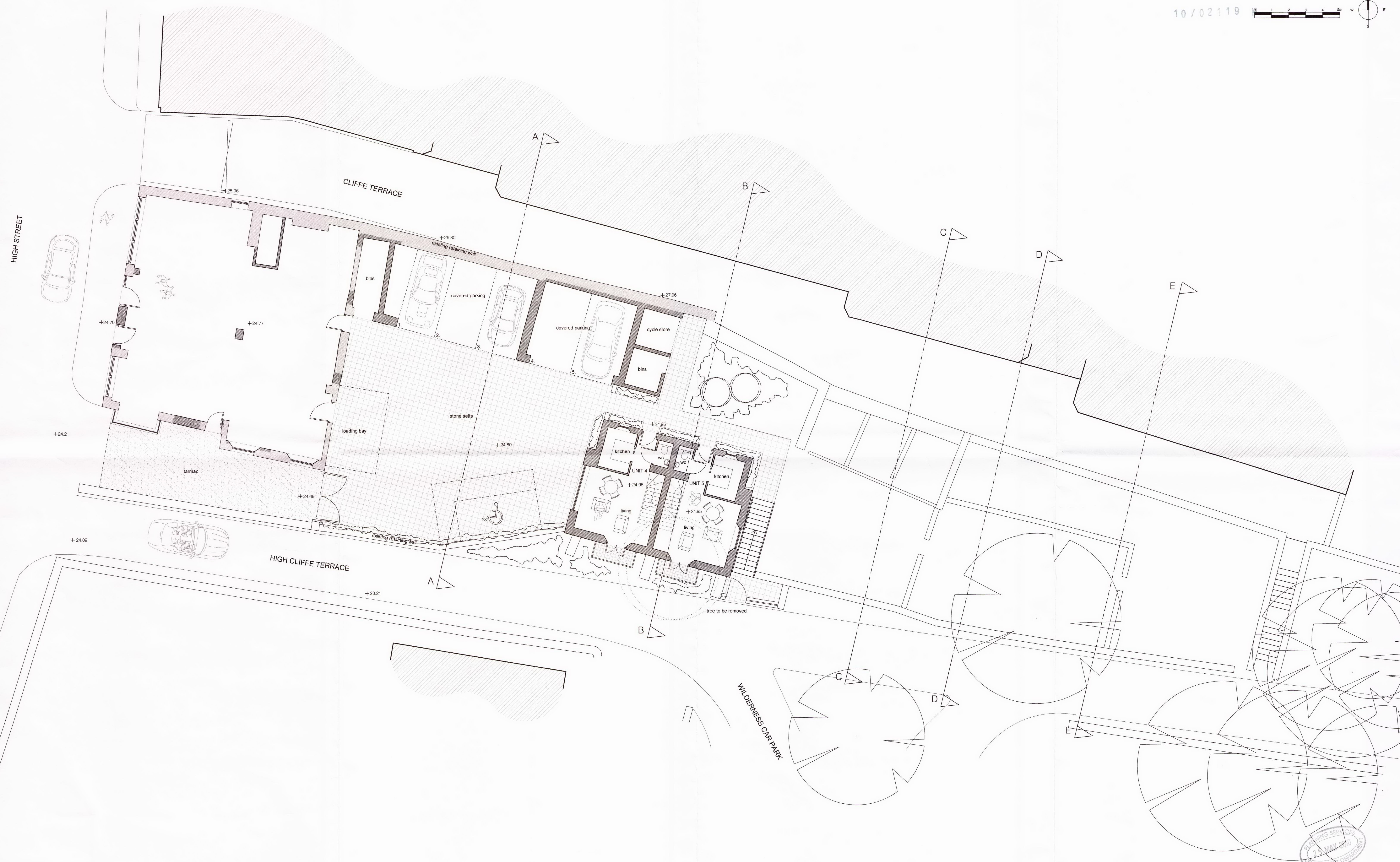
11. CONCLUSION

- 11.1. The proposal provides an appropriate use for the location and makes an efficient use of the site and existing buildings. The proposed alterations are considered appropriate to the Conservation Area and will not be detrimental to the appearance. It is not considered that the proposal will impact negatively on highway safety, or residential amenity, and as a result the application is recommended to Members for approval.

12. Background Papers:

Application and history files. – see history above.

Certificate of Ownership: signed as applicant.



WILDBLOOD MACDONALD Chartered Architects

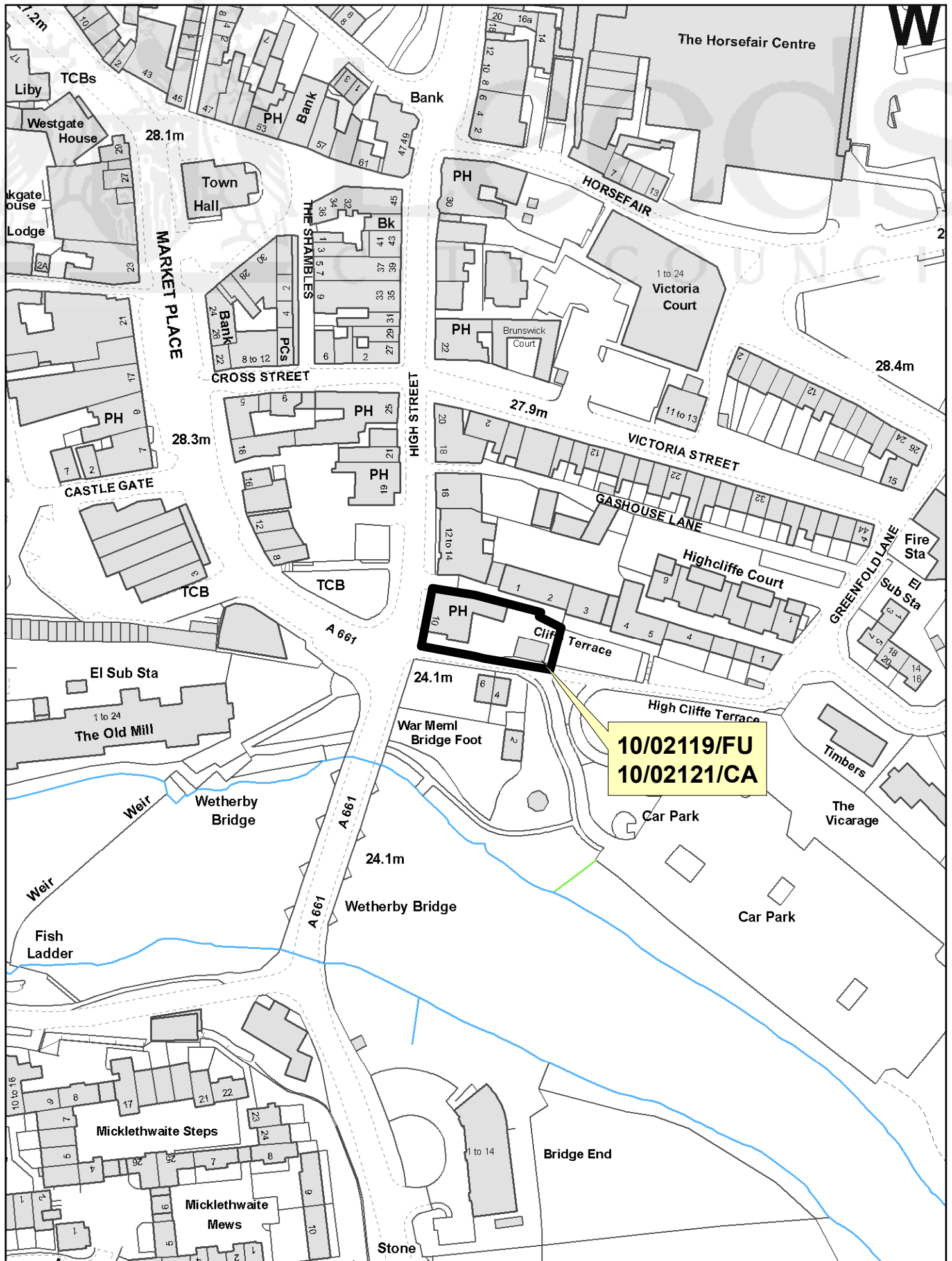
Retail and Residential Development at No.8 High Street,
Wetherby
for RDF Building Services Ltd

Site Plan, Ground Floor

Scale	1:100 @ A1	Date	April 2010	Drawn by	JP
Job no.	W2037	Drawing no.	07	Revision no.	-

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EAST PLANS PANEL

