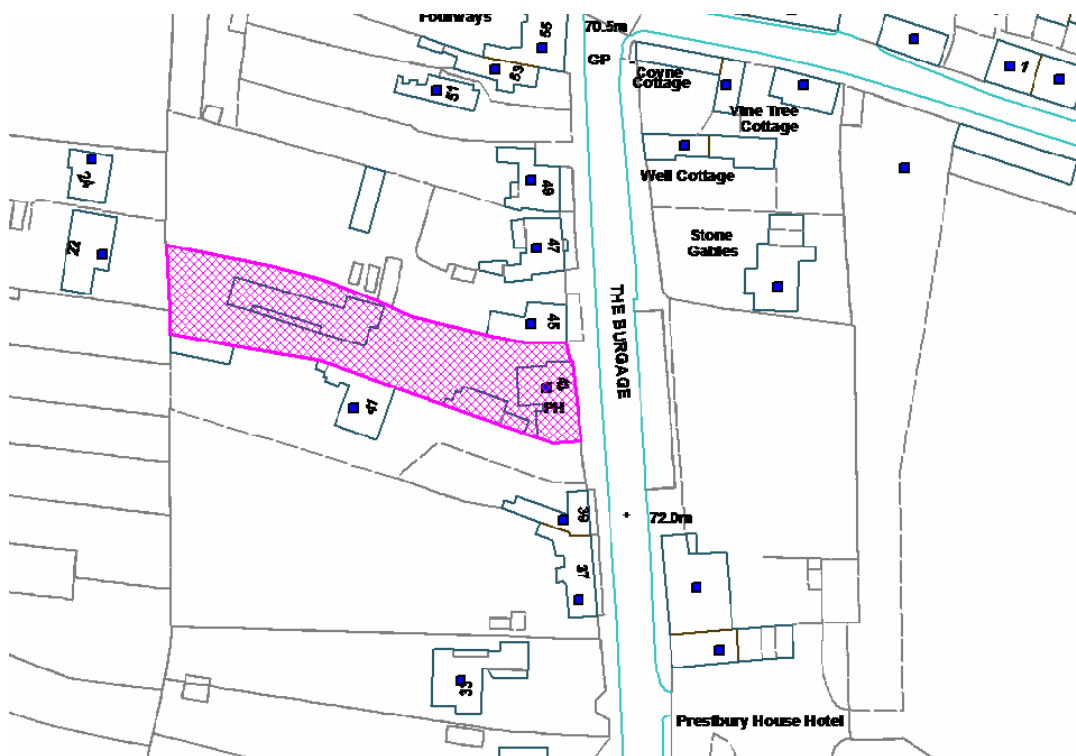


<b>APPLICATION NO:</b> 14/01468/FUL and 14/01468/LBC		<b>OFFICER:</b> Mr Ian Crohill
<b>DATE REGISTERED:</b> 14th August 2014		<b>DATE OF EXPIRY:</b> 9th October 2014
<b>WARD:</b> Prestbury		<b>PARISH:</b> Prestbury
<b>APPLICANT:</b>	Mr Simon Davis	
<b>AGENT:</b>	CH Building Design Consultancy	
<b>LOCATION:</b>	The Royal Oak, 43 The Burgage, Prestbury	
<b>PROPOSAL:</b>	Erection of front entrance porch, replacement and enlargement of window to rear elevation, demolition of some internal walls, formation of kitchen and installation of extraction system and extension over proposed kitchen.	

**RECOMMENDATION:** Permit and Grant Listed Building Consent



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The applicant is seeking both planning permission and listed building consent to construct a front entrance porch, demolish internal walls to create an enlarged dining room, replace and enlarge a window currently serving the kitchen but would in future serve the extended dining room, along with rear extensions to create a replacement kitchen and the installation of an extraction system.
- 1.2 The Royal Oak Public House is a Grade II Listed Building located within Prestbury Conservation Area. The principal (front) building is of Cotswold stone dating from the early 18<sup>th</sup> century with a 19<sup>th</sup> century stone faced, brick extension adjoining and 20th century extensions to the rear.
- 1.3 The application has been brought to Committee for determination following the receipt of and objection from the Prestbury Parish Council. Their objection relates to the addition of a front porch which they consider is inappropriate and obtrusive.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Conservation Area  
Listed Buildings Grade 2

### **Relevant Planning History:**

**78/00862/PF 30th March 1978 PER**

Extension to existing skittle alley to provide a toilet block, food preparation room and store.

**81/00802/PF 14th July 1981 PER**

Alterations and extension to existing Public House to provide a covered way and additional kitchen

**81/00803/PF 14th July 1981 PER**

Extension to existing public house to provide an additional kitchen

**90/01392/AI 12th February 1990 WDN**

Display of externally illuminated signs as per submitted plans.

**96/00817/PF 17th October 1996 REF**

Proposed Extensions And Internal Alterations (In Accordance With Revised Plans Received 08 Oct 96)

**96/00823/LA 17th October 1996 REF**

Demolition Of Existing Toilets, New Extensions And Internal Alterations (In Accordance With Revised Plans Received 08 Oct 96)

**97/00455/LA 31st July 1997 PER**

Internal Alterations To Front Bar Area

**98/00726/LA 15th October 1998 PER**

Internal Alterations

**01/01003/ADV 30th January 2004 REF**

New sign to be erected on existing gateposts to alleyway

**01/01046/LBC 30th January 2004 REF**

New sign to be erected on existing gateposts to existing alley way

**04/00786/FUL 6th July 2004 PER**

Installation of 2 air conditioning units, involving internal and external alterations

**04/00787/LBC 6th July 2004 GRANT**

Installation of 2 air conditioning units, involving internal and external alterations

**06/01488/FUL 17th November 2006 PER**

Improvements to skittle alley including provision of a disabled WC, demolition of redundant toilet, reconstruction of service building, restoration of small stone barn and garden works

**06/01489/LBC 17th November 2006 GRANT**

Improvements to skittle alley including provision of a disabled WC, demolition of redundant toilet, reconstruction of service building, restoration of small stone barn and various garden works and paving works

**13/00233/CACN 20th March 2013 NOOBJ**

Cypress at rear end of the garden adjacent to The Pavillion room – fell

**14/01468/LBC PDE**

Erection of front entrance porch, replacement and enlargement of window to rear elevation, demolition of some internal walls, formation of kitchen and installation of extraction system and extension over proposed kitchen.

**14/01531/CACN 30th September 2014 NOOBJ**

T1 - Multi stemmed Cypress tree in rear garden - Fell

### **3. POLICIES AND GUIDANCE**

#### Adopted Local Plan Policies

CP 1 Sustainable development

CP 4 Safe and sustainable living

CP 7 Design

BE 9 Alteration of listed buildings

BE 10 Boundary enclosures to listed buildings

RC 1 Existing community facilities

#### Supplementary Planning Guidance/Documents

Prestbury conservation area character appraisals and management plan (June 2009)

#### National Guidance

National Planning Policy Framework

### **4. CONSULTATIONS**

#### **Prestbury Parish Council**

*26 August 2014*

The Parish Council object to the porch part of the application as it marks a significant alteration to the appearance of the façade of this historic building. By coming forward of the historic building line it will look more obtrusive than its physical size would suggest.

There are no objections to other parts of the proposal.

## Heritage and Conservation

7 October 2014

**Proposal:** Front entrance porch, replacement and enlargement of window to rear, demolition of internal walls, formation of kitchen and installation of extraction system.

**Further to:** Application and site visit.

**Analysis of Site:** prominent building, in historic use as an inn. Cotswold stone early 18thC principal building with 19thC stone faced, brick extension adjoining with 20<sup>th</sup> C extensions to the rear. The building is part coursed, squared and dressed stone to the front elevation with the older part of the building clearly evident from the smaller stone size and dormer windows and hood detail. Informally attached stone, two storey building to the rear in current use as kitchen and stores.

### Comments:

1. The key issues are the impact of the proposals on the listed building, the setting of the listed building and the wider conservation area.
2. A porch is a very prominent feature on a building and needs to be well-designed and detailed to respect the local vernacular style of the host building.
3. There are several porches on The Burgage of different materials and forms reflecting the range of architectural styles evident, none of which are suitable models for The Royal Oak.
4. However, in the wider geographic area of the Cotswolds, porches are part of the local vernacular and the Royal Oak, in terms of architectural character, is part of that tradition.
5. Therefore the principle of adding a porch to the front elevation is acceptable subject to an appropriate design.
6. The proposed form of the porch is compatible with the character and scale of the existing building but the design lacks the level of detail expected on an addition to a building of this quality in such a prominent position, location and usage.
7. For example the oak framing timber posts should be stop chamfered.
8. The side plinths of the porch are proposed to be rendered which would be an alien material on the front elevation of this historic building – despite the presence of a poor quality cement repair the building is principally dressed Cotswold stone and this is the material that the plinths should be built in to complement what is existing.
9. Thin natural slate is an appropriate roofing material for the porch and will match existing.
10. The stone outbuilding which is in use as kitchens and stores with an upstairs office accessed across the roof of the single storey attached building is curtilaged listed.
11. It appears on the 1884 OS Map without any additions and was in ancillary use to the principal listed building at the time of listing (1960) and has remained in the same ownership.
12. It is constructed in squared and coursed Cotswold stone and could date from the early 18<sup>th</sup> C like the principal listed building but further research is required to verify this.
13. The stone quoins indicate that some care was taken in the construction of this building.
14. There is evidence of significant rebuilding, insertion of new openings, the addition of modern windows and vents and inappropriate repairs, however the upper section of the end gable wall appears to be unaltered.
15. The proposal is to remove the modern single storey extension, currently used as a laundry/store and replace with a two storey extension with a timber covered deck area attached.
16. The removal of the modern extension would be welcomed but there are serious concerns regarding what is planned to replace it.
17. Access to the extension would be through the end gable wall, which would be removed including the chimney breast which would result in the unacceptable loss of historic

- fabric, an increase in its mass, alter the plan form of the building and adversely impact its character.
18. The proposed extension will overwhelm the simple two storey stone outbuilding and consequently materially detract from the character of the building and the setting of the principal listed building.
  19. With regard to the wider conservation area the extension would not be visible from the road due to tree coverage, however, this might be reduced to enable development in this location therefore its impact on the conservation area is of importance.
  20. There may be scope to extend the building at ground floor level with a replacement single storey extension or consideration could be given to adding a storey to the current store/chiller room at the other end of the building to provide better access to the upper floor of the stone building and to provide additional space as required.
  21. It is unlikely that a proposal to remove the chimney breast would be supported at an officer level therefore it is considered that the creation of a large uninterrupted kitchen space is beyond the scope of this building but the areas could be linked by openings, subject to an appropriate design, either side of the chimney breast.
  22. The proposal to replace the modern top opening window in the modern extension is acceptable.
  23. However the enlarged picture window proposed will not, in my opinion, enhance the building: two vertical openings rather than a single horizontal opening, subject to detailed designs, would be an aesthetic improvement whilst still meeting the needs of the applicant.
  24. The removal and insertion of divisions in the less sensitive part of the building is not of particular concern and will create a dining room of comparatively better proportions.

**Summary:**

Please request revised drawings from the applicant that address my concerns or refuse.

**Revised Comments following receipt of revised plans**

*17 December 2014*

1. Revised designs have been submitted that reflect discussions held with the applicant and agent that sought to address previous concerns.
2. The single storey extension with single pitched roof running along the boundary is a significant improvement on the previous scheme: the barn can still be read and the openings on the elevations facing the gardens provide visual relief.
3. The proposed tri-part replacement window is better suited to the proportions and form of the building and is now acceptable.
4. The form of the porch is simple and the use of traditional design details and materials will allow it to sit well within the historic built environment.

**Summary:**

The revised designs fully address my concerns and the scheme is considered to offer aesthetic improvements to the somewhat compromised rear elevations of the public house. Approve subject to conditions.

## **5. PUBLICITY AND REPRESENTATIONS**

- 5.1 A total of 6 letters were sent out notifying near neighbours of the receipt of the applications and the applications were advertised on site and in the press in accordance with normal Conservation Area/Listed Building practice. No representations have been received to date following that publicity.
- 5.2 An email has, however, been received from Councillor John Payne supporting the application as originally submitted. He states:

*"I am writing in support of this application, and my concerns regarding the remarks by the Conservation Officer that may jeopardise the complete redevelopment, particularly the objection to the removal of the chimney breast. I fully appreciate that the Conservation Officer has an important role, but in this instance I believe that there is a need to consider the wider implications than simply preserving a chimney breast, a feature that hardly anyone sees.*

*Simon Dawes the owner of the Royal Oak has over the past years invested considerable sums of money developing the public house to a point where it is to the only pub in Cheltenham to be in the Good Pub Guide. I fully support his intention to invest another £100k in upgrading the kitchen and restaurant facilities to cope with the increasing demand. Should the application not be permitted I fear for the future of the pub. As I am sure you are aware the pub trade is exceptionally competitive, and landlords are having to new and innovative ways to attract customers. Food at the Royal Oak is exceptional but there is limited capacity which is obviously a significant issue which Simon is attempting to address.*

*Times change and we have to move with the times, and if that means we have to lose a small amount of 'historic fabric' in the process so be it. Conservation is also about preserving what we have and the Royal Oak is an essential component of village life supporting as it does a large number of charity events and a wide range of pub entertainment. Put simply Prestbury cannot afford to lose The Royal Oak.*

*As one of the Ward Councillors for Prestbury and Chair of the Parish Council I would request that you permit this development to proceed unhindered by the restrictions placed on it by the Conservation Officer."*

- 5.3** Further to the above, the receipt of revised plans on 15 December has been advertised in the press and on site.

## **6. OFFICER COMMENTS**

### **6.1 Determining Issues**

- 6.1.1** The main determining issues to consider in connection with this application is firstly the impact the proposals are going to have on the Listed Building and the Conservation area in general and secondly the impact the proposals will have on neighbouring amenity.

### **6.2 Impact on the Listed Building and Conservation Area**

- 6.2.1** The Conservation Officer expressed serious reservations with regard to the scheme as initially proposed by the applicant. Whilst she had no objection to the principle of adding a stylistically suitable porch to the front of the building, she found the two storey rear extension, resulting in substantial loss of historic fabric and an inappropriate alteration to the plan form, unacceptable as it would adversely harm the character, appearance and setting of the listed building.
- 6.2.2** The Local Member, however, clearly expressed support for the scheme despite the strong objections of the Conservation Officer.
- 6.2.3** However, a compromise solution was found. Following negotiations with the applicant and his agent the rear extension has been radically changed to a single storey adopting a different form. The Conservation Officer now comments that *"the single storey extension with single pitched roof running along the boundary is a*

*significant improvement on the previous scheme: the barn can still be read and the openings on the elevations facing the gardens provide visual relief.”*

**6.2.4** The revised proposal would give the applicant an enlarged kitchen, enlarged dining room and front storm porch; in fact all the changes he is seeking to help promote his business. The revisions, it is argued, have addressed all the issues raised by the applicant, the Conservation Officer and the Local Member to their mutual satisfaction.

**6.2.5** The concerns raised by the Parish Council are understood, but in light of the clear advice provided by the Heritage and Conservation team, this is considered to be an entirely acceptable aspect of the proposal, subject to the conditions suggested below.

### **6.3 Impact on neighbouring property**

**6.3.1** The proposals should have no impact on neighbouring residents. Indeed it should be noted that no representations were received following the first round of publicity and it is not anticipated that the revised scheme will give rise to objection. Members are advised that at the time of writing this report, the consultation exercise in relation to the revised scheme had not yet finished. This expires on 13 January and should any comments be received, members will be updated.

## **7. CONCLUSION AND RECOMMENDATION**

**7.1** Following the receipt of revised plans, it is recommended that both planning permission and listed building consent should be granted. As advised above, should any comments be received in relation to the consultation exercise on the revised scheme, members will be updated accordingly.

## **8. CONDITIONS / INFORMATIVES for both 14/01468/FUL and 14/1468/LBC**

- 1 The works hereby granted consent shall be begun before the expiration of five years from the date of this consent.  
Reason: To accord with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with drawing numbers R.O.1/A; R.O.2/A; R.O.3/A; R.O.4/A and R.O.5/A received 15 December 2014.  
Reason: To ensure the development is carried out in strict accordance with the approved drawings.
- 3 Prior to the commencement of development, the detailed design including materials and finishes of the windows (replacement and new; to include the reveals, furniture and mouldings) and doors (to include the reveals) shall be submitted to and approved in writing by the Local Planning Authority:  
The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 with full size moulding cross sections, where mouldings are used. The works shall thereafter be implemented strictly in accordance with the agreed details.  
Reason: To ensure that the design of the details listed are appropriate to the character of the building, which is listed as being of architectural or historic interest, thereby preserving the special architectural or historic interest which it possesses in accordance

with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide. These are important details which need to be constructed in a manner which ensures that they serve to preserve the special interest of the building.

- 4 All new and disturbed surfaces shall be made good at the time of development using materials of matching composition, form and finish to those of the listed building.  
Reason: To ensure that the character, appearance and integrity of the building is not prejudiced, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide.
- 5 The new render work shall match the existing facing render work on the principal listed building in colour and texture and shall be maintained as such thereafter.  
Reason: To ensure that the new render work is sympathetic to the existing facing render work on the principal listed building and to ensure that the character, appearance and integrity of the building is not prejudiced, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide.
- 6 Prior to the commencement of development, a sample panel of new facing render of at least one square metre shall be constructed on site to illustrate the proposed render mix and colour. The sample panel shall be approved in writing by the Local Planning Authority and thereafter retained on site until the completion of the development to provide consistency.  
Reason: To ensure that the new facing render is sympathetic to the existing facing render on the principal listed building to ensure that the character, appearance and integrity of the building is not prejudiced, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide.

## **INFORMATIVE:**

In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, the authority entered into discussions with the applicant in an attempt to secure a scheme that did not have an adverse impact on the character and appearance of the Listed Building and yet at the same time provided the applicant with the extensions he desired in order to promote/improve his business.



Following these negotiations, the application now constitutes sustainable development and has therefore been approved in a timely manner.