

# 21/02822/FUL

**Applicant** Mr Mark Hughes

**Location** The Air Hostess, Stanstead Avenue, Tollerton, Nottinghamshire,  
NG12 4EA

**Proposal** Single storey rear extension

**Ward** Tollerton

## THE SITE AND SURROUNDINGS

1. The application relates to a detached, two-storey public house (with the first floor located within the roof space of the building), predominantly surrounded by residential development within the village of Tollerton.
2. The public house is a pavilion-style building sited on the corner of Stanstead Avenue and Burnside Grove, and there is a small parade of shops to the north-west of the site, on the opposite side of Burnside Grove, and a small, single storey Methodist Church to the west on the opposite side of Stanstead Avenue. The public house has two entrances with entrance doors fronting onto both roads. The building is an irregular shape, almost cruciform, and is located towards the north of the plot. There are outside seating areas on a raised decked area at first floor area fronting predominately onto the Stanstead Avenue façade. Beneath the decking is a covered storage area, and in front of that, fronting onto Stanstead Avenue a further turfed pub garden area in the form of traditional "A framed" pub benches and a pétanque terrain. Wrapping around the lower beer garden and pétanque terrain is an unbound gravelled car-parking area for staff and patrons.
3. There are residential properties directly adjoining the site to the east and south. The nearest property to the south of the car park, on Stanstead Avenue, is a bungalow (No. 38 Stanstead Avenue) which has its common boundary with the car park. The nearest property to the east, on Burnside Grove, is a two-storey property (No. 35 Burnside Grove), the garden of which slopes down towards the car park.
4. Most of the site is relatively flat, although the decked area does serve to create two distinct levels of outside space around the pub that follows the topography of the area. The pub itself is built on a plateau, and the decked area is built over the former sloped area between the pub and street level.
5. The site is bounded on all boundaries by a mixture of styles and types of fencing, walls and some supplemental landscaping.

## DETAILS OF THE PROPOSAL

6. The application is described as a "single storey rear extension". The proposed addition would be at first floor level (due to the topography of the site) and

would serve as an extension to the existing commercial kitchen within the pub. The proposed addition would be single storey in height with a flat roof and would project out at the same level as the existing decking. Beneath the proposed extension covered storage would be formed beneath that would be accessed via the car park and would allow continued access to the existing non-public areas of the building at ground floor level.

## **SITE HISTORY**

7. 19/02878/FUL - Single storey rear extension and raised patio area with steps – permission granted 08 April 2020
8. 14/01335/FUL - New sliding/ folding door to Stanstead Avenue elevation, creation of covered raised terrace to Stanstead Avenue and new covered terrace to Burnside Grove; landscaping to gardens, including new boundary fencing - permission granted 28 August 2014.
9. 07/01255/FUL - Form external canopy over enhanced external area - permission granted 07 September 2007.

## **REPRESENTATIONS**

### **Ward Councillor(s)**

10. Councillor D. Mason has declared a disclosable pecuniary interest due to owning shares in the Air Hostess Community Pub.

### **Town/Parish Council**

11. Tollerton Parish Council do not object to the proposal.

### **Statutory and Other Consultees**

12. The Borough Council's Environmental Health Officer does not object to the proposal subject to conditions being attached to any grant of permission.

### **Residents and the General Public**

13. A total of eight neighbouring properties were consulted on the application, however no letters of representation have been received.

## **PLANNING POLICY**

14. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy (LPP1) and the Local Plan Part 2: Land and Planning Policies (LPP2). Other material considerations include the 2021 National Planning Policy Framework (NPPF), and the National Planning Practice Guidance (the Guidance).

### **Relevant National Planning Policies and Guidance**

15. The relevant national policy considerations for this proposal are those contained within the NPPF and the proposal shall be considered within the context of a presumption in favour of sustainable development as a core

principle of the NPPF. In accordance with paragraph 11c), development proposals that accord with an up-to-date development plan shall be approved without delay. The proposal falls to be considered under section 12 of the NPPF (Achieving well- designed places) and it should be ensured that the development satisfies the criteria outlined under paragraph 130. Development should function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. In line with paragraph 134, permission should be refused for development that is not well designed, especially where it fails to reflect local design polices and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to development that meets criteria a) and/or b) listed under this paragraph.

### **Relevant Local Planning Policies and Guidance**

16. LPP1 Policy 1 reinforces the need for a positive and proactive approach to planning decision making that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The proposal falls to be considered under LPP1 Policy 10 of (Design and Enhancing Local Identity). Developments should make a positive contribution to the public realm and sense of place and should have regard to the local context and reinforce local characteristics. Section 2 of this policy sets out the design and amenity criteria that development shall be assessed against.
17. The proposal falls to be considered under Policy 1 (Development Requirements) of the LPP2 whereby development should not have an overbearing impact on neighbouring properties, nor lead to a loss of amenity. The scale, density, height, massing, design and layout of the proposal all need to be carefully considered and should not lead to an over-intensive form of development.

### **APPRAISAL**

#### Principle of the development

18. The public house was the subject of extensive refurbishment in 2019. The application seeks permission to extend the existing commercial kitchen. The existing pub already serves food and has an extensive internal and external dining area. As such, it is considered that the principle of the development to extend the existing business in this location is acceptable.

#### Impact upon the character of the area

19. LPP1 Policy 10, Design and Enhancing Local Identity, states that development should make a positive contribution to the public realm and sense of place and should have regard to the local context and reinforce valued local characteristics. Development should be assessed, amongst other things, in terms of its massing, scale, proportions, materials, architectural style and detailing. This is reinforced under policy 1 of LPP2, which also states that development should be sympathetic to the character and appearance of neighbouring buildings and the surrounding area.

20. Chapter 12 of the NPPF is concerned with achieving well-designed places. Specifically, it requires that development should function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. Development should also be visually attractive as a result of good architecture, layout and landscaping and should be sympathetic to local character and history and maintain a strong sense of place.
21. As noted above, the proposed development seeks a modest, single storey extension to the kitchen, albeit at first floor level due to the topography of the site. The permission sought would have the same height as the kitchen area it seeks to extend and would remain flat roofed like the existing kitchen area. The proposed addition would project out 4.9m and have a width of 5.1m. The proposed extension would fill in the area between the public dining deck and the private patio for the license of the public house that extends off their private accommodation. At ground floor level the open fronted area for deliveries and storage of items such as used kegs would be retained.
22. In term of design, the proposed addition to the kitchen would result in a development with the same height and width as the existing kitchen area and an addition that would project no further out towards the car parking area than the existing private patio area afforded to the licensee.
23. It is considered that the proposed addition would not affect the cohesive form of the development when viewed from Stanstead Avenue (which is the closest public vantage point not within the beer garden of the public house) and would provide a continuation of the subordinate roofline of the current kitchen in the same palette of materials. There are a variety of house types and styles in the locality, and the design of the main roof structure of the public house would be contemporary in design with the building finished in a mixture of red brick and wooded cladding with red tile roofs.
24. Therefore, having taken the above information into account, it is considered that the proposed addition would not result in an incongruous or inappropriate form of development in the street scene. Overall, the scale and design of the development proposal is considered acceptable and in accordance with LPP1 Policy 10, Policy 1 of the LPP2 and the NPPF.

#### Impact on residential amenity

25. LPP1 policy 10 states that development should be assessed in terms of its impact on the amenity of nearby residents. This is reinforced under policy 1 of LPP2, which states that development should not be granted where there is a significant adverse effect upon the amenity of adjoining properties.
26. The potential for impact on residential amenity is primarily from the proposed use of the extension as an enlargement of the existing kitchen. The potential impact on the neighbouring amenity is therefore from the odours of cooking food and potentially any noise/vibration caused by any mechanical plant or machinery that may vent externally from within the kitchen area. Officers note that the existing kitchen's proximity to the neighbouring residential gardens and sought the advice of colleagues in environmental health.
27. The environmental health officer noted the submitted plans do not indicate the presence of any external plant/equipment on the proposed extension. They do

however recommend a condition is attached to any permission granted to ensure any external plant/equipment that may be installed in the future does not have an adverse impact on the amenity of neighbouring properties. The environmental health officer also states that noise levels for any externally mounted plant or equipment, together with any internally mounted equipment which vents externally, should be approved before the plant/equipment is brought into use. If this information is inconclusive or not complete, then the applicant would be required to undertake a full noise assessment in accordance with 'BS 4142:2014+A1:2019: Methods for rating and assessing industrial and commercial sound'. Thereafter, the environmental health officer advises that the plant/equipment shall be installed in accordance with the approved scheme and retained in good working order for the lifetime of the development.

28. It is acknowledged that a new window opening has been proposed to the first-floor rear elevation looking out onto the car parking area. Due to the angles between the opening and the neighbouring properties on Burnside Grove, and the distances between the window and the nearest property on Stanstead Avenue officers are satisfied that this new opening would not have the potential to result in any overlooking upon adjoining properties. The kitchen extension would also serve as a further barrier between the gardens on Burnside Grove and the public decked area, and the new window would be no closer to the private rear gardens/amenity areas of the property alongside the pub carpark on Stanstead Avenue than the existing outside decking area.
29. Therefore, taking the above information into account, it is considered that subject to the requested condition the proposed addition would not have a detrimental impact upon the residential amenity of the adjoining properties.

#### Impact upon highway/parking

30. The application does not propose to alter the car parking area or the number of covers/patrons that the pub can currently host. The standing advice from Nottinghamshire County Council as Highways Authority have been reviewed and considering the above information, officers consider that the proposed addition would not be detrimental to highway safety.

#### Conclusion

31. The proposal would be visually acceptable, would not impact on residential amenity and would not be harmful to highway safety. There would also be no adverse impact on the character and appearance of the area. Accordingly, the proposed development is considered to conform with the objectives of Policies 1 and 10 of the LPP1, Policy 1 of the LPP2 and the Design Guide. The application is therefore recommended for approval subject to conditions.
32. The application was not the subject of pre-application discussions. Negotiations have taken place during the consideration of the application to clarify matters identified by officers in connection with the proposal. Amendments have been made to the proposal, providing the clarification, thereby resulting in a more acceptable scheme and the grant of planning permission.

## RECOMMENDATION

It is RECOMMENDED that planning permission be granted subject to the following condition(s)

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004.

2. The development hereby permitted must be carried out strictly in accordance with the following approved plan(s)/drawings/documents:
  - 1:500 scale plan titled "Location Plan" received on 22 October 2021,
  - Drawing titled "Proposed Plans and Elevations" received on 10 November 2021, and
  - Drawing titled "Proposed Ground Floor Plans" received 10 November 2021.

For the avoidance of doubt having regard to Policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).

3. The materials used in the construction of the exterior of the development hereby permitted must be similar in appearance to the materials used on the exterior of the existing building.

To ensure the appearance of the development is satisfactory having regard to policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and policy 1 of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).

4. Before any externally mounted plant or equipment, together with any internally mounted equipment which vents externally to be used in the extension hereby approved is first brought into use the noise levels for that plant or equipment, shall be submitted to and approved by Local Planning Authority. If this information is inconclusive or not complete, then the applicant will be required to undertake a full noise assessment in accordance with BS 4142:2014+A1:2019: Methods for rating and assessing industrial and commercial sound. Thereafter, the plant/equipment shall be installed in accordance with the approved details and retained in good working order for the lifetime of the development.

To protect nearby residential properties from unacceptable levels of noise pollution from external plant equipment/machinery having regard to Policies 1 (Development Requirements), 39 (Health Impacts of Development) and 40 (Pollution and Contaminated Land) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).