

ITEM:		RECOMMENDATION: APPROVAL
REF NO:	3PL/2020/0300/F	CASE OFFICER Tom Donnelly
LOCATION:	WATTON Hare And Barrel, 80 Brandon Road	APPNTYPE: Full
APPLICANT:	Mr M Rueben C/O Agent 17 Derwent Road	POLICY: In Settlemnt Bndry
AGENT:	AM Planning Consultants Limited 17 Derwent Road Stapenhill	CONS AREA: N
PROPOSAL:	Change of Use of Hotel (C1) To A Residential Care Facility (C2).	
		LB GRADE: N
		TPO: N

REASON FOR COMMITTEE CONSIDERATION

The application is brought to Committee at the request of Chairman's panel.

KEY ISSUES

Principle of development
Impact on character and appearance
Impact on amenities
Impact on highway safety

DESCRIPTION OF DEVELOPMENT

The proposal seeks the change of use of a Hotel (C1) to a residential care facility (C2).

SITE AND LOCATION

The application site is at the Hare and Barrel, 80 Brandon Road in Watton. The site currently operates as a hotel and has been in and out of operation in recent times.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2018/1520/F Withdrawn 29-04-19
Change of use of premises from use as a hotel to a residential treatment centre

POLICY CONSIDERATIONS

The following policies of the Breckland Local Plan, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

COM01	Design
COM03	Protection of Amenity
COM04	Community Facilities
GEN01	Sustainable Development in Breckland
HOU09	Specialist Housing
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
TR02	Transport Requirements

OBLIGATIONS/CIL

Not applicable

CONSULTATIONS

WATTON TOWN COUNCIL

Watton Town Council would be sorry to see the loss of the only pub at the west end of the town but has no planning objections to submit against the development.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection to conditions

ENVIRONMENTAL HEALTH OFFICERS

No objection

REPRESENTATIONS

The neighbour consultation period expired on 15-04-20.
Additionally, a site notice was posted which expired on 28-05-20.

21 letters of support were received and 85 letters of objection were received.

The key points of objection were as follows:

- Loss of community facility
- Amenity impact of development (loss of privacy)
- Impact of traffic movements

- Insufficient parking provision on site.
- Inappropriate location for the use.
- Risk of anti-social behaviour associated with the development
- Noise impact of the development

ASSESSMENT NOTES

1.0 Principle of development

1.1 The proposal seeks the change of use of a Hotel (C1) to a residential care facility (C2). The building was subjected to a nomination as an asset of community value which was subsequently rejected as it was considered that the lawful use was as a hotel rather than a pub.

1.2 Whilst it is acknowledged that there is an element of the building that is used for the purpose of food and drink, it is considered that these elements are ancillary to the main hotel use of the building.

1.3 On the basis of the outcome of the ACV nomination and the considered use of the building, it is not considered that the building would be classed as a community facility as outlined in Policy COM04 of the Breckland Local Plan (Adopted 2019), and its loss would not be subject to additional protection.

1.4 For reference, Community Facilities are defined within the Local Plan, and Policy COM04 in particular as being "Facilities providing for the health, welfare, social, educational, spiritual, leisure and cultural needs of the community. Community facilities are defined as: local shops, meeting places, indoor and outdoor sports venues, recreation/play areas, cultural buildings, public houses, petrol filling stations and places of worship".

1.5 In this instance, the key part of that definition is whether the premises is considered to be a public house. As outlined above, it is considered that the building's primary use is as a hotel and that there is an ancillary use of the building that is akin to a pub use. However, given that this is only considered to be ancillary and not the primary use, it is not considered that the building can be considered to be a community facility that would be protected under policy COM04.

1.4 On the basis of the above, it is considered that the principle of the change of use is acceptable in principle and subject to other technical matters being satisfied.

2.0 Impact on character and appearance-

2.1 Given that the building is existing with minimal external changes proposed to the building, it is not considered that the proposal would result in a significant impact on the character and appearance of the area.

2.2 It is proposed to erect boundary fencing around the property. There is a mix of boundary treatments to the fronts of properties in the surrounding area that consists of a mix of soft landscaping and hard landscaping that includes walls and fences. On this basis, it is not considered that the introduction of such boundary treatments would result in a detrimental impact on the character and appearance of the area.

2.3 The proposal is therefore considered to satisfy the requirements of Policies COM01 and ENV05 of the Breckland Local Plan (Adopted 2019) in terms of the impact on character and appearance.

3.0 Impact on amenities

3.1 The impact on amenities was considered with regard to Policy COM03. When considering the existing use of the building, it is noted that there would be a degree of amenity impact generated by the existing use, particularly in terms of noise impact and overlooking from first floor windows when the rooms are occupied.

3.2 On the basis of the existing use and the potential for such amenity impacts at late hours, it is not considered that the noise etc that would be generated from the proposed use would be significant so as to result in an amenity impact that would warrant the refusal of the application. It is considered that there would, in fact, be a reduction of vehicular and pedestrian movements at unsociable hours due to the residential nature of the use.

3.3 The proposal is overall considered to satisfy the requirements of Policy COM03 of the Breckland Local Plan (Adopted 2019) in terms of the preservation of amenities.

4.0 Impact on highway safety

4.1 The impact on highway safety was considered with regard to Policies TR02 and COM01 of the Breckland Local Plan (Adopted 2019) and sections 108 & 109 of the NPPF (2019).

4.2 The highways authority have raised no objections to the proposal on the basis that the proposed use would generate a level of traffic movements comparable to that of the proposed use and accordingly, would not increase the risk to highway safety.

4.3 The highway authority have requested conditions to ensure that the development is carried out and operates in a manner that is acceptable in highway safety terms.

4.4 In terms of the parking provision on the site, on the basis of the method of operation as outlined by the submission detail, it is considered that the level of parking provision that can be achieved on site is sufficient to accommodate the use without resulting in off site parking that may be detrimental to highway safety.

4.5 The proposal is therefore considered to be acceptable in terms of parking provision and highway safety having regard to Policies TR02 and COM01 of the Breckland Local Plan (Adopted 2019) and Sections 108 & 109 of the NPPF (2019).

5.0 Planning balance/Conclusion

5.1 In terms of the overall planning balance of the scheme, it is considered that the proposal is acceptable in planning terms and is accordingly recommended for approval, subject to conditions.

RECOMMENDATION

It is recommended that the application is APPROVED, subject to the following conditions:

CONDITIONS

- 1 Full permission 3 year time limit**
The development hereby permitted shall be begun before the expiration of THREE YEARS from the date of this permission.
Reason for condition:-

To comply with section 91 of the Town & Country Planning Act 1990 (as amended).

2 In accordance with submitted plans NEW 2017

The development must be carried out in strict accordance with the application form, and approved documents and drawings as set out in the table at the end of this notice.

Reason for condition:-

To ensure the satisfactory development of the site, in accordance with Policy COM01 of the Breckland Local Plan (adopted 2019).

3 External materials as approved

The development hereby permitted shall be constructed using the materials specified on the planning application form and / or submitted drawings.

Reason for condition:-

To enable the Local Planning Authority to ensure the satisfactory appearance of the development, as required by Policies COM3, GEN2 and COM1 of the Breckland Local Plan (adopted 2019).

4 Access - combined, configuration and gates/bollards

Any access gates shall be hung to open inwards, and shall be set back in accordance with drawing PL-207 Rev B. Any sidewalls/fences/hedges adjacent to the access shall be splayed at an angle of 45 degrees from each of the outside gateposts to the front boundary of the site.

Reason for condition:-

In the interests of highway safety enabling vehicles to safely draw off the highway before the gates/obstruction is opened in accordance with Policies TR01 and TR02 of the Breckland Local Plan (adopted 2019).

This condition will require to be discharged

5 Provision of visibility splays - condition/approved plan

Prior to the first use of the development hereby permitted visibility splays measuring 2.4 metres x 4.3 metres shall be provided to each side of the access where it meets the highway. The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.

Reason for condition:-

In the interests of highway safety in accordance with Policies TR01 and TR02 of the Breckland Local Plan (adopted 2019).

This condition will require to be discharged

6 Provision of parking and servicing areas

Prior to the first use of the development hereby permitted the proposed access parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason for condition:-

To ensure the permanent availability of the parking/ manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with Policies TR01 and TR02 of the Breckland Local Plan (adopted 2019).

This condition will require to be discharged

