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| **Report to be read in conjunction with the Decision Notice.** |
| **Signed:** | **Officer:** | **KH** | **Date:** | **17.06.22** | **Manager:** |  | **Date:** |  |
| **Site Notice displayed** | **Y** | **Photos uploaded** | **Y** |  |
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| **Application Ref:** | 3/2022/0432 |  |
| **Date Inspected:** | 26/05/22 |
| **Officer:** | **KH** |
| **DELEGATED ITEM FILE REPORT:**  | **Decision** | **Approved** |
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| **Development Description:** | Proposed removal of existing conservatory, construction of new orangery, replacement of two windows with glazed doors and sidelights.  |
| **Site Address/Location:** | Feildens Arms Whalley Road Mellor Brook BB2 7PR |
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| **CONSULTATIONS:**  | **Parish/Town Council** |
| No response. |
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| **CONSULTATIONS:**  | **Highways/Water Authority/Other Bodies** |
|  | **LCC:** No objection.**Cadent:** Require informative to be attached. |
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| **Neighbour Comments:** | Four responses received objecting on the following grounds: |
| * We have had problems with noise on the car park and outside covers in hot weather;
* We can hear people in the pub when doors are open;
* Extra tables mean more noise plus late night opening Friday and Saturday means people could be hanging around til the early hours;
* The strict limits on car parking do not allow for further covers. The car parking spaces are inadequate to cater for additional staff. This will lead to drivers parking on the adjoining narrow road;
* The markings on the roundabout have nearly disappeared ;
* The buses stop early evening and reduced service Saturdays and no service on Sundays;
* A larger outdoor eating area would impact local residents combined with 7 days a week and increase in noise pollution is unacceptable;
* It is proposed to increase the number of covers inside from 96 to 127 and outside from 30 to 92;
* A recent application at another pub was refused on Policy DMG1 due to noise impacts on neighbouring residential properties;
* The proposed glass open doorways would increase the noise from inside the premises;
* The proposed additions would have a negative impact and restrict residents rights to privacy and cause disturbance to homes and gardens;
* The entertainment licence does not allow for outdoor music and this must remain so;
* Local residents are not in agreement with the Licencing hours now sanctioned by RVBC especially as there has been numerous complaints regarding noise to RVBC and the Police;
* Late night drinking outside until after 23.00 hours would be unacceptable to local residents due to noise and nuisance. The current license restricts such activity and this should be upheld and not extended;
* The proposed changes would reduce the number of spaces from 34 to 30 with the number of covers from 126 to 219 covers;
* When the Feildens Farm estate was built it was subject to S.106 Agreement to restrict parking for users of the pub allowing access to the car park only;
* The pub website states that there are six letting rooms in the building; and
* The visual amenity of the area of Mellor Brook will be affected.
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| **RELEVANT POLICIES AND SITE PLANNING HISTORY:** |
| *Ribble Valley Core Strategy* Key Statement DS1 – Development Strategy Key Statement DS2 – Presumption in Favour of Sustainable DevelopmentKey Statement EC1 – Business and Employment Development Policy DMG1 – General ConsiderationsPolicy DMG3 – Transport and MobilityPolicy DMB1 – Supporting Business Growth and the Local Economy National Planning Policy Framework |
| **Relevant Planning History:**3/2010/0742 – Proposed new free-standing pagoda to rear entrance. Change of parking surface to rear entrance from tarmac to paving. New fence enclosure to new kitchen service access. New roof mounted kitchen air input supply fan/extract dummy – Approved. |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** |
| **Site Description and Surrounding Area:**The site consists of an existing two storey stone building located within the settlement of Mellor Brook with a vehicular access into the car park at the rear of the site from the western side.The building has been as a Public House. The current opening times according to the website are Tuesday to Thursday 4pm to 10pm, Friday and Saturday 12pm until12am and Sunday 12pm until 10pm.The site is served by an established access off Myerscough Smithy Lane/Whalley Road. |
| **Proposed Development for which consent is sought:**The proposed development is to demolish a conservatory and erect an orangery in its place and insert glazed doors in place of a window. Some reconfiguration inside and outside is proposed with increased covers which would result in the loss of some car parking spaces but this does not form part of the proposal.The numbers of covers and car parking spaces has not been restricted by condition. |
| **Principle of Development:**The site is currently in use as a public house. The proposal is to replace the existing conservatory extension on the northern elevation (rear) with an orangery style extension of similar footprint but increased projection of 0.612 and height of 3.575m. The existing two ground floor window to the north would be replaced with full length glazed windows and doors. Taking into account the existing use and extensions this would be acceptable in principle. |
| **Residential Amenity:**The site is situated within the settlement with other commercial premises close by and housing located to all sides.The proposed development is to the rear (north side) of the building and includes the replacement of the conservatory with an orangery and two windows replaced with glazed doors.The main concerns raised by residents is the additional covers, noise and reduced parking spaces within the site and the provision of letting rooms.There are no controls on the number of covers either internally or externally and there is no condition attached requiring the provision of a set number of parking spaces.There are four letting rooms which are existing and would not require permission.The only external changes proposed are the replacement of the conservatory and the insertion of glazed doors. None of these result in any adverse impact in themselves and therefore are acceptable. The proposed development would result in any undue impact. |
| **Visual Amenity:**The site is visible in the streetscene adjacent to the main roads into the village. However, all the proposed development is to the rear elevation which is not as prominent in public views.The external changes are minor in form and consist of replacement of the rear conservatory and insertion of glazed doors where there are currently two windows.These are acceptable in this location. |
| **Highways:**The site is accessed from Myerscough Smithy Lane/Whalley Road and this proposal would not change this.The scale of the built development would remain as existing and apart form the loss of four parking spaces would not impact on parking within the site. The amount of parking within the site is acceptable on this basis and no adverse highway issues would arise from this proposal. |
| **Observations/Consideration of Matters Raised/Conclusion:**The proposed replacement extension would be appropriate in this location in terms of siting, design and materials and would not result in any adverse impact on residential or visual amenity. The loss of four parking spaces is acknowledged but would not result in any significant issues. The increased in covers internally is not a material planning considered. Externally we can only consider what has been applied for and can be controlled. There is no requirement for the pub to have a set amount of car parking provision and the proposed extension replaces an existing of a similar size and therefore would not require any additional on-site parking. The loss of four spaces is acceptable taking into account the existing use of the premises and the small scale changes arising from this proposal.Some of the issues raised relate to licencing including hours and provision of live music and therefore are beyond the remit of planning. Noise nuisance is a consideration and activity at the premises could result in an increase, however, based on the existing use and restrictions this would not be so significant as to warrant a refusal especially as the pub is sited within a settlement adjacent to other commercial establishments.It is considered that the increased use of the outside seating area would not significantly contribute to noise disturbance to neighbouring residents taking into account the existing use of the site and as such the proposal is recommended accordingly. |
| **RECOMMENDATION**: | Approve subject to conditions. |