

43/14/0104/LB

MRS J LITTLEJOHNS

CHANGE OF USE OF GROUND FLOOR ONLY FROM A1 (RETAIL) TO A3/A5 (RESTAURANT/TAKE AWAY) WITH INSTALLATION OF KITCHEN, EXTRACTOR UNIT AND SERVING AREA AT 20 MANTLE STREET, WELLINGTON

Location: 20 MANTLE STREET, WELLINGTON, TA21 8AR

Grid Reference: 313719.120406

Listed Building Consent: Works

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

RECOMMENDED CONDITION(S) (if applicable)

1. The works for which consent is hereby granted shall be begun not later than the expiration of three years from the date of this consent.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by S51(4) Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A3) DrNo 1484.101 Rev B Proposal Drawings
(A3) DrNo 1484.100 Rev A As Built Survey Drawings
(A3) DrNo 1484.099 Rev A Location Plan and Site Plan

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No works shall take place until samples of the materials to be used in the construction of the external surfaces of the works hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of preserving the listed building, its setting and any features of historic or architectural interest that it possesses, in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. Prior to its installation, full details of any extraction equipment/flue shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed in accordance with the approved details shall thereafter be maintained as such.

Reason: In the interests of protecting the amenities of nearby property and preserving the listed building and any features of special architectural and historic interest that it possesses.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.

PROPOSAL

The proposal comprises alterations including changes to the fenestration on the rear of the building, internal alterations for new kitchen and new partition wall, and if a flue is required it has been identified that a flue could be placed within the existing chimney. The alterations are required to allow for the change of use from a retail use to a restaurant/takeaway use.

SITE DESCRIPTION AND HISTORY

The building is sited in Mantle Street which is predominately within residential use though there are a variety of other commercial uses include retail, leisure and a takeaway. The ground floor of the building is currently empty though was in previous retail use and the first and second floor has been used as residential accommodation. To the side of the building is a passageway that leads to a small row of cottages at the rear of the building.

The building is Grade II Listed and is within a Conservation Area.

A planning application (43/14/0103) has also been submitted.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

WELLINGTON TOWN COUNCIL - Recommend refusal: -

- Change of use would result in a loss of a retail unit in the town.
- Detrimental impact on the surrounding highways with limited parking available especially in the evening.
- The use would result in disturbance in surrounding properties with adverse noise, smell and litter.

- Application is not appropriate use of a listed building.

SCC - *TRANSPORT DEVELOPMENT GROUP* - No observations.

HERITAGE - The proposed scheme looks to have very little impact on the historic significance of this listed building although there is obviously the potential for this to change depending on the end user's requirements.

As it stands, my only concerns with what is currently proposed are the counter which, at normal height, would cut across the ground floor sash window on the front elevation and the air/waste extraction associated with the new sink at the rear of the premises.

Representations

TWELVE LETTERS OF OBJECTION raising the following: -

- Noise
- Odour
- Rubbish
- Inappropriate use of adjoining passageway/unsocial behaviour.
- Impeding access through passageway by accumulation of rubbish, boxes etc from business.
- Inadequate drains.
- Lack of waste storage area; area to rear belongs to 1 Laburnum Cottage
- Increase in parking problems; highway safety; increased traffic
- Not appropriate uses for listed building
- Risk of fire from kitchen spreading to Laburnum Cottages.

LETTER OF OBJECTION FROM WARD COUNCILLOR: -

- The change of use would result in the loss of a retail unit in the town.
- The proposed use would have a detrimental impact on the surrounding highways with limited parking available especially in the evening.
- The use would result in disturbance to surrounding properties with adverse noise smell and litter.

The application is not an appropriate use of a listed building.

PLANNING POLICIES

CP8 - CP 8 ENVIRONMENT,
NPPF - National Planning Policy Framework,

LOCAL FINANCE CONSIDERATIONS

None.

DETERMINING ISSUES AND CONSIDERATIONS

This application must be determined in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act. This requires that special regard is paid to the desirability of preserving the listed building, its setting and any features of historic or architectural interest when deciding whether to approve Listed Building Consent.

There are minimal internal alterations with the reinstatement of an existing opening and a small internal partition that can be reversed; the internal kitchen layout has been amended to remove the counter area that was in front of a window and any flue can be accommodated within the existing chimney. There is no objection from the Conservation Officer.

The alterations are therefore considered to accord with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and will not harm the character and appearance of the listed building. The proposal also complies with Policy CP8 and is therefore recommended for approval.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

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