

- a) 3/15/0244/FP - Conversion of first floor to include 6 no. letting rooms;
  - b) 3/15/0349/FUL – Construction of brick chimney stack to house kitchen extract flue (amended scheme);
  - c) 3/15/0628/FUL – Conservatory to rear (amended scheme) at;  
**The Cock Public House, Stocking Pelham SG9 0HZ for Winchmore Development**
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**Date of Receipt:** a) 06.02.2015  
b) 20.02.2015  
c) 27.03.2015

**Type:** a) Minor  
b) Minor  
c) Minor

**Parish: STOCKING PELHAM**

**Ward: LITTLE HADHAM**

**RECOMMENDATION:**

- a) That planning permission be **GRANTED** subject to the applicant entering into a Section 106 agreement to vary the legal agreement associated with the earlier permission 3/10/1583/OP and subject to the following planning conditions:

1. Three year time limit (1T121)
2. Approved plans (2E102)
3. All hardsurfacing and materials of construction shall be carried out in accordance with details approved under LPA reference X/13/1851/02 and email dated 08 August 2014, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of the appearance of the development, and in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

4. All hard and soft landscaping shall be carried out in accordance with drawing reference 11356-W-023 as approved in email dated 28 October 2014, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure the provision of amenity afforded by appropriate landscape design, in accordance with policies ENV1, ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

5. All hard and soft landscape works required by Conditions 4, shall be carried out in accordance with the approved details. New

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planting shall take place by the end of the first available planting season following the first occupation of the public house. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved designs, in accordance with policies ENV1 and ENV2 of the East Herts Local Plan Second Review April 2007 and national guidance in section 7 of the National Planning Policy Framework.

6. Provision and retention of parking spaces (3V23) – with the addition: In particular, in relation to the letting accommodation to be provided, the parking spaces shall not be available to occupiers of the rooms other than during their stay at the accommodation, including the day of booking in and departure.

b) That planning permission be **GRANTED** subject to the applicant entering into a Section 106 agreement to vary the legal agreement associated with the earlier permission 3/10/1583/OP and subject to the following planning conditions:

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## **1.0 Background**

- 1.1 The application site is shown on the attached OS extract. The application site is the former Cock Public House site in Stocking Pelham. The public house was destroyed by a fire on the 19 February 2008. Outline planning permission was granted for this development under LPA reference 3/10/1583/OP by the Development Management Committee. That permission also incorporated the provision of two dwellings to assist in the viability of building a new public house. A legal agreement was attached to the permission requiring that only one of the

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dwellings may be occupied before the public house is constructed and made ready for occupation as a public house and be capable of securing a license under the licensing regulations.

- 1.2 Planning application a) (LPA reference 3/15/0244/FP) seeks planning permission to change the use of the first floor element of the approved public house. The approved scheme incorporated the provision of the normal space associated with pub at ground floor (pub/drinking area, kitchens and toilets, etc) and at first floor a three bedroom pub managers accommodation, office and storage space was to be provided. This application seeks consent to amend the first floor to create a smaller residential area for the pub manager (1 bedroom and lounge area) to delete the office and storage space but to incorporate the provision of 6 letting rooms. Each letting room is a double room with en-suite.
- 1.3 Planning applications b) and c) (LPA references 3/15/0349/FUL and 3/15/0628/FUL) incorporate amendments to the approved scheme involving the provision of a chimney to the ground floor kitchen (to provide an extract flue) and the erection of a rear conservatory to serve as additional dining room/lounge space for the pub.
- 1.4 The applications are reported to the Development Management Committee owing to the need to vary the legal agreement to accommodate these material changes in the layout and design of the building.

**2.0 Site History**

- 2.1 Outline planning permission was granted for the public house under LPA reference 3/10/1583/OP.
- 2.2 A resultant reserved matters application was granted at the site for detailed matters relating to the design, layout, appearance, landscape and access associated with the development under LPA reference 3/13/1851/RP.

**3.0 Consultation Responses**

- 3.1 Hertfordshire County Highways comment on application a), LPA reference 3/15/0244/FUL. that they do not wish to restrict the grant of permission. The Highways Officer comments that the principle of development is acceptable on the provision that there is no parking on Ginns Road. The Local Planning Authority should ensure that there is appropriate provision for off-street parking.

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**4.0 Parish Council Representations**

4.1 Stocking Pelham Parish Council comment that they support LPA reference 3/15/0244/FUL but have concerns regarding drainage and that the parking should not be used for airport parking. No comments have been received from the Parish Council in relation to applications b) and c) (3/15/0349/FUL and 3/15/0628/FUL).

**5.0 Other Representations**

5.1 The application has been advertised by way of site notice and neighbour notification.

5.2 Two letters of representation have been received in relation to application a)(LPA reference 3/15/0244/FUL) raising concern that insufficient parking is provided.

**6.0 Policy**

6.1 The relevant 'saved' Local Plan policies in this application include the following:

GBC2	The Rural Area Beyond the Green Belt
GBC3	Appropriate Development in the Rural Area Beyond the Green Belt
STC8	Local Centres and Rural Provision
LRC11	Retention of Community Facilities
OSV8	Village Shops, Community and Leisure Facilities
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV11	Protection of Existing Hedgerows and Trees
ENV16	Protected Species
LRC1	Sport and Recreation Facilities

6.2 The National Planning Policy Framework and National Planning Policy Guidance are material considerations in the determination of the application

**7.0 Considerations**

7.1 The principle of the development of the site to build a replacement pub with two 'enabling' dwellings has previously been established by the Council through the grant of outline planning permission under LPA reference 3/10/1583/OP. The main planning consideration therefore

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relates to whether the proposed amendments to the layout of the public house building to create letting rooms and the other alterations to the building including a conservatory and chimney are acceptable in terms of the impact on the character of the building and surroundings.

- 7.2 The proposed letting rooms will help to enhance the viability of the public house. The letting rooms will provide added versatility to the offer of the public house and assist in the long term sustainability of the business. The enlarged pub building in the form of a conservatory will provide additional dining and lounge space for the approved use which will also assist in the viability of the building as a public house. The proposed development will therefore further support the economics of development, which is encouraged in the NPPF.
- 7.3 The proposed external alterations are relatively modest and will not result in a significantly greater level of impact on the site and surroundings from that previously granted consent. The chimney element is to the rear of the building and will enclose the flue extract equipment which will improve the visual appearance of the building and approach to the building from the car park. The proposed conservatory is of an overall design and form which complements the character and appearance of the approved pub building and will not therefore detract from the visual appearance of the public house.
- 7.4 The proposed conservatory will result in a loss of outside amenity space for the pub – however, an appropriate level of amenity to the rear, side and front of the pub is considered to remain.
- 7.5 In neighbour amenity terms there is the potential for increased levels of activity associated with the letting rooms compared to the previously approved restaurant/pub use. However, such an increase is not, in Officers opinion likely to be at all significant or cause a harm to which any degree of weight can be attached.
- 7.6 Having regard to the consultation responses received Officers consider that the main planning consideration relates to whether an appropriate provision for parking is provided.
- 7.7 The proposed development comprises of 6no letting rooms and the retention of a one bed managers room. Having regard to policy TR7 and the parking standards set out in the current Local Plan, one parking space would be required per letting room and 1.25 spaces for the 1 bed Managers accommodation – 7.25 spaces therefore. The current bar area is 117 sqm approx. and the standards require 1 space per 3sqm for public house bar uses - therefore a further 39 spaces would be

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required. However, if as anticipated, the use is provided primarily for dining, 1 space per 5sqm or 23 spaces would be required. The standards also require 3 spaces per 4 employees regardless of the nature of the use.

- 7.8 However, full permission has been granted within LPA reference 3/15/1851/FP for the public house building with the provision of 20 parking spaces, below the maximum requirements. The main consideration now is whether that level of parking is acceptable having regard to the increase in the floor area of the pub associated with the conservatory (around 27 square metres) together with the additional letting rooms associated with the application. The total requirement now would be 48 spaces, if the use is considered to be primarily pub, and the 7.25 for the letting and managers accommodation, total 55.25 spaces. If the use is considered primarily dining, the requirement is 29 spaces plus the 7.25, 36.25 in total. Staff requirements are additional in each case. Total provision made is not proposed to increase over the 20 spaces.
- 7.9 The emerging parking standards are the same for both dining, public house and letting room uses. A one bed residential use requires 1.5 spaces. Noting its location in transport sustainability terms, the emerging standards nevertheless allow for a reduction of up to 25% to be applied in zone 4 locations such as this. No reduction is proposed for the purpose of a judgement against this matter as the location is indeed one of the more remote parts of the District with very limited alternative transport provision.
- 7.10 There is the potential for some on-street parking within the village but the site is located on a road junction. Officers consider that the level of parking to be provided does have the potential to lead to on-street parking in close proximity to this junction. Whilst the Highway Authority have commented that there should be no parking on Ginns Road, the reason for this is not articulated. It is likely to be that parking on the road could constitute a safety issue in proximity to the junction.
- 7.11 All concerned are keen that the use operates successfully. To do so it is most likely that, at times of peak use, the parking provision on site is likely to be inadequate. This will likely lead to a degree of parking on the local roads in the village, to the potential detriment of local residents and, if visitors do not exercise care in parking, possibly with some impact on the operation of the highway. Some negative weight must be assigned to this, albeit tempered, as the Council has already been willing to support the pub use (without the conservatory and letting rooms) at the site with the same level of parking provision.



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- 7.12 The concern of the Parish Council regarding airport parking is noted. A condition can be added to the permission seeking to address this matter.
- 7.13 Various planning conditions were attached with the previous consents for the public house which have been discharged by the Council. It is therefore necessary and reasonable that the details which have previously been agreed, be agreed now through the planning conditions set out at the commencement of this report.

**8.0 Conclusion**

- 8.1 The redevelopment of the site to create a pub and two dwellings has been established. These proposals will see amendments to the layout and design of the public house which, in Officers opinion will enhance the viability of the public house as a business operation. The proposed development therefore represents a more secure form of economic development in the rural area to that currently proposed. Significant weight is assigned to the proposed use and these enhancements to the viability of it.
- 8.2 There will be no harm to the character or appearance of the building or surroundings associated with the amendments in these applications nor will there be any significant additional harm to neighbour amenity compared to that previously granted consent. There is identified to be a deficiency in parking provision associated with the previously approved scheme and that now proposed. This is likely to have some impact on the operation of the roads in the vicinity of the site. However, the harm is not considered to outweigh the benefit of the enhanced proposals.
- 8.3 Officers therefore recommend that planning permission be granted for all three applications, subject to the applicant entering into a legal agreement variation to ensure that the controls implemented in the initial legal agreement are maintained and, subject to planning conditions.