

SUBJECT **DEVELOPMENT APPLICATION REPORTS** **ITEM 7**
REPORT OF Head of Planning & Building Control

APPLICATION NO. P07/W0116
APPLICATION TYPE FULL
REGISTERED 30.01.2007
PARISH WALLINGFORD
WARD MEMBER(S) Mr Nigel Moor

APPLICANT Mr Imran Lokhon
SITE Fuller Smith and Turner PLC
PROPOSAL The Coach and Horses Kinecroft Wallingford
AMENDMENTS New lean-to canopy to rear of building.
GRID REFERENCE 460497/189323
OFFICER Ms G Napier

1.0 INTRODUCTION

- 1.1 This application has been referred to the Planning Committee as the officers recommendation conflicts with that of the Town Council.
- 1.2 The public house is situated on Kinecroft in the centre of Wallingford within a residential area. It is located at the end of a terrace of dwellings and the western boundary of the pub is adjacent to the Kinecroft recreation ground.

- The property lies within the Wallingford Conservation Area and is covered by an
- 1.3 Article 4 Direction which removes permitted development rights regarding means of enclosure. The site is identified on the Ordnance Survey extract **attached** at Appendix 1.

2.0 PROPOSAL

- 2.1 The application seeks full planning permission for the erection of a lean-to extension to the rear of the pub. It is to measure some 7.5 metres in width by some 3.0 metres in depth and will lie within 0.5 metres of the gates and fence that mark the boundary with the recreation ground. The extension is to measure some 2.8 metres to the ridge and it is proposed to pave the area beneath the shelter. The information accompanying the application states that the lean-to is to 'provide protection from the weather for customers using the existing garden. A copy of the

submitted plans is **attached** at Appendix 2.

3.0 CONSULTATIONS & REPRESENTATIONS

3.1 County Archaeological Services - No objection subject to Standard informative.

Conservation Officer (PS) - No objection but samples of proposed tiles should be submitted for approval.

Wallingford Town Council - Recommends approval subject to an archaeological caveat.

Neighbour Objectors (6) - -No objection to the proposal.

-Objection to the proposal on the grounds that it will create noise disturbance.

-Objection to the proposal on the grounds that it

the would extend the public area of the pub in to

rear garden and will cause noise disturbance.

-Objection to the proposal on the grounds of noise

disturbance.

-Objects to the proposal; Noise would cause a

residents and the rear garden may nuisance to

garden'. become a 'pub

-Objection to the proposal on the grounds of noise

garden disturbance and is concerned about the

being used by customers in the long-term.

Environmental Health Officer- lean-to is 'substantially enclosed'	The proposed
smoking regulations and as such	under the new
used for the purpose of a customer	could not be
	smoking area.

4.0 RELEVANT PLANNING HISTORY

4.1 P96/W0198. Change of use from overgrown garden to beer garden. Refusal of Planning Permission on 19 June 1996.

5.0 POLICY & GUIDANCE

5.1 Adopted South Oxfordshire Local Plan Policies (SOLP 2011): G6, CON7, EP2.

6.0 PLANNING CONSIDERATIONS

The main issues to consider with this application is:

6.1 Whether the proposal is unneighbourly

Impact of the extension on the character and appearance of the Wallingford Conservation Area.

Whether the proposal is unneighbourly.

6.2

Policy EP2 of the SOLP seeks to resist development that would be harmful to the amenities of occupants of nearby properties by reason of noise. The pub lies within a residential area at the end of a row of terraced properties on Kinecroft and the private garden belonging to the pub extends across the rear boundaries of No's 7 – 11 Kinecroft, No's 31 – 33 Goldsmith's Lane and No.11 Crispin Place. A number of residents have raised concerns over the proposal and in particular, to the use of the private pub garden by customers. It is considered that the erection of a partially open extension where customers could congregate to smoke would create levels of noise disturbance that would be unacceptable having regard to the proximity of the pub to residential properties contrary to Policies EP2 and G6 of the adopted South Oxfordshire Local Plan.

Impact of the extension on the character and appearance of the Wallingford Conservation Area.

6.3

Policy CON7 of the SOLP aims to ensure that new development should not harm the character or appearance of the Conservation Area. The proposed extension is considered to be minimal in size and scale and is to be constructed from timber

with roof tiles to match those on the roof of the public house. It is to be located to the rear of the building and although it would be visible to users of the recreation area, the size and design of the proposal means that it is not considered to have a detrimental impact on the character or appearance of the Wallingford Conservation Area.

7.0 CONCLUSION

7.1 Your officers consider that the erection of the lean-to within the private garden of the public house would be harmful to the amenities of the occupants of neighbouring properties by reason of noise disturbance.

8.0 RECOMMENDATION

8.1 **That planning permission be refused for the following reason:**

That having regard to the position of the proposed lean-to extension close to adjoining residential development, the proposal represents an introduction of an unneighbourly form of development which would be detrimental to the residential amenities of the occupiers of those dwellings by reason of noise and disturbance. As such the proposal is contrary to policies G6 and EP2 of the adopted South Oxfordshire Local Plan (2011).

Author	Miss G. Napier
Contact No.	01491 823282
Email Add.	planning.west@southoxon.gov.uk