
Application Ref: NP/14/0161

Application Type	Full
Grid Ref:	SN13410036
Applicant	Mr & Mrs L Jones
Agent	Mr A Chandler, Argent Architects
Proposal	Convert & raise roof of existing building to provide a restaurant & guest house with managers accommodation
Site Location	Royal British Legion, St Marys Street, Tenby, Pembrokeshire, SA70 7HW
Case Officer	Ceri Porter

Summary

This application is being reported to the Development Management Committee for consideration as the recommendation for approval is contrary to the views expressed by Tenby Town Council. The Town Council recommend approval.

Planning permission is sought for change of use from an existing photographic shop and studio to a guesthouse and restaurant (classes C1 and A3). The application proposes manager accommodation on the third floor, reception and breakfast / dining room at ground floor and 8 no. bedrooms.

Whilst the principle of the proposed change of use is acceptable and the façade has received pre-application guidance on its impact within the Conservation Area, the proposal has a number of issues in respect of its design and impact upon the setting of adjacent listed buildings and the privacy and amenity currently enjoyed by neighbouring residents. It is acknowledged that the building is in poor repair and its improvement would be welcomed however the design in its current form does not adequately address these issues and the proposal is recommended for refusal.

Consultee Response

Tenby Civic Society: Objecting - The current proposals do not fit the character required in the Conservation Area, too dominant, result in loss of privacy, overbearing.

PCNPA Buildings Conservation Officer: Supporting - subject to full details of fenestration

Tenby Town Council: Recommend approval as proposals will enhance the building and streetscape.

PCNPA - Park Direction: No objection in principle

PCC - Transportation & Environment: No objection

Ecologist - Pembrokeshire County Council: No objection - Desk top finds low likelihood of protected species or adverse impact on habitat or species as a result of the development. No survey or mitigation necessary.

Precautionary approach recommended should any evidence be found during works.

Dwr Cymru Welsh Water: Conditional Consent

PCC - Head of Public Protection: No adverse comments

Public Response

The application has been appropriately advertised, and 4 no. representations have been received. One has no objection to the proposal whilst the other 3 raise concerns. The concerns are summarised as follows:

Scale inappropriate; overlooking neighbours; adverse impact upon solar panels; inappropriate design for conservation area; proposal appears to be a pub.

Policies considered

Please note that these policies can be viewed on the Policies page Pembrokeshire Coast National Park website - <http://www.pembrokeshirecoast.org.uk/default.asp?PID=549>

LDP Policy 01 - National Park Purposes and Duty
LDP Policy 02 - Tenby Local Service and Tourism Centre
LDP Policy 08 - Special Qualities
LDP Policy 15 - Conservation of the Pembrokeshire Coast National Park
LDP Policy 29 - Sustainable Design
LDP Policy 30 - Amenity
LDP Policy 45 – Affordable housing
LDP Policy 48 - Community Facilities and Infrastructure Requirements
LDP Policy 50 - Town and District Shopping Centres
LDP Policy 52 - Sustainable Transport
LDP Policy 53 - Impacts on traffic
PPW6 Chapter 03 - Making and Enforcing Planning Decisions
PPW6 Chapter 04 - Planning for Sustainability
PPW6 Chapter 06 - Conserving the Historic Environment
PPW6 Chapter 07 - Economic Development
PPW6 Chapter 08 - Transport
PPW6 Chapter 10 - Planning for Retailing and Town Centres
SPG05 - Sustainable Design
SPG12 - Parking
SPG17 - Conservation Area Proposals
TAN 04 - Retailing and Town Centres
TAN 12 - Design

TAN 13 - Tourism

Officer's Appraisal

Background

The Royal British Legion is located to the east of Lower Frog Street. It is linked to adjoining properties to the north and has residential properties to the south and rear (fronting St Marys Street).

The building is of a simple two storey design with a relatively plain gable facing Lower Frog Street. Windows are located within the front (west) and side (south) elevations with a blank rear (east) elevation. The rear elevation forms the rear boundary of a residential courtyard.

The site is located within Tenby Conservation Area with neighbouring listed buildings. The Building is identified within the Tenby Conservation Proposals Supplementary Planning Guidance as a priority for improvement.

The Royal British Legion has suffered from declining numbers at this club and has recently sold the building.

The proposal has been the subject of pre-application discussion in respect of the design of the front elevation of the building and advice was also given in respect of the principle of the change of use subject to all other design and amenity issues being satisfactory.

History

None.

Constraints

- Special Area of Conservation – within 500m
- LDP Designation
- Biodiversity Issue
- Ancient Monument – within 50m
- LDP Centre: 60pc aff housing; 30 units/ha
- Recreation Character Area
- Conservation Area

Current Proposal

This is a full planning application for the change of use of the existing Royal British Legion building to a restaurant & guest house with manager's accommodation over four floors. To facilitate this, the proposal seeks to raise the roof of the building by approximately 2.5m and construct an extension to the side (south) elevation to serve an internal stairwell.

At ground floor the restaurant/bar and cellar areas are proposed with kitchen, toilets and 2 no. guest rooms at first floor. The second floor proposes 3 no. guest rooms, plant room and store whilst the third floor would contain the manager's accommodation including office.

To the front elevation, a large glazed area is proposed to the restaurant at ground floor with windows arranged in 3 blocks to serve the first and second floors. A parapet wall is then proposed with the new raised roof set 300mm back from it.

To the side (south) elevation, the stairwell extension would be set on columns at ground floor to allow access along the side of the building and to the dwelling at the rear of the site. This extension would have slate hanging external finish to match the roof. 2 no. windows would be proposed in the stairwell extension at first and second floor with a window at second floor serving a guest room. At roof level 2 no. dormer windows are proposed to serve the managers accommodation.

To the rear (east) elevation it is proposed to insert 2 no. window openings at each floor level. For these windows (and the window serving a bedroom within the side elevation) it is proposed to install permanent vertical external 45 degree louvres within the openings.

Where the building adjoins the property to the north, a valley gutter is proposed between the new parapet and the eaves of the neighbouring property.

Materials proposed are painted render walls, slate roof and tile hanging to extension and a mix of timber/upvc/aluminium for the doors and windows. The proposed louvres would be constructed from timber.

Key Issues

As the proposal includes little external alteration, the application raises the following planning matters:-

- Principle;
- Affordable Housing;
- Visual Amenity & Impact on the Conservation Area & Setting of Listed Buildings
- Amenity and Privacy; and,
- Highways

Principle

Policy 2 of the Local Development Plan (LDP) sets out the strategy for Tenby that includes aiming to meet housing (particularly affordable) needs, employment needs and protecting and enhancing the town's facilities and shopping centre. Redevelopment and changes of use within the use classes normally found within a town centre are permitted under policy 50 of the LDP.

The property is located within the existing Centre boundary for Tenby and the town shopping centre (although not primary frontage) as defined by the LDP.

The proposal would change the current use of the site to class C1 (Guesthouse) and A3 (restaurant) that are both considered acceptable uses under policy 50 of the LDP.

Policy 48 of the LDP seeks to protect against the loss of community facilities. In this instance, the proposal will provide a restaurant facility available to members of the public and not entirely result in the loss of a community facility. Policy 48 does however also state that such a loss will be permitted where it can be demonstrated that the community facility is no longer required. Given the availability of other clubs/pubs in the area, the loss of the social club in this town centre location is considered acceptable.

Given the above, the proposal is in principle considered acceptable.

Affordable Housing

Policy 45 (c) of the Pembrokeshire Coast National Park Local Development Plan (LDP) and the associated Supplementary Planning Guidance – Affordable Housing refer to affordable housing. In the case of the creation of a single dwelling a commuted sum will be sought based on the floorspace. The SPG allows for an exception to this however where the dwelling is tied to an associated use.

In this instance, the proposed manager's accommodation is considered to be in scale and layout, ancillary to the proposed guest house use. The manager's accommodation would be tied to the business use via a planning condition and the development would not result in a new separate unit of accommodation. As such this proposal will not require an affordable housing contribution under policy 45 of the LDP.

Visual Amenity & Impact on the Conservation Area & Setting of Listed Buildings

Policy 15 of the LDP seeks the conservation of the Pembrokeshire Coast National Park with criteria 'a' and 'b' resisting development that would cause significant visual intrusion and/or, that would be insensitively and unsympathetically sited within the landscape. Policy 30 of the LDP seeks to avoid development that is of an incompatible scale with its surroundings (criterion 'b') or is visually intrusive (criterion 'd').

Policy 8 of the Pembrokeshire Coast National Park Local Development Plan (LDP) refers to the special qualities of the National Park and lists priorities to ensure that these qualities will be protected and enhanced. Criterion 'd' of policy 8 specifically refers to protection of the historic environment and, where possible that it is enhanced

Whilst there has been pre-application discussion in respect of the design of the street elevation and its relationship with the Conservation Area, this advice was subject to issues of detailed design and effects upon amenity.

The proposed building may offer an innovative design to the façade in the spirit of Circular 61/96 (Historic Buildings and Conservation Areas) however the side and rear elevations, although not prominent within the Conservation Area, raise concerns in respect of their large scale and characterless nature and their impact upon the setting of adjacent listed buildings.

Paragraph 6.5.9 of Planning Policy Wales 6 (February 2014) states that 'where a development proposal affects a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, or its setting...'. The setting of individual listed buildings very often owes its character to the harmony produced by a particular grouping of buildings (not necessarily all of great individual merit) and to the quality of the spaces created between them. Such areas require careful appraisal when proposals for development are under consideration, even if the redevelopment would only replace a building which is neither itself listed nor immediately adjacent to a listed building. Where a listed building forms an important visual element in a street, it would probably be right to regard any development in the street as being within the setting of the building.

In this instance it is considered that the increase in the height of the building and its scale would adversely affect the setting of adjacent listed buildings, namely Olive Buildings.

Amenity and Privacy:

Policy 30 of the LDP refers to 'amenity' in general with criteria 'a' and 'b'; seeking to avoid incompatible development and significant adverse impact upon the amenity enjoyed by neighbouring properties.

The rear elevation of the existing building is blank and the proposal would insert 8 openings over four floors. To overcome any loss of amenity the proposal includes permanent vertical louvres set at 45 degrees to cover each window. The agent has suggested that as the site is within a densely built up area there are already a number of windows overlooking rear garden areas and therefore there would be no change to the existing situation. The agent has also suggested that the demolition of structures to the rear of the building has already significantly improved the amenity of neighbours.

Whilst it is accepted that there are a variety of existing windows within this town centre location it is considered that the addition of 8 new openings at various levels across what is currently a blank elevation would significantly alter the level of overlooking for properties to the rear. These windows will serve habitable rooms and despite the proposal for permanent louvres, will result in an unacceptable impact upon the amenity and privacy currently enjoyed by neighbouring residents.

The inclusion of the louvres within the design acknowledges that there is an issue with privacy and although the 45 degree louvres protect views directly to the rear, they will still direct views through the angle provided towards neighbouring properties.

Notwithstanding the impact upon privacy, it is considered that the proposed increased height of the building in combination with the stairwell extension would appear over-dominant to adjacent residential properties. It is appreciated that a previous permission has removed a building to the rear of the British Legion building and that this has improved the amenity for neighbouring properties but an increase in bulk as proposed would be overbearing.

The application site is currently a club with no kitchen area. The proposal includes an A3 use at ground floor level and a kitchen on part of the first floor, with the remainder of the building given over to guest rooms and managers accommodation. Pembrokeshire County Council Public Protection have raised no issue with the proposal however given the proximity of the kitchen at the rear to residential properties it is suggested that a suitably worded condition to ensure that the detail of any new extraction equipment is submitted could overcome any issues in this respect.

Overall, given the above, it is considered that the proposal would result in an unacceptable impact on the amenity of neighbouring residents due to the proposed windows within the rear (east) elevation its overall height and bulk, contrary to Policy 30 of the Pembrokeshire Coast National Park Local Development Plan.

Highways and Parking

Policy 53 refers to impact on traffic and states that development will be permitted where appropriate access can be achieved. Instances where access will be considered to be inappropriate are (where relevant to this application) 'c' where there is an unacceptable impact on road safety.

The Parking Standards SPG defines the area within which the site is located as Zone 1; as such no parking is required to be provided and the proposals does not raise any issues of impact on traffic. There are public and private car parks available within the town, all within easy walking distance of the site.

Pembrokeshire County Council Highways have raised no objection to the proposals and there is no objection on these grounds.

Sustainability

Policy 29 of the LDP refers to sustainable design and expects all proposals for development to demonstrate an integrated approach to design and construction in terms of 'a' place and local distinctiveness, 'b' environment and biodiversity, 'c' community cohesion and health, 'd' accessibility, 'e'

energy use, 'f' energy generation, 'g' materials and resources, 'h' water and drainage, 'i' waste and 'j' resilience to climate change. Policy 31 of the LDP refers to minimising waste requiring development to minimise, re-use and recycle waste generated during demolition and construction. Policy 32 of the LDP requires development to incorporate sustainable drainage systems for the disposal of surface water on site.

The supporting Design & Access Statement has a section on Environmental Sustainability, and the agent for the application has set out the steps being taken with regard to ensuring sustainable design and function. Solar panels are proposed to the south roof slope with solar gain possible from the south west side of the building.

Concern has been raised from the adjoining property that the increase in height of the building will affect the viability of newly installed solar panels. Whilst the impacts upon television and radio signals by development is a material consideration, there is little guidance or case law on the materiality of the impact of development on neighbouring solar panels on a planning decision. It is suggested that this may be a private issue between the parties and not a material planning consideration, if there was in fact such an impact.

Conclusion

Whilst the principle of the proposed change of use is acceptable and the façade has received pre-application guidance on its impact within the Conservation Area, the proposal has a number of issues in respect of its design and impact upon the setting of adjacent listed buildings and the privacy and amenity currently enjoyed by neighbouring residents. It is acknowledged that the building is in poor repair and its improvement would be welcomed however the design in its current form does not adequately address these issues and the proposal is recommended for refusal for the reasons set out below.

Recommendation

That the application be refused for the following reasons:

1. The proposed building, by reason of its design (in particular its increase in height, scale, side extension and fenestration) located adjacent to grade II listed Olive Buildings represents an inappropriate form of development that would adversely affect their setting. As such the proposal is contrary to policies 15(a)(b)(d)(e) and 8(d) of the Adopted Pembrokeshire Coast National Park Local Development Plan (September 2010).
2. The proposed building, by reason of its introduction of window openings within the rear (east) elevation, would result in an unacceptable loss of privacy to the detriment of the amenity currently enjoyed by neighbouring residents. As such, the proposal is contrary to

Policy 30 of the Pembrokeshire Coast National Park Local Development Plan (September 2010).

3. The proposed building, by reason of its scale and bulk, would represent an un-neighbourly form of development that would have an adverse impact on the amenity currently enjoyed by neighbouring residents. As such, the proposal is contrary to Policy 30 of the Pembrokeshire Coast National Park Local Development Plan (September 2010).

Item 6d)

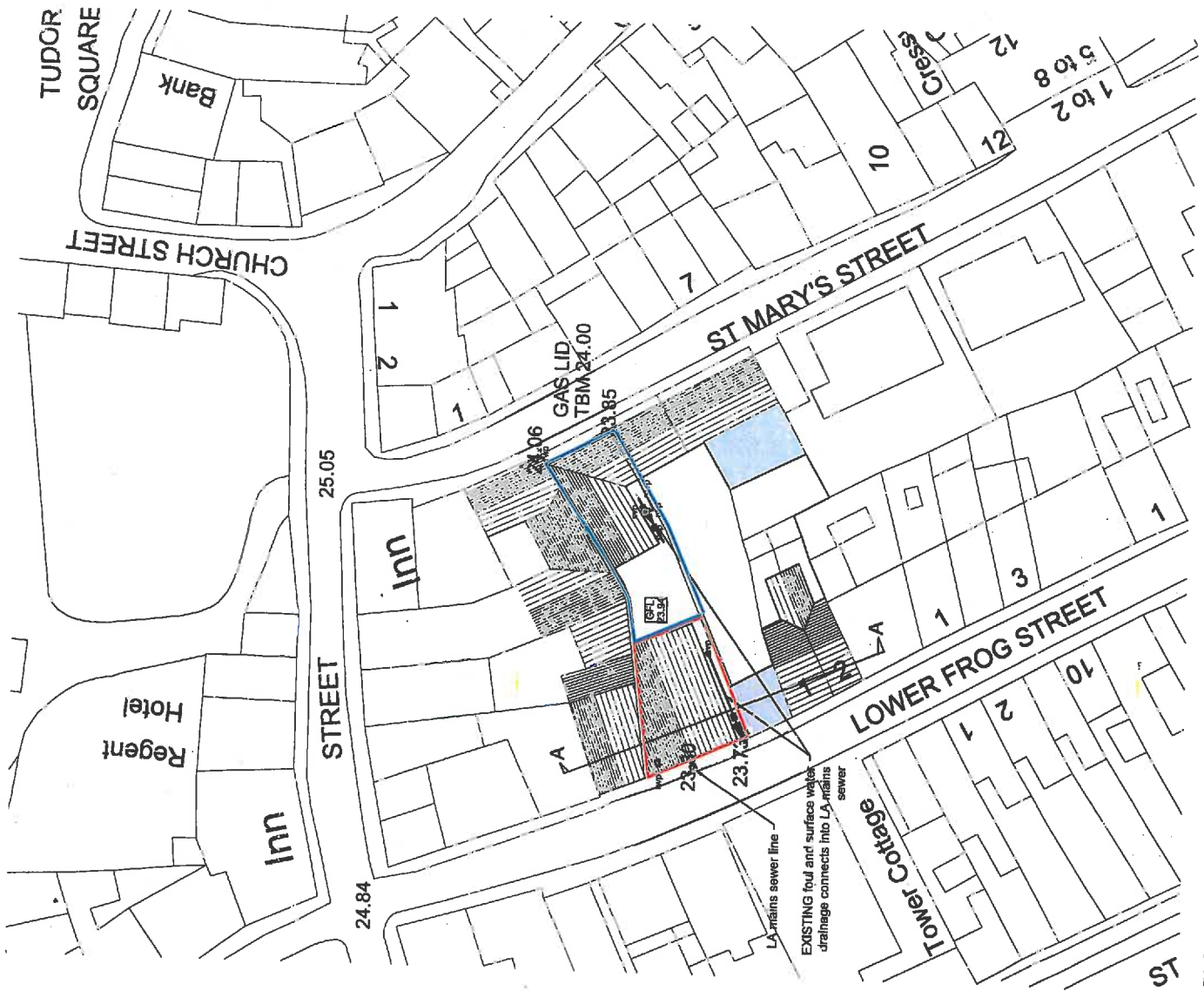


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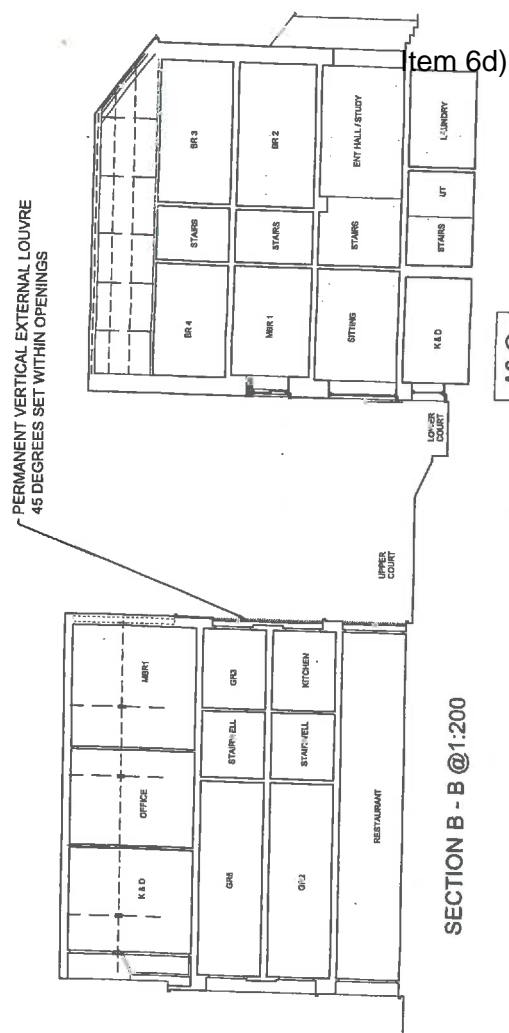
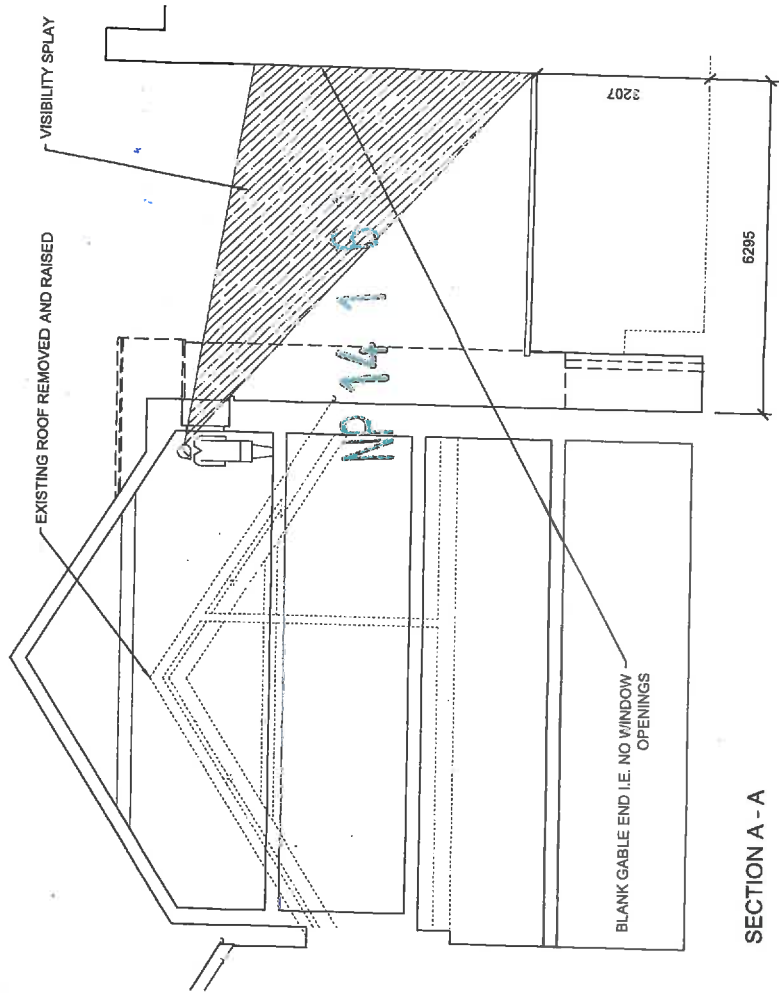
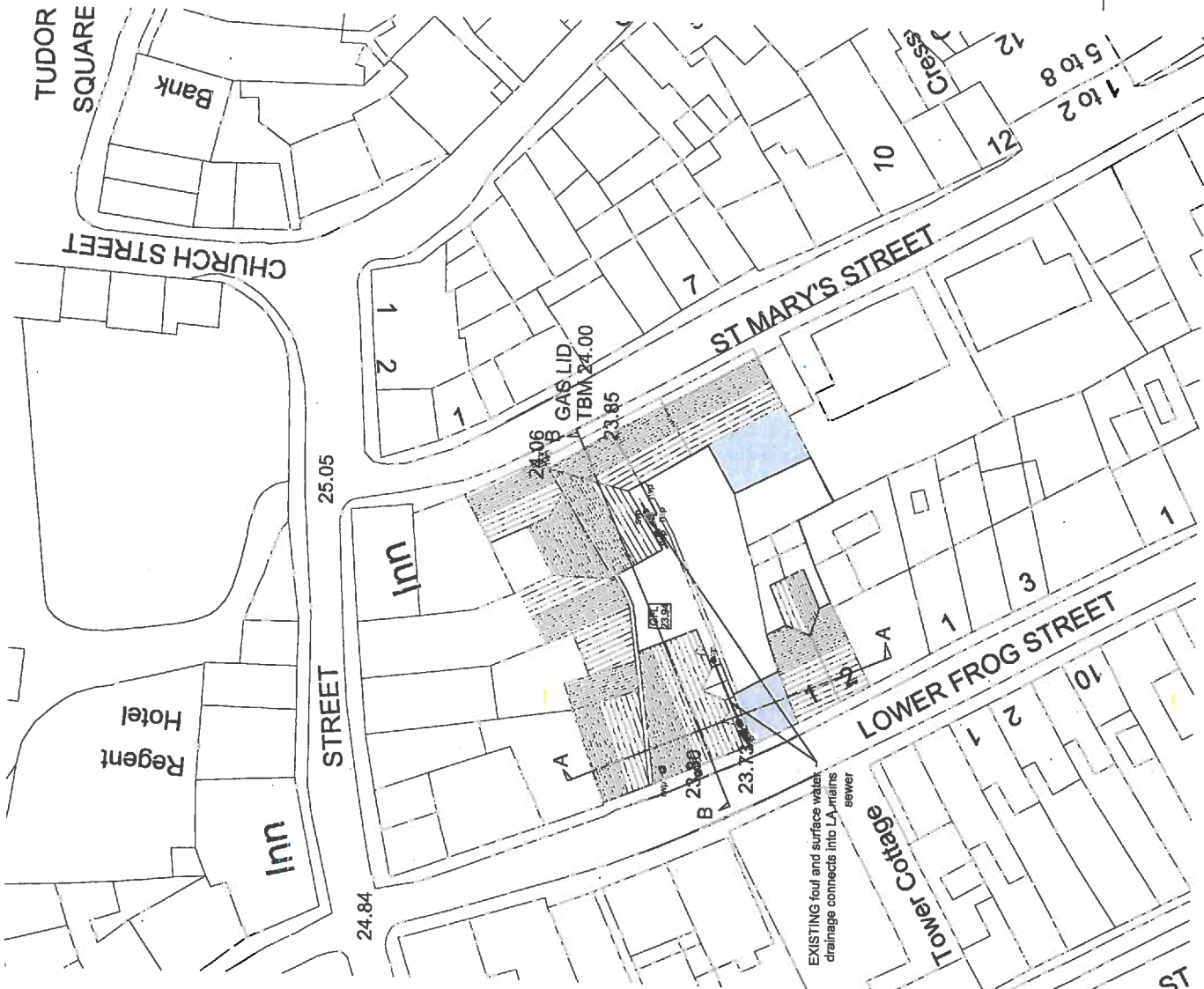
SITE LOCATION PLAN @ 1:1250



BRITISH LEGION, TENBY	A3 @	11.03.14	A3540 51 01	
	1: 500	www.argent-architects.co.uk	tel 01854 845440	
EXISTING SITE & LOCATION		info@argent-architects.co.uk fax 01854 845440		



BLOCK PLAN



BRITISH LEGION, TENBY

P2 COMMERCIAL PROPOSED:
SITE STUDY

A3 @ 1: 100

07.04.14 A3540 53 01

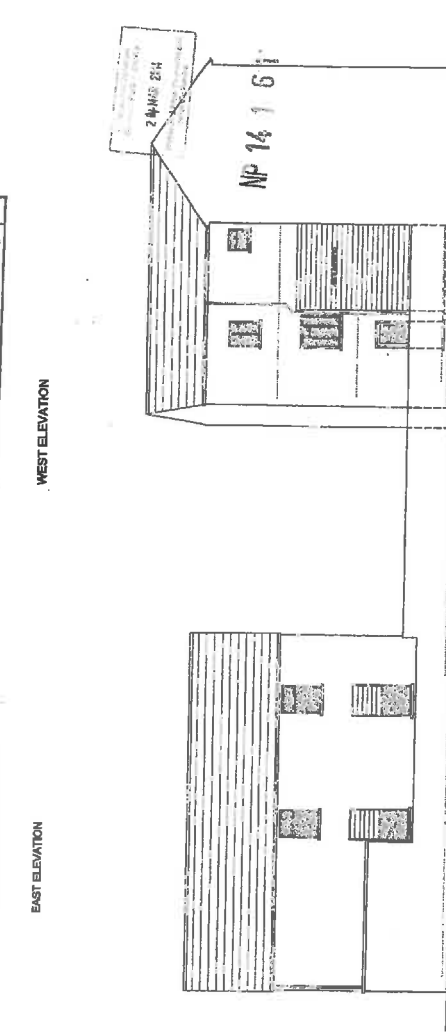
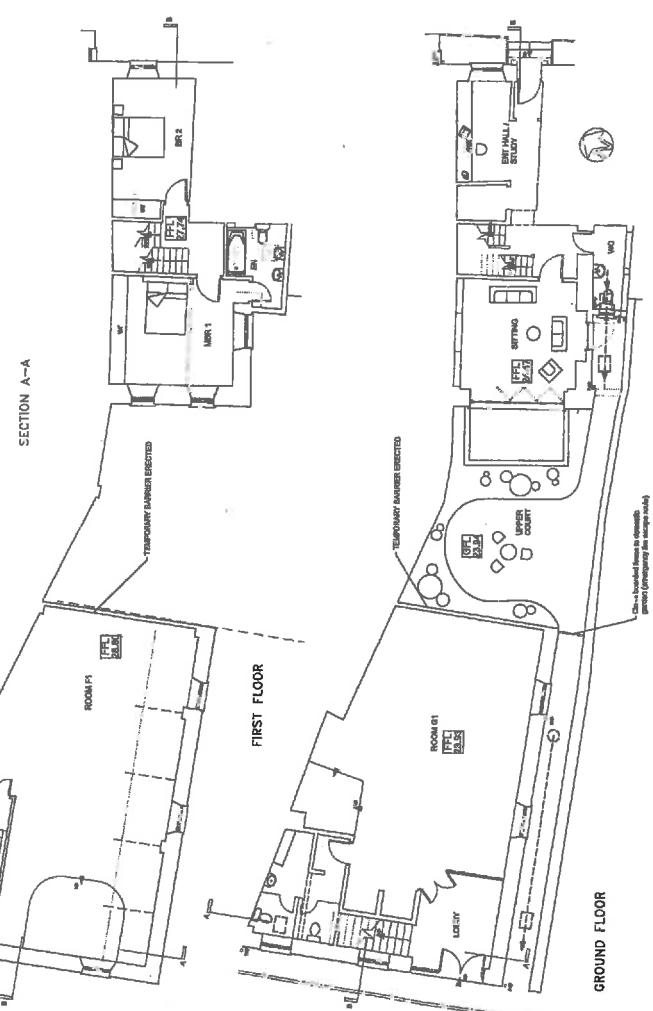
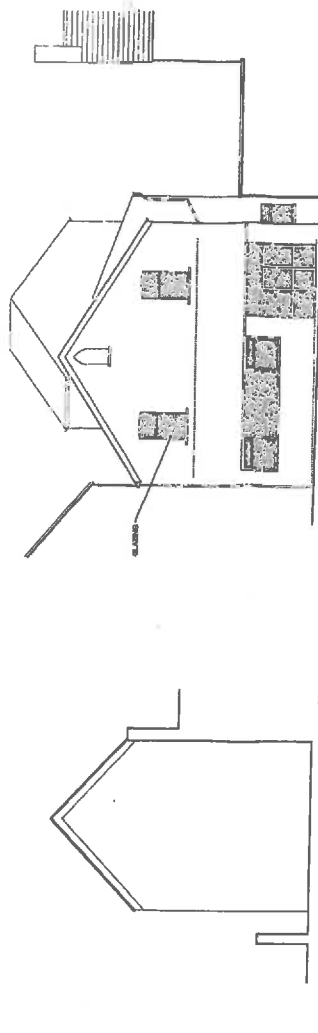
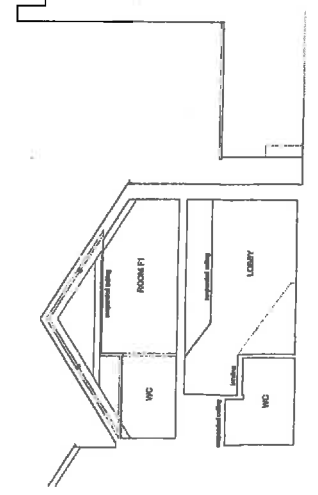
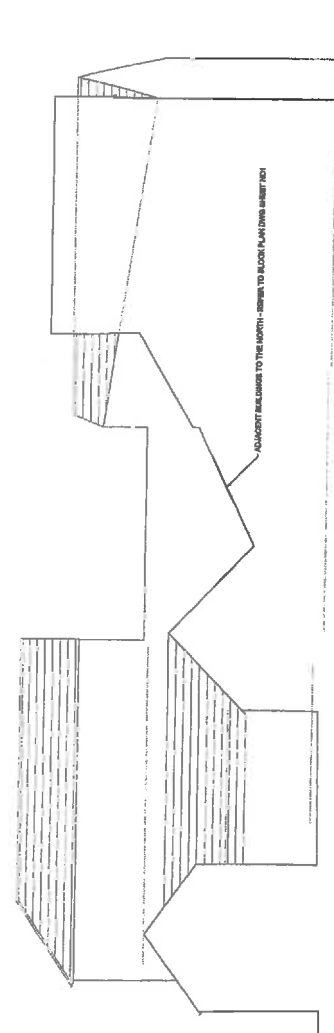
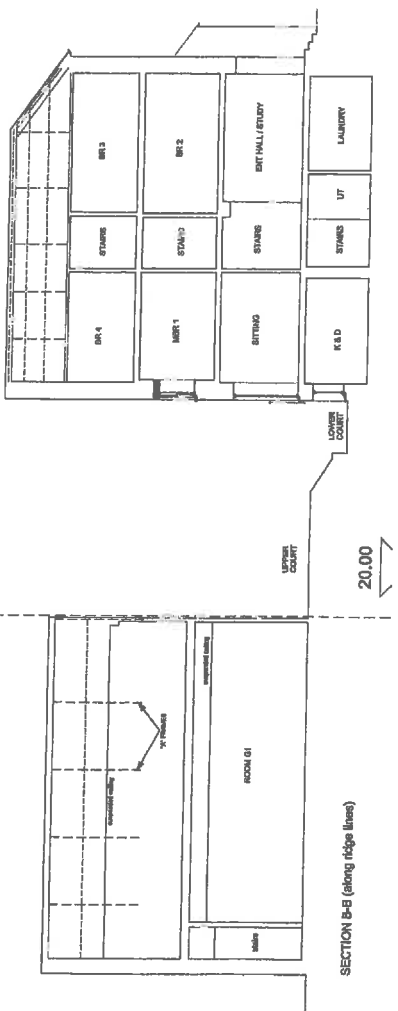
www.argent-architects.co.uk tel 01834 846440
info@argent-architects.co.uk fax 01834 846440

ARGENT ARCHITECTS

SITE BLOCK PLAN @ 1:500

PHASE 2 COMMERCIAL - SEPARATE PLANNING APPLICATION FOLLOWING PRE APP DISCUSSIONS WITH PCNPA

PHASE 1 DOMESTIC - CHANGE OF USE FROM CLUB TO DWELLING



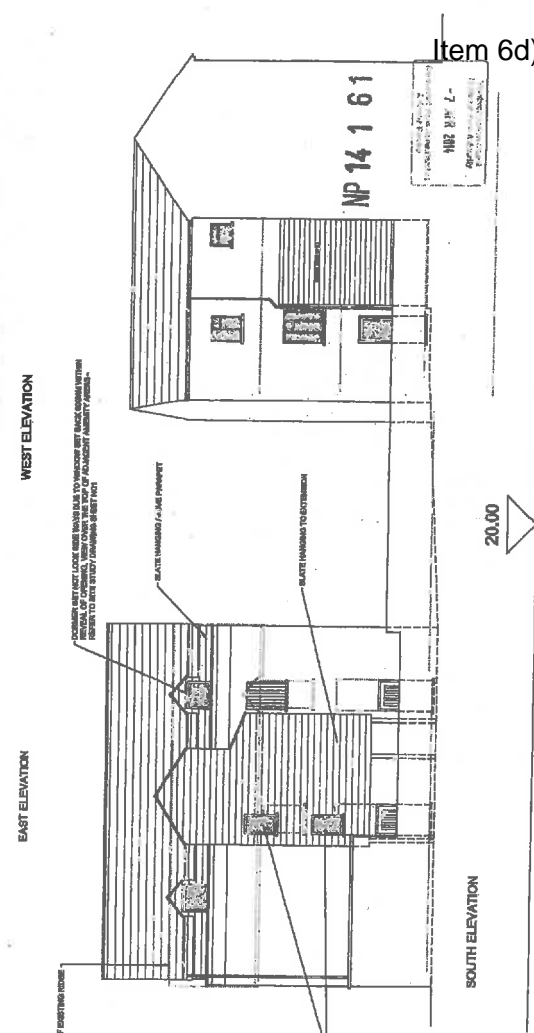
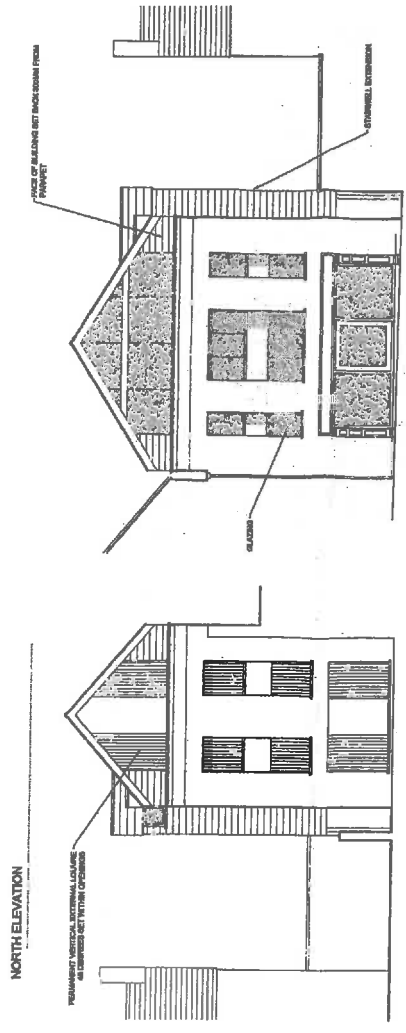
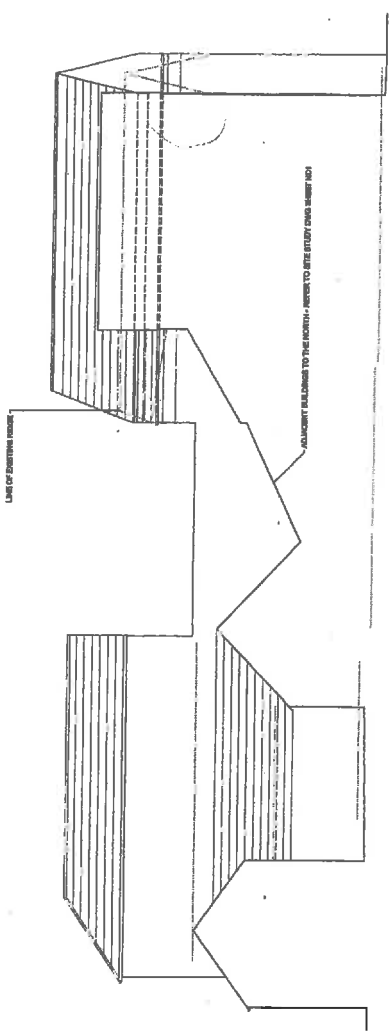
Item 6d)

MATERIAL FINISHES

FLOOR: SLATE WITH UPVC BATHWATER TRAYS
 WALLS: MASONRY WITH POLYURETHANE AND PAINTED RENDER
 W/LS: UPVC

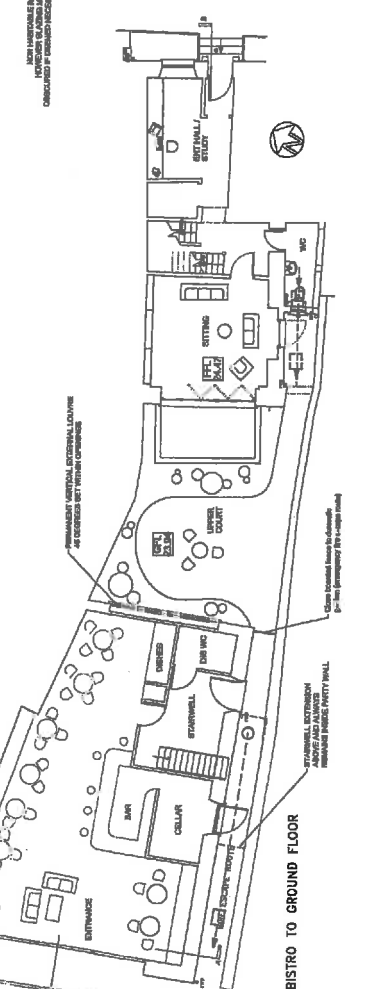
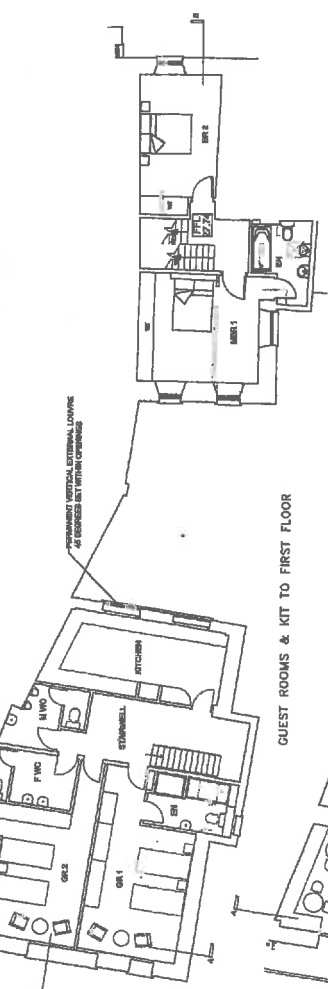
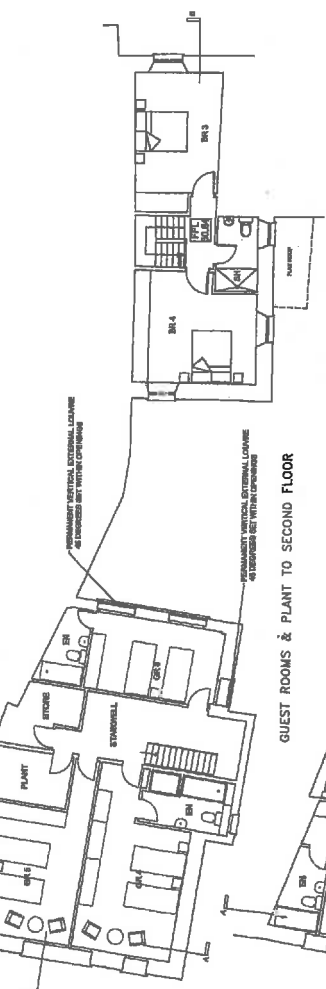
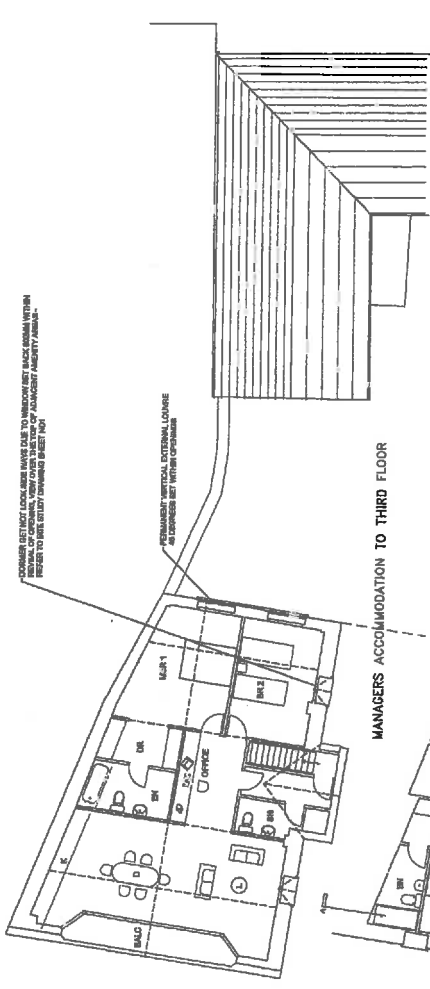
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 BRITISH LEGION, TENBY
 P2 COMMERCIAL EXISTING:
 PLANS SECTIONS & ELEVATIONS

ARGENT ARCHITECTS
 10, THE SQUARE, TENBY, SA11 1AA



A1 @
 BRITISH LEGION, TENBY
 P2 COMMERCIAL PROPOSED:
 PLANS & ELEVATIONS

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 ARGENT ARCHITECTS
 ARCHITECTS



MATERIAL FINISHES
 ROOF: SLATE
 WALLS: INTERIOR MANDARIN PAINTWORK EXTERIOR: BRICK
 FLOORING: LAMINATE
 CEILING: PLASTER

20.00

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LINE OF EXISTING ROOF

EAST ELEVATION

WEST ELEVATION

SOUTH ELEVATION

