

Application:	2022/0078/FUL	ITEM 1	
Proposal:	Section 73 application to vary condition 2 of application 2020/1151/FUL - Demolition of existing garage and timber structure, proposed single storey side extension with roof terrace and first floor access with external stair access, general alterations.		
Address:	Horse & Jockey, 2 St Marys Road, Manton		
Applicant:	Mr De Lisle	Parish	Manton
Agent:	Mark Payne Architecture	Ward	Braunston & Martinsthorpe
Reason for presenting to Committee:	Objections and design issues		
Date of Committee:	21 June 2022		
Determination Date:	14 March 2022		
Agreed Extension of Time Date:	23 June 2022		

EXECUTIVE SUMMARY

The proposal to vary a previous permission to alter the angle of a staircase and add an external serving area will not have a detrimental impact on residential amenity and in the overall scheme is acceptable from a design point of view.

RECOMMENDATION

APPROVAL, subject to the following conditions:

Within 4 months of the date of this permission the timber spindles and handrail shall be stained in a colour that shall have been submitted to and approved by the local planning authority.

Reason: In the interests of the amenities of the area in accordance with Policies CS19 and SP15 of the development plan.

Site & Surroundings

1. The site is located at the bottom of St Marys Road in Manton. The Horse & Jockey has been extended with a 2 storey open topped extension. There is a large open seating area within the highway at the front that operates under licence from the highway authority.
2. The premises has a car park on the opposite side of the road in addition to roadside parking.
3. There is no conservation area in Manton and there are 2 listed cottages on St Marys Road to the east of the site.

Proposal

4. The proposal is to vary the terms of the previous permission by changing the design of a stair to the open topped area to the west of the building. The original permission has a stair parallel with the front of the premises but this proposal brings it down at an angle towards the front of the property. The stair was originally going to be in oak but upon the advice of a structural engineer it has been changed to galvanised steel with timber cladding on the treads and handrail. The spindles will be stained, colour to be confirmed. The stair has now largely been constructed so members are advised to view the site prior to the meeting if possible, to see the proposal for themselves although it is illustrated in the photo below.

5. The proposal also includes an outside serving area where the original stair would have landed (blue gable in the photo).



Staircase as constructed



View from the front

Relevant Planning History

2020/1151/FUL - Demolition of existing garage and timber structure, proposed single storey side extension with roof terrace and first floor access with external stair access, general alterations.

Approved 21 December 2020

2021/0403/FUL - Section 73 application in relation to approved application 2020/1151/FUL (Demolition of existing garage and timber structure, proposed single storey side extension with roof terrace and first floor access with external stair access, general alterations) (To include galvanised stair to the east).

Approved 7 July 2021

Planning Guidance and Policy

National Planning Policy Framework (NPPF) 2021

Chapter 12 – Achieving well designed places

Chapter 16 The Historic Environment

Site Allocations and Policies DPD (2014)

SP5 - Built Development in the Towns and Villages

SP15 - Design and Amenity

SP20 – The Historic Environment

Core Strategy DPD (2011)

CS04 - The Location of Development

CS19 - Promoting Good Design

CS22 – The Historic Environment

Neighbourhood Plan

Not applicable

Officer Evaluation

6. The main issues are design and residential amenity.

Principle of the use

7. Established by the previous permission.

Design/Layout/Impact of the use on the character of the area

8. Little difference to the previous permission other than the new external staircase. The staircase is screened by an existing tree on the verge.
9. The proposal to vary the details will not have any more impact on the setting of the nearby listed buildings than the approved scheme. A galvanised stair has been approved under a different permission on the east side of the pub but it is mainly screened by walls.
10. The stair would undoubtedly have been better in only timber but in this case a hybrid construction is appropriate. Members must consider the proposal as if it had not yet been built and its construction or that this is in part a retrospective application should not enter the debate of its merits.

Impact on the neighbouring properties

11. No more than previous as the new stair is on the open car park side of the site and a stair was to be there anyway. The external serving area will not necessarily involve more noise. There has always been an outside seating area closer to the adjacent dwellings than the proposal would be.

Highway issues

12. No additional highway issues as a result of this application. Confirmation is awaited on the query over the proposal encroaching on the highway. Members shall be updated at committee or an update sheet.
13. The proposal would not have an unacceptable adverse impact on highway safety in accordance with Section 9 of the NPPF (2021) and Policy SP15 of the Site Allocations and Policies Development Plan Document (2014).

Crime and Disorder

14. It is considered that the proposal would not result in any significant crime and disorder implications.

Human Rights Implications

15. Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.
16. It is considered that no relevant Article of that act will be breached.

Consultations

Manton Parish Council

17. It was RESOLVED to object to this Planning Application for the following reasons:
 1. The Section 73 is not a "minor material" amendment to the original Planning Application 2020/1151/FUL.

This is a significant change to the original proposal by seeking approval of a highly more dominant staircase structure than the original agreed staircase which was more contained within the curtilage of the building and the introduction of an external bar not previously proposed.
 2. The proposed external bar is likely to give rise to additional noise and disturbance to residents. It may also lead to an increase in the level of external lighting which will detract from the appearance of the building and also increase the possible disturbance to residents. If you decide to allow this change to the plan we request conditions specifying mitigating measures to minimise any disruption.
 3. It isn't clear from the plans where the bins will be stored. They were previously stored in the yard to the right of the pub building but with the new fire escape there may no longer be sufficient room. They are currently left on the highway together with additional boxes and rubbish which is unsightly.
 4. Highways should consider safety issues about the "landing" of the external staircase onto the Highway

5. The appearance of the proposed new staircase is not in keeping with the village scene and is at odds with the rural "character" of a village pub
6. The Block Plan of the Application needs investigation with regard to the shown plan boundary and the Land Registry boundary. It therefore appears that the external staircase extends over the pub boundary onto the highway.
7. Whilst we understand that safety of the proposed construction is a matter for building control a number of residents are extremely concerned that a low wall, which is showing cracks and from historical knowledge is said to have little in the way of foundations is proposed as a load bearing element of the first floor bar. It is also noted that no mention is made of limits on the number of people allowed onto the upper level at any time. We therefore urge you to ensure that sufficient attention has been given to this crucial safety aspect of the proposals.

Ecology

18. Thank you for consulting us on this planning application to which I have no comments to make in addition to those made by my colleague to 2020/1151/FUL.

Public Protection

19. No objection

Neighbour Representations

20. There have been comments from 3 local residents. These can be summarised as follows:
 - Detracts from appearance of locality (original scheme)
 - Concern about noise from outside servery
 - New stair is a significant addition
 - Stair extends into the highway
 - Ramp extends into the highway

Conclusion

21. Taking into account the nature and scale of the proposal, the site history and adequate separation distances, it is considered that there would be no unacceptable adverse impact on the visual or residential amenities of the occupiers of adjacent properties in accordance with Section 12 of the NPPF (2021), Policies CS19 and SP15 of the development plan. The proposal preserves the setting of nearby listed buildings in accordance with Section 66(1) Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 16 of the NPPF and policies CS22 and SP20 of the development plan.