

<b>Parish:</b>	<b>Burnham Thorpe</b>	
<b>Proposal:</b>	<b>Erection of part single, part two storey rear extension and two single storey side extensions with installation of new kitchen, internal alterations, improvements to car park and installation of replacement LPG tank, following demolition of two storage sheds</b>	
<b>Location:</b>	<b>The Lord Nelson Walsingham Road Burnham Thorpe Norfolk</b>	
<b>Applicant:</b>	<b>Greene King</b>	
<b>Case No:</b>	<b>17/01753/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs K Lawty</b>	<b>Date for Determination: 14 November 2017 Extension of Time Expiry Date: 9 February 2018</b>

**Reason for Referral to Planning Committee** – The views of Burnham Thorpe Parish Council are contrary to Officer Recommendation

**Neighbourhood Plan:** No

**Case Summary**

The site is located on the southern side of Walsingham Road, Burnham Thorpe and consists of a two storey, Grade II listed public house with associated pub garden and parking areas.

The site is flanked by residential properties to the east, a residential property and farm buildings to the west and the village green is on the opposite side of Walsingham Road to the north.

As well as being a listed building, the site is within Burnham Thorpe's Conservation Area. The site, and the whole village of Burnham Thorpe, is within the Area of Outstanding Natural Beauty.

The application is for full planning permission for the erection of a part single, part two storey rear extension and two single storey side extensions with installation of new kitchen, internal alterations, improvements to car park, creation of additional parking spaces and installation of replacement LPG tank, following the demolition of two storage sheds. An application for listed building consent is also submitted and is considered under reference 17/01754/LB, also on this agenda.

During the course of the application amended plans have been submitted in response to third party comments received.

**Key Issues**

- \* Principle of development;
- \* Impact on AONB;
- \* Design character and appearance and Impact on Heritage Assets;

- \* Impact upon residential amenity;
- \* Highway issues;
- \* Arboriculture Implications
- \* Other material considerations

**Recommendation**  
**APPROVE**

## **THE APPLICATION**

The application is for full planning permission for the erection of a part single, part two storey rear extension and two single storey side extensions with installation of new kitchen, internal alterations, improvements to the car park, creation of additional parking spaces and installation of replacement LPG tank, following the demolition of two storage sheds. An application for listed building consent is also submitted and is considered under reference 17/01754/LB, also on this agenda.

During the course of the application amended plans have been submitted in response to third party comments received. Firstly the scale of the rear extension has been reduced so that the eaves of the two storey part of the extension still sit below the existing eaves height. The ridge height is now well below the existing ridge height. The external materials have also been altered to break up the massing of the proposed extension. The two storey section will be rendered, the ground floor section will be brick and the toilet extension will be finished in feather edge boards.

Secondly, additional car parking spaces are proposed along the western boundary of the rear garden. This will result in a total of 24 car parking spaces (including two disabled spaces close to the pub entrance) which will be an increase of 11 spaces.

## **SUPPORTING CASE**

The application has been supported by a Design and Access Statement (DAS), a Historic Building Report and Tree Survey.

In support of the proposed development the applicant has submitted the following:

‘The planning and listed building consent applications at The Lord Nelson in Burnham Thorpe have been made by Greene King and propose a part single, part two storey rear extension and two single storey side extensions (following the demolition of two storage sheds), installation of a new kitchen, provision of a disabled toilet and enlargement of the pub car park. The front store building will be retained as existing. The applications were submitted following positive pre-application advice from Council Officers.

The pub is currently closed. Greene King are in the process of looking for a new tenant for the pub and know that, in this type of location, a strong food offer will be needed as well as a high quality ‘local’ pub environment. To this end, the proposals incorporate a good quality new kitchen and an attractive customer seating area in a new rear extension. The overall number of covers will remain largely the same as existing because seating from the former Victory Bar will be relocated to the new dining room extension.

At the request of the Parish Council and the Highway Authority, the proposals have been amended to incorporate additional car parking spaces in the rear garden, an increase in the total from 13 to 24 spaces. Disabled spaces will be allocated at the front of the pub.

Greene King know that they need to offer on-site accommodation in order to secure the best managers. The existing flat does not comply with fire regulations and so the first floor of the rear extension will enlarge the manager flat to make it an attractive and safe residential environment.

The works will allow the Grade II listed public house to continue to be used for its original purpose for many more years to come. The public house is one of the only community/commercial facilities in Burnham Thorpe so it is vital that it re-opens to provide a place for people to eat, drink and socialise and also as a source of local employment.

The proposals have been carefully designed with input from Planning and Conservation Officers and, as a result of comments during the application process, the height of the rear extension has been reduced so that the eaves height sits below the eaves height of the main pub. The ridge height of the two storey section sits about halfway down the main roof. The gable ended extensions complement the scale and form of the original building and a traditional palette of materials have been chosen to match the existing pub so that there is no conflict in texture or colour. The extensions and alterations will respect the historic and architectural interest of the pub and protect the character and appearance of Burnham Thorpe Conservation Area.'

## **PLANNING HISTORY**

17/01754/LB: Under consideration:- Listed Building Application: Erection of part single, part two storey rear extension and two single storey side extensions with installation of new kitchen, internal alterations, improvements to car park and installation of replacement LPG tank, following demolition of two storage sheds - The Lord Nelson, Walsingham Road, Burnham Thorpe;

08/02554/LB: Application Permitted: 19/12/08 - Proposed Porch to Front Entrance of Existing Public House - The Lord Nelson, Walsingham Road, Burnham Thorpe;

08/02554/DISC\_A: Discharge of Condition final letter: 25/02/10 - DISCHARGE OF CONDITIONS 3 and 4: proposed porch to front entrance of existing public house - The Lord Nelson, Walsingham Road, Burnham Thorpe;

08/02553/F: Application Permitted: 02/01/09 - Proposed Porch to Front Entrance of Existing Public House - The Lord Nelson, Walsingham Road, Burnham Thorpe;

2/95/1491/F: Application Permitted: 20/12/95 - Alterations to existing garage to form store - The Lord Nelson, Walsingham Road, Burnham Thorpe;

2/95/1170/LB: Application Permitted: 13/10/95 - Conversion of barn to form restaurant with link to public house to include ventilation stack over proposed store and removal of unauthorised ventilation outlet (amended design) - The Lord Nelson, Walsingham Road, Burnham Thorpe;

2/95/1169/F: Application Permitted: 13/10/95 - Conversion of barn to form restaurant with link to public house to include ventilation stack over proposed store - The Lord Nelson, Walsingham Road, Burnham Thorpe;

2/94/1361/LB: Application Permitted: 05/10/94 - Conversion of barn to form restaurant with link to public house - The Lord Nelson, Walsingham Road, Burnham Thorpe;

2/94/1360/F: Application Permitted: 05/10/94 - Conversion of barn to form restaurant with link to public house - The Lord Nelson, Walsingham Road, Burnham Thorpe;

2/94/0327/LB: Application Permitted: 24/05/94 - Extension and alterations and demolition of garage and timber store - The Lord Nelson, Walsingham Road, Burnham Thorpe;

2/94/0326/F: Application Permitted: 24/05/94 - Extension and alterations - The Lord Nelson, Walsingham Road, Burnham Thorpe;

## RESPONSE TO CONSULTATION

**Parish Council:** Initial **OBJECTION** to original scheme relating to:

1. The impact of the two-story extension is considered the most damaging aspect of the proposed development, and would lead to substantial harm to the heritage asset.
2. Insufficient parking
3. External lighting should be controlled
4. 4 neighbouring properties will be impacted by the development
5. Impact on trees

Objection to latest, amended scheme relating to:

1. BTPC objects to the proposal due to its unnecessary negative impact on the core existing building, the original building's setting & to amenity value of neighbouring properties. The following design changes can be made to enable us to withdraw our objection:
  - a) The mass & impact of the extension should be reduced by reducing eaves height of the two storey extension by approximately 300mm and reducing roof pitch to 30 degrees or less – bringing the ridge line down by about 1 metre.
  - b) A hip instead of gable end would also be more sympathetic.

This approach could also be applied to the single story extension but our primary concern is the two storey extension.

BTPC will withdraw its objection once satisfactory changes are made. We are keen that the pub reopens as soon as possible.

2. There are a number of trees and hedging features on the site important to the setting and amenity of the Listed Building and Conservation Area. These are not shown on the plans and we assess at least two trees would be adversely impacted or lost by the proposal. Removal of trees in a Conservation Area requires prior notification to the Borough Council and we therefore ask that the applicant undertakes a tree survey to BS5837:2012 to establish impact and information needed to ensure adequate protection is provided.
3. There will be a net loss of habitat and as the welcome parking provision will impact on the amenity of the setting of the Conservation Area / Listed Building and of adjacent properties, we strongly ask that a landscape/planting scheme is provided. New tree/hedge planting is also needed to screen and separate the parking area from the garden and to screen adjacent property (Ivy House Farm). The parking area should be porous (gravel) to help support tree growth and minimise runoff.

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4. Any outside lighting of the development should be sensitive to ensure this is not lost as this would adversely affect the setting of the Listed Building and the Conservation Area, as well as amenity value to residents and visitors. We strongly urge the Council to place a condition on any Planning Consent to the effect that external lighting should be minimised, of a low level, down lit, full cut off type and should be agreed in writing with the Council prior to installation.

**Highways Authority: NO OBJECTION** - conditionally

**Arboricultural Officer: NO OBJECTION**

**Environmental Health & Housing - Environmental Quality: No comments**

**Community Safety & Neighbourhood Nuisance Team: NO OBJECTION** – conditionally: refrigeration equipment, ventilation and extraction system, entrance doors.

**Norfolk Coast Partnership:** Supports - The Norfolk Coast Partnership supports the modernisation of the pub as long as the Borough Council Conservation Officers are happy with the suggested design elements. Request a condition re: external lighting and light pollution in response to NPPF 125 and Norfolk County Council's Environmental Lighting Zones Policy both recognise the importance of preserving dark landscapes and dark skies.

## REPRESENTATIONS

Original scheme only; no comments received to the amended plans.

**4 objections** received (from 3 people) referring to the following:-

- Damage to the historic building: the pub is a famous C17 listed building, with close associations with Lord Nelson, after whom it is named. The height of both the proposed 2 storey and single storey rear extensions seems excessive and out of keeping with the scale of the listed building.
- The new elevations are shown as being finished in brickwork, presumably on grounds of cost, and again would be out of keeping with the existing building when the rest of the building is clunch. The material should be changed to chalk/flint.
- The amount of on-site car parking is inadequate for the size of the new building which is proposed. There is no public bus service in the village and the overwhelming majority of customers will be arriving by car.
- It is not acceptable for parking to continue (and become worse) on the verge alongside the River Burn. Erosion thus caused to the adjacent verge leads to soil run-off into the stream, threatening the fragile ecology of this important and already-degraded chalk stream. Furthermore, lines of cars here are unsightly and pose a traffic hazard.
- The proposed extension directly impedes the view (including from the bedrooms of my house) of the beautiful east facade of the GII listed barn adjacent to the pub at Ivy Farm, as well as damaging the setting both of that building and of the pub itself. The rear extension needs to be significantly reduced in height and redesigned so as to fit better with its historic surroundings.
- The application does not show any of the trees which are located on and adjacent to the site although it is clear that at least one semi-mature Oak will need to be removed and others will need to be protected during the construction process. Trees are a key feature to this site within the context of the building and its setting and a replacement tree/s should be planted to compensate for the loss

- Two neutral comments referring to the following:
- Although I don't object to the application, I can't support it either, despite wishing to see the pub re-open as soon as possible.
- Parking - If the pub must be extended, parking must be addressed.
- The first floor extension seems unnecessarily high and modern for a Grade II listed building and, with a bit of modification, it could fit in much better with the existing building and location.
- A realistic alternative plan is being drawn-up putting the extra staff accommodation rooms required into the large roof space of the main building. The existing bricked-up windows suggest that it has been used in the past.
- I fully support the re-opening of the pub and hope that the applicant can address any amendments to the plans as quickly as possible.
- It is important that the Council add a condition requiring all external lighting to be approved prior to installation - there is a danger - all too frequently shown by the majority of pubs in the area, to light them excessively and intrusively. This is essentially a dark landscape within the Conservation Area and AONB and external lighting is likely to be highly intrusive unless subtle and carefully sited

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS10** - The Economy

**CS11** – Transport

**CS12** - Environmental Assets

**CS13** - Community and Culture

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM1** – Presumption in Favour of Sustainable Development

**DM2** – Development Boundaries

**DM3** - Infill development in the Smaller Villages and Hamlets

**DM9** - Community Facilities

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

## **PLANNING CONSIDERATIONS**

The application raises the following issues:-

- Principle of development
- Impact on AONB;
- Design character and appearance and Impact on Heritage Assets;
- Impact upon residential amenity;
- Highway issues;
- Arboricultural Implications
- Other material considerations

### **Principle of new development**

The site comprises the Lord Nelson Public House, outbuilding, sheds, pub garden and associated car park. The proposal is for the erection of a part single, part two storey rear extension and two single storey side extensions with installation of new kitchen, internal alterations, improvements to the car park and the installation of replacement LPG tank, following the demolition of two storage sheds.

The site is a Grade II listed building located within the village of Burnham Thorpe. The site is also an Area of Outstanding Natural Beauty (AONB) and in the Conservation Area.

Nationally, the NPPF seeks a high standard of design, and design that takes the opportunity to improve an area. Some of the key objectives referred to are for development which responds to their local context and creates or reinforces local distinctiveness, are visually attractive as a result of good architecture and appropriate landscaping.

A public house on this site is long established and the historic connection to Lord Nelson is well documented, given that he and his family resided in the village and are alleged to have visited the site.

The public house was last renovated in 1995. These current proposed renovation works would ensure the retention of the use of the listed building as a public house and also improve the facilities to offer increased dining facilities. During the course of the application the plans have been amended to reduce the height of the rear extension and additional car parking facilities have been introduced within the site.

In terms of National Policy paragraph 28 of the NPPF refers:-

‘Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and

At a local level Core Strategy Policy CS10 is particularly relevant to this proposal. It refers:

'Retail, tourism, leisure, and cultural industries are key elements of the economic and social vibrancy of our borough, and contribute to the regeneration and growth of the area ...

The Council will promote opportunities to improve and enhance the visitor economy:

- Supporting tourism opportunities throughout the borough.
- Promoting the expansion of the tourism (including leisure and culture) offer in Hunstanton to create a year-round economy.
- Smaller scale tourism opportunities will also be supported in rural areas to sustain the local economy, providing these are in sustainable locations and are not detrimental to our valuable natural environment.

Further Policy DM9 of the SADMP 2016 encourages the retention of existing community facilities and the provision of new facilities. Public houses are one such community facility cited in the preamble to the policy.

The Core Strategy relevant policies are CS01, CS02, CS06, CS08, CS10 and CS12. SADMP 2016 relevant policies are DM3, DM9, DM15 and DM17.

Subject to the details of the application, the development proposal complies with local plan and national policies.

### **Impact on AONB**

The whole of the village of Burnham Thorpe is within the AONB.

The NPPF states nationally designated areas, such as Areas of Outstanding Natural Beauty (AONB), have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty. The conservation of the natural beauty of the landscape and countryside should therefore be given great weight in planning policies and development control decisions in these areas.

In this case there is development to the east and west of the site and also to the south on Creak Road. On the opposite site of the road to the north of the site are the open playing fields and bowling green.

There is a brick and chalk roadside wall to part of the front (northern) site boundary and an established hedge to the southern roadside boundary. Brick and chalk walls form part of the west boundary with hedgerows forming the majority of the remaining boundaries.

The public house is stepped back within the site whilst the buildings which flank the site are set further forward on the back of the highway. For this reason public views of the site are limited from the east and west. The most prominent view is that across the open playing fields and the proposed works will largely be unseen from this viewpoint as they are to the rear of the building. Therefore the most prominent public view will remain largely unchanged.

Views from the rear (south) are currently limited due to the existing hedgerow boundary, but views of the proposed extensions would be seen against the backdrop of the building or even the neighbouring buildings depending on the angle.

With existing development around it and a degree of screening from existing planting, the site is not a highly visible, open site. Long public views of the rear of the site from outside the village are limited.

The Norfolk Coast Partnership raises no objection to the proposal subject to a condition requiring details of any external lighting to prevent light pollution and preserve the dark landscapes and dark skies of the AONB as per paragraph 125 of the NPPF and the policy requirements of Policy DM15. This has also been requested by the Parish Council and third parties. It is recommended that an appropriately worked condition is imposed.

In this case it is considered that given the scale of the proposed works it will not have a major impact on the wider landscape character of the North Norfolk AONB and the natural beauty of the wider landscape and countryside will be conserved.

### **Design, Character and Appearance and Impact on Heritage Assets**

The National Planning Policy Framework (NPPF), specifically paragraphs 131 and 132, state that: "When determining planning applications, local authorities should take account of: the desirability of new development making a positive contribution to local character and distinctiveness and the desirability of sustaining and enhancing heritage assets. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting".

The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places statutory duties upon Local Planning Authorities. Section 66 refers that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 requires the LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area when determining applications affecting buildings or land within the Conservation Area or its setting.

Furthermore, Policy CS12 of the Core Strategy states that "The historic and built environment play a crucial role in delivering environmental quality and well-being. Therefore the Council will preserve and where appropriate enhance its qualities and characteristics.

Policies CS08 and DM15 of the development plan require new development to be well designed and to have due regard to the surrounding built form and local environment. This is derived from the NPPF which emphasises the importance of good design as an important aspect of sustainable development. CS08 also promotes the optimising of site potential, whilst protecting and enhancing the historic environment.

This application proposes part single and part two storey extensions to the rear of the existing public house, refurbishment and revised internal layout and improved parking facilities.

The rear extensions are shown to be constructed from a mixture of brick, render and horizontal timber boarding with clay pantile roofs. This is in contrast to the brick and clunch walling of the existing listed building and marks the difference between the original building and the new additions.

The original submission saw a taller two storey extension to the rear of the existing listed building and no change to the amount of on-site parking facilities. However, during the course of the application and in response to concerns raised by statutory consultees, third parties, the Parish Council and your officers, the plans have been amended to show a rear extension of lower proportions and increased parking facilities using part of the public house garden to accommodate 11 additional parking spaces.

The proposed rear extension is now subservient in height to the existing building. The ridge height of the two storey section sits about halfway down the main roof.

The Parish Council has no objection to the rear extension in principle but has maintained their objection to its height, stating that the eaves should be further reduced in height by an additional 300mm and the roof pitch should be dropped to 30 degrees which would bring the ridge line down by 1m. Additionally they consider this roof section should be hipped instead of a gable to be more sympathetic.

However, your officers consider that dropping the eaves and changing the pitch would result in a somewhat 'squat' extension which would be out of proportion with the existing building. It would be marginally less visible from some distance away as the height would be slightly reduced, but it is considered the extension would not relate as well to the existing building. Additionally, as described above, long public views of the rear extension are limited by surrounding development and planting.

The Parish Council suggestion of a hipped roof has not been pursued as there are no hipped roofs on the existing listed building or on outbuildings within the grounds of the public house. Whilst there are examples of hipped roofs elsewhere in the village, including buildings which flank the site, it is considered this would introduce a design feature that does not currently exist within the site.

The proposed additional car parking spaces will encourage visitors to park on site, to the side of the listed building. The majority of the parking spaces will be behind the existing front boundary wall so will be hidden from public view. This additional parking will also alleviate pressure to park on the verges close to the pub, which will benefit the area in terms of visual amenity the additional parking facilities should therefore have a beneficial impact upon the character of this part of the village and the Conservation Area.

The Conservation Officer and Conservation Areas Advisory Panel have no objection to the amended scheme. An application for listed building consent has also been submitted and this appears on this agenda with a recommendation of approval.

It is considered that the resulting scheme, as amended, is of appropriate design, scale and mass to ensure that the character of the listed building is maintained given that there are no outstanding concerns from officers regarding design, character and appearance the recommendation is to approve.

### **Impact upon Residential Amenity**

The use of the public house exists and there are no issues in principle to the improvement of facilities at the site.

The impact of the proposed development will fall mainly upon the nearest residential properties which are either side of the site, to the east and west.

Ivy Farm to the west has upper floor windows which face the site and the proposed new parking spaces adjoin the boundary wall to this property. However, there is either an existing wall or timber fence between the properties so that there would be no spillage of headlights onto this adjoining property. Currently the western part of the site is used for a combination of vehicle parking, vehicle deliveries, food preparation, storage areas and external seating area/pub garden. Any noise from car doors or general activity would not likely be significantly greater than its current usage.

In terms of the proposed extensions to the pub the distance between Ivy Farm and the proposed works means that no material loss of light would occur and it would not be overbearing.

The relationship with residential properties to the east has also been examined. In terms of proximity the proposed physical works will not likely have any more impact than the former extensions to be replaced. The parts of the building adjacent to the eastern boundary will be demolished and the new elements are further into the site. They will be deeper than the existing extensions but set further away. The two storey element is located towards the centre of the site and therefore no material loss of light would occur and it would not be overbearing.

Again the relationship between the proposed works and properties to the south has been examined. The proposed extension retains a degree of space between it and the nearest properties which are some distance away. Accordingly the proposal will not likely have a significantly detrimental impact upon the amenity of the occupants of neighbouring properties in terms of overlooking, the development causing overshadowing or the dwellings being over bearing.

The Council's Community Safety and Neighbourhood Nuisance Team (CSNN) have been consulted and requested conditions to secure details of the extraction equipment, refrigeration equipment and self-closing entrance doors. These details can be provided by planning condition.

No third party comments have been received referring to neighbour amenity. One comment referred to the loss of a view but this is not a material planning consideration.

In summary it is considered that the proposal will not have a significantly detrimental impact upon the amenity of the occupants of neighbouring properties in terms of overlooking, the development causing overshadowing or being overbearing, or that the development will result in disamenity in terms of general noise and disturbance or smells.

## **Highway Issues**

The current pub car park is laid to gravel and not demarcated. The number of cars it can accommodate is therefore questionable. However, the footprint of the pub is proposed to be increased and the amended scheme shows that the number of parking spaces has been increased in line with policy requirements and parking standards.

The Highways Authority, Parish Council and third party concern initially raised regarding insufficient parking spaces has therefore been addressed.

The Highways Authority has also requested improvements regarding the position of the vehicle access to the site on Walsingham Road. A more centralised access point would help

to slow traffic down when entering the site and also keep vehicles and pedestrians separate. Accordingly, it is recommended that a condition be imposed to consider the method of achieving this without harm to the setting of the listed building.

Subject to conditions there are no outstanding highway safety issues.

### **Arboricultural Implications**

The Parish Council has commented that the application does not include a tree survey. This has been provided during the course of the application.

The arboriculture report identifies a total of nine individual trees and one tree group across the site and a boundary hedge. The report concluded that the proposal would result in the removal of three 'moderate quality' B category trees and one 'low quality' C category tree (T3) which would have only modest localised visual impacts, and would not materially harm the character and appearance of the area. The report confirms that the removal of the trees can be mitigated by the provision of new trees and landscaping.

The Arboricultural Officer raises no objection to the proposal subject to the condition that the development is carried out in accordance with the arboricultural statement and plans and that a landscaping scheme is provided to secure the replanting of trees as appropriate.

The remaining trees not affected by the development will retain the protection afforded to trees located within a conservation area.

### **Other material considerations**

Flood risk: The site is in Flood Zones 2 & 3. However, the extension does not exceed 250sqm and therefore a FRA is not required. The applicant has submitted information to say that the floor levels will be set no lower than existing levels.

SSSI: The site lies within 2km of a SSSI. The proposal does not affect the species/habitats for which the SSSI was designated.

Third party comments: Most of the comments raised by residents and the Parish have been addressed above but there are some outstanding issues.

During the initial consultation exercise comment was made that the upper floor of the existing building could be better utilised to provide additional rooms to reduce the extension required for staff accommodation. This approach was reviewed by the applicant but, due to the impact of the internal changes on the fabric of the listed building and for building regulation purposes, this was discounted.

Residential use: The application includes residential accommodation for use of staff connected with the running of the business. It is recommended that use of this accommodation is controlled by way of planning condition to ensure that it remains available for this purpose and is retained only for purposes ancillary to the business.

### **CONCLUSION**

In policy terms the site is an established public house within the village of Burnham Thorpe where limited development is permitted provided it is in harmony with the building characteristics of the area and complies with other national and local policies.

The building is listed and has historic links to Lord Nelson who lived in the village and allegedly visited the public house in the late 18th century. The proposed works to extend the building have been reduced in height so that the most visible element, the two storey rear extension, is now subservient to the main building and far less conspicuous in context. In this case the proposed amended scheme responds much better to the scale of the listed building as well as the local character. It now adequately reflects the identity of local surroundings and incorporates local materials. It is not considered the proposal would have a harmful impact upon the heritage assets of the Grade II listed building or the wider Conservation Area.

The proposed works would result in an enhanced offer at the site and in this regard the proposal complies with policy CS10.

Improved parking facilities can be provided within the site which will help alleviate the need to park along the highway verges adjacent to the site. The Highways Authority raises no objection to the amended proposal.

The works and improved parking facilities will result in the loss of four trees but this can be compensated for elsewhere within the site and secured by way of planning condition.

The impact of the proposal upon the amenity of adjacent residents has been assessed and should result in no significantly detrimental impact given that the use of the site as a public house already exists.

To summarise, in light of the above the proposed development is considered to comply with advice within the NPPF, Local Plan Policy and the Core Strategy Policies. Accordingly it is recommended that this application be approved subject to the following conditions.

## **RECOMMENDATION:**

**APPROVE** subject to the imposition of the following condition(s):

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the approved plans:
  - Drawing No. 5596/401E, Site Plan as Proposed
  - Drawing No. 5596/402E, Floor Plans as Proposed
  - Drawing No. 5596/403E, Elevations as Proposed
  - Drawing No. 5596/404E, Elevations as Proposed
  - Drawing No. 5596/405D, Block Plan
  - Drawing No. 5596/407 Site Plan as Proposed
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Notwithstanding the details that accompanied the application hereby permitted, no development shall take place on any external surface of the development until the type, colour and texture of all materials to be used for the external surfaces of

the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

- 3 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 Condition: Prior to the installation of any refrigeration plant a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the noise/power levels of the equipment and provide details of anti-vibration mounts. The scheme shall be implemented as approved and thereafter maintained as such.
- 4 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 5 Condition: The use hereby permitted shall not commence until a detailed scheme for the ventilation and extraction of fumes/cooking smells has been submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the precise details of the extraction equipment to be used, including: the design and position of all ductwork; the noise/power levels of the fan(s); the number, type and attenuation characteristics of any silencers; details of anti-vibration mounts and jointing arrangements in the ductwork; the number of air changes per hour, and the efflux velocity. The scheme shall be implemented as approved prior to the commencement of the use and thereafter maintained as such.
- 5 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 6 Condition: All new entrance doors shall be self-closing to minimise the emission of odours and/or noise from the premises.
- 6 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 7 Condition: Prior to the first use of the development hereby permitted details of measures to reduce the width of the vehicle access and relocate it to a central position between the existing walls along Walsingham Road shall be submitted to and agreed in writing with the Local Planning Authority. These measures shall be implemented prior to the use of the development and thereafter maintained in perpetuity.
- 7 Reason: In the interest of highway safety and traffic movement
- 8 Condition: Prior to the first use of the development hereby permitted the proposed access / on-site car and cycle parking / servicing / loading, unloading /turning / waiting area shall be laid out, demarcated, levelled, surfaced, signed and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 8 Reason: To ensure the permanent availability of the parking /manoeuvring area, in the interests of highway safety.
- 9 Condition: The residential accommodation hereby approved shall only be used as ancillary accommodation to the existing business and shall at no time be used as an independent unit of residential accommodation.

- 9 Reason: For the avoidance of doubt and to ensure that the building is not used for unrelated purposes that would be incompatible with the provisions of the NPPF.
- 10 Condition: Prior to the installation of any external lighting to the site, details shall be submitted to and agreed in writing by the Local Planning Authority, and only lighting so agreed shall be installed on the site. Such lighting shall be kept to a minimum for the purposes of security and site safety, and shall prevent upward and outward light radiation. The lighting shall be fully shielded (enclosed in full cut-off flat glass fittings), directed downwards (mounted horizontally to the ground and not tilted upwards), switched on only when needed (no dusk to dawn lamps) and use white light low-energy lamps (LED, metal halide or fluorescent) and not orange or pink sodium sources.
- 10 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 11 Condition: Prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. Soft landscape works shall include details of replacement trees for T1, T2, T3 and T6 as referred to within the submitted arboricultural statement by Cheshire Woodlands Limited dated 8 January 2018, including species, sizes and positions.
- 11 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 12 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 12 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 13 Condition: No existing trees, shrubs or hedges within the site that are shown as being retained on the approved plans shall be felled, uprooted, willfully damaged or destroyed, cut back in any way or removed without the prior written approval of the Local Planning Authority. Any trees, shrubs or hedges removed without such approval or that die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of a similar size and species in the next available planting season, unless the Local Planning Authority gives written approval to any variation.
- 13 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 14 Condition: The development shall be carried out in strict accordance with the Arboricultural Statement by Cheshire Woodlands Limited dated 8 January 2018 unless provided for in any other conditions attached to this planning permission.

- 14 Reason: To ensure that the development takes place substantially in accordance with the details contained within the arboricultural report to protect the trees and the amenity of the area and the Conservation Area in accordance with the NPPF.