

Planning Committee: 08 December 2015

Item Number: 7

Application No: [W 15 / 1697](#)

Town/Parish Council: Warwick

Case Officer: Emma Spandley

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Registration Date: 02/11/15

Expiry Date: 28/12/15

6 Jury Street, Warwick, CV34 4EW

Installation of extraction equipment FOR Catalan

This application is being presented to Committee due to the number of objections received.

RECOMMENDATION

Planning Committee are recommended to grant planning permission, subject to conditions.

DETAILS OF THE DEVELOPMENT

The application proposes the installation of a new extraction flue to the rear of the property on a modern extension. The application was accompanied by noise and odour assessment reports.

THE SITE AND ITS LOCATION

The application property is an attractive Grade II Listed Building situated on the South West side of Jury Street within the Warwick Conservation Area. The site is also situated within the Warwick Town Centre. The property is currently in use as a Spanish restaurant.

PLANNING HISTORY

W77/0049 - Granted for the use of vacant offices as tea rooms.

W89/1400/LB - Granted for the demolition of kitchen and erection of extension to tearooms and new kitchen.

W/90/1071LB - Granted for erection of rear kitchen extension.

W/13/1717/LB - Alterations to existing kitchen extraction equipment, February 2014.

W/14/0507/LB - Installation of flue extraction equipment, granted 26th May 2014.

W/14/0502 - Installation of flue extraction equipment, withdrawn 18th July 2014.

W/14/1493 - Installation of flue extraction equipment, withdrawn 6 January 2015.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

SUMMARY OF REPRESENTATIONS

Warwick Town Council - No comments received.

Environmental Health - Object on the basis that inadequate information has been submitted to justify the design of the system and the point of discharge. Additional information has been provided to address the EHO's concerns and further comments on this are awaited and shall be reported in the additional observations report to Members in advance of the Committee Meeting.

WCC Ecology - Recommend that the proposed works are carried out sensitively. If bats are found during works, works must stop immediately until WCC Ecological Services or Natural England is contacted. Recommend that a note relating to bats, as protected species, is attached to any approval granted.

Warwick Society - Object, for the following reasons: The submitted plan is an engineering drawing only and does not show the proposal in the context of the surrounding buildings when viewed from the south from where the public would see it; The details on the application forms conflict with those on the drawing since they refer to the use of stainless steel rather than black, powder coated, metal; The proposal will be seriously detrimental to the character of the listed

building and the Conservation Area due to its poor design and intrusive and intrusive nature.

Public Response - 18 objections have been received, which can be summarised as follows: The noise and odour assessment reports submitted as part of the application are considered to be inadequate; The flue should not discharge at a point below the eaves level; Will deposit dirt and grease onto cars parked in the car park to the rear and people walking there; The proposal does not comply with relevant professional guidance on the ventilation of commercial kitchens.

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- The impact on the character and appearance of Listed Building and Conservation Area
- The impact on the living conditions of occupiers of nearby properties and users of rear car park
- Health and wellbeing

The Principle of the Development

The impact on the character and appearance of Listed Building and Conservation Area

The objections in this respect are noted, however, various design solutions have been considered and the proposal as submitted is considered to be the most appropriate for this building. The proposed replacement flue is sited so as to minimise the impact on the Listed Building; the flue is located to the rear on a modern addition adjacent to an existing parapet wall and the flue will be powder coated black. The Council's Conservation Officer has raised no objection to the design or siting of the proposed flue. The proposal is therefore considered to accord with Policies DAP4 and DAP8 of the Local Plan.

The impact on the living conditions of occupiers of nearby properties and users of the car park

The objections received in this respect are noted. The Council's Environmental Health Officer (EHO) has requested further information in addition to the noise and odour assessments which were submitted as part of the application. This additional information has been submitted and is being considered by the EHO and it is anticipated that this will overcome the concerns which have been raised. The EHO's further comments shall be reported to Members ahead of the meeting in the Additional Observations report.

Health and wellbeing

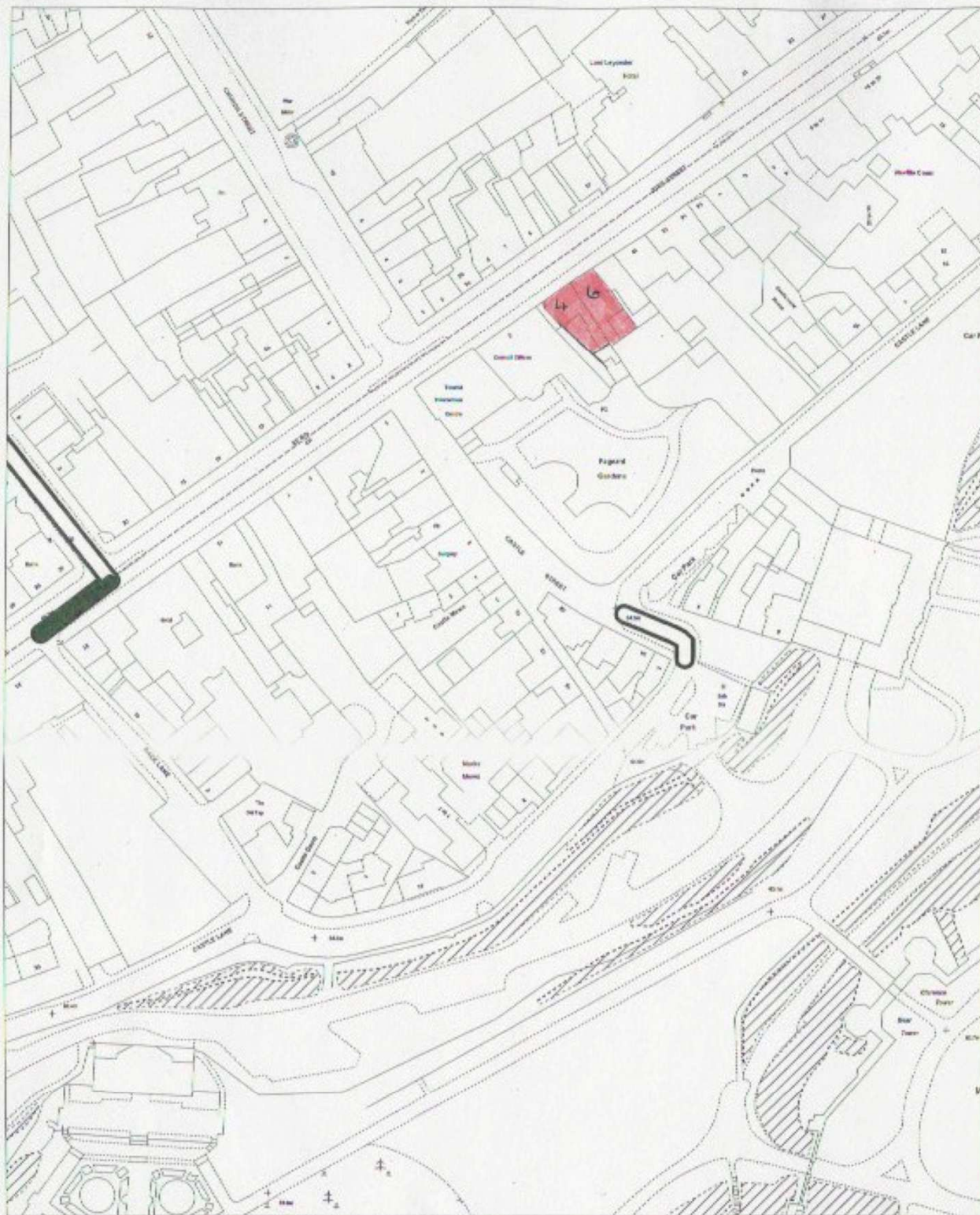
Not applicable.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three

years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings and accompanying reports and specification contained therein, submitted on 15 October 2015. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1, DP2, DAP4 and DAP8 of the Warwick District Local Plan 1996-2011.
- 3 The flue hereby permitted shall be powder coated in black prior to installation and maintained as such thereafter. **REASON:** To ensure a high standard of design and appearance for this Listed Building and Conservation Area, and to satisfy Policies DAP4 and DAP8 of the Warwick District Local Plan 1996-2011

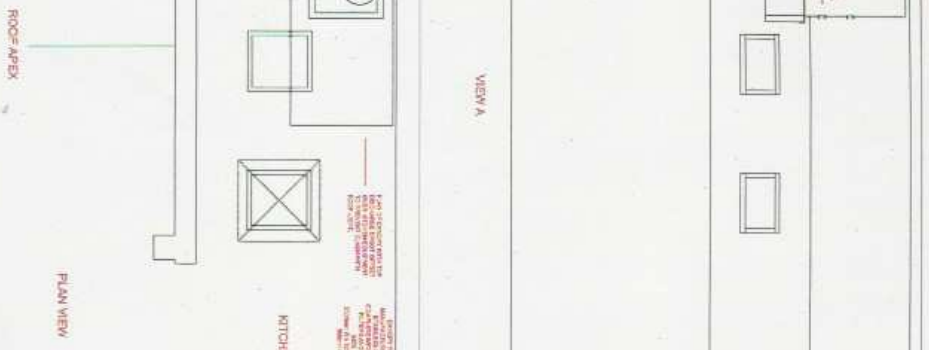
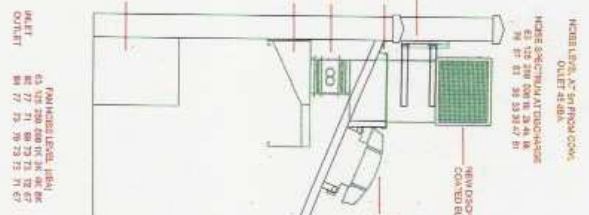


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Scale: 1:1250
Date: 25/09/2015
OS Tile: SP2884NW

LOCATION PLAN.





LAYOUT PLANS

DRAWN	AC	SCALE	DATE
ENGINEER AGM		1:10000	6/3/2015

DRAWING No. Q3618-15-1

DRAWN	AC	SCALE	DATE
ENGINEER AGW		1:10000	6/3/2015

DRAWING No. Q3618-15-1