

Planning Officer's Report – LDCA DECEMBER 2020

APPLICATION	2020/90 – Proposed Change of Use from Dwelling House and Storage Building to Tavern
PERMISSION SOUGHT	Permission in Full
REGISTERED	26 th October 2020
APPLICANT	Adrian J Greentree
PARCEL	HTH0523
SIZE	0.8 acres (3,264m ²)
LOCALITY	Marble Hall, Half Tree Hollow
ZONE	Intermediate
CONSERVATION AREA	None
CURRENT USE	Existing House
PUBLICITY	The application was advertised as follows: <ul style="list-style-type: none">▪ Sentinel Newspaper on 29th October 2020▪ A site notice displayed in accordance with Regulations.
EXPIRY	12 th November 2020
REPRESENTATIONS	None Received
DECISION ROUTE	Delegated / LDCA / EXCO

A. CONSULTATION FEEDBACK

1. Sewage & Water Division	Objection - Comment
2. Energy Division	No Objection
3. Fire & Rescue	No Response
4. Roads Section	No Objection
5. Property Division	No Response
6. Environmental Management	No Objection - Comment
7. Public Health	No Response
8. Agriculture & Natural Resources	No Response
9. St Helena Police Services	Not Consulted
10. Aerodrome Safe Guarding	Not Consulted

11. Enterprise St Helena (ESH)	No Objection
12. National Trust	No Response
13. Sure SA Ltd	No Objection
14. Heritage Society	No Response

B. PLANNING OFFICER'S APPRAISAL

LOCALITY & ZONING

The application site is located on the west side of Ladder Hill just north of the HRH Princess Royal Community Care Centre. The application site is within the Intermediate Zone and not within any proposed conservation area, although the boundary of the Heritage Coast Conservation Area touches the northern boundary of this site. Given the nature of the development in these locations there is no specific heritage or conservation issues of note.

Diagram 1: Location Plan



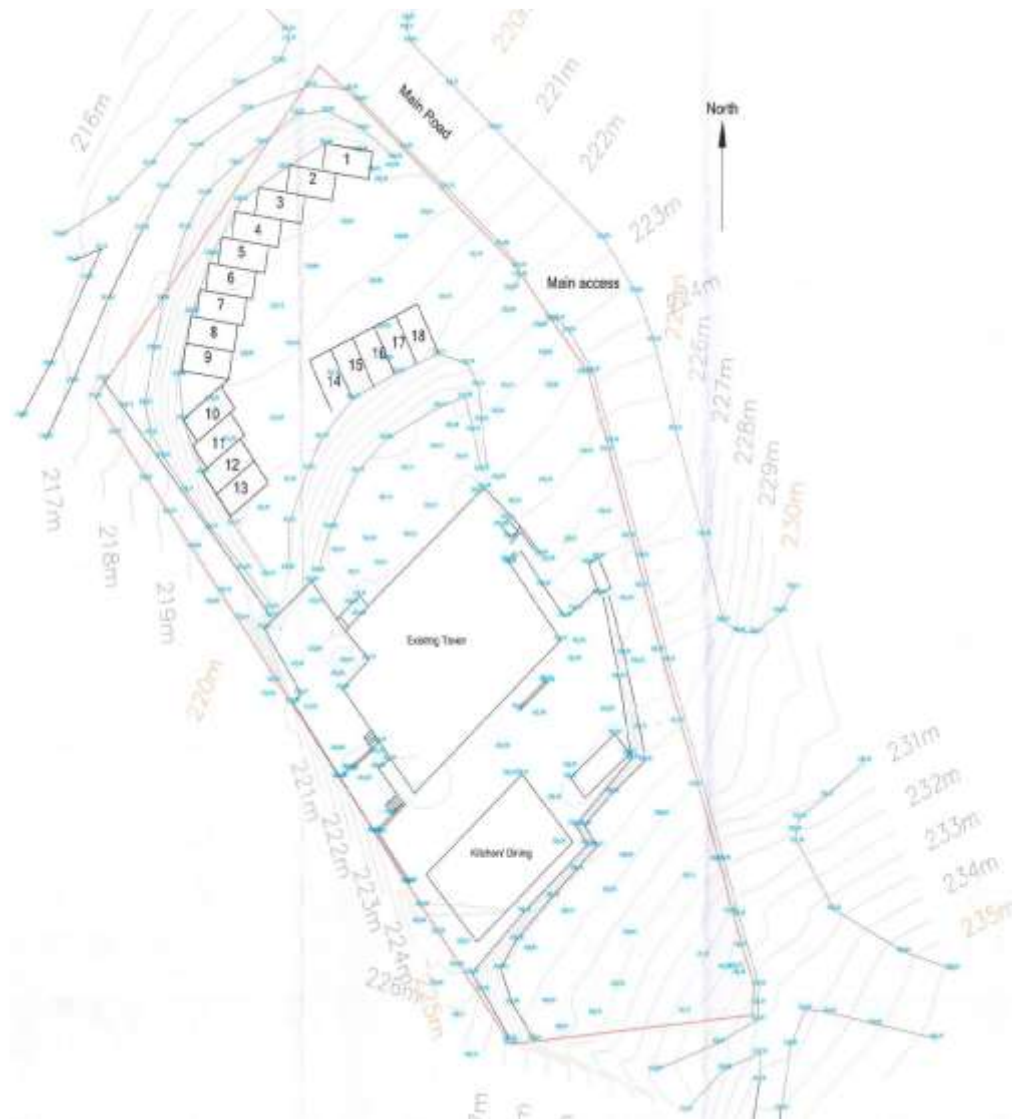
Diagram 2: Application Site



THE PROPOSAL

The proposal is to convert the two building to drinking establishment for the purposes of entertainment and leisure. The drinking establishment use fall within Use Class A4 and consist of a bar area, large main hall and on the western end toilets, dining room and kitchen with a small cellar on the lower ground area. From the submitted plans, although not indicated on the application for the description of the development, the applicant the change of use of the rear building from storage and office (Use Class B1) to drinking establishment.

Diagram 3: Site Plan and Layout



The proposal also includes alteration to the front elevation to provide a sitting out area with a construction of roof cover to create a verandah. Part of these alterations appear to have taken place with the construction of the verandah, include steps and disabled ramp up to this area and includes erection of barriers to meet with safety requirements and erection of the steel frame to provide support of the covering of the

verandah area. The proposal is use the Perspex sheeting for the covering over the varendah area. The applicant has already provided considerable landscaping to the front of the building to improve the appearance of the area.

Diagram 4: Floor Layout of the Buildings

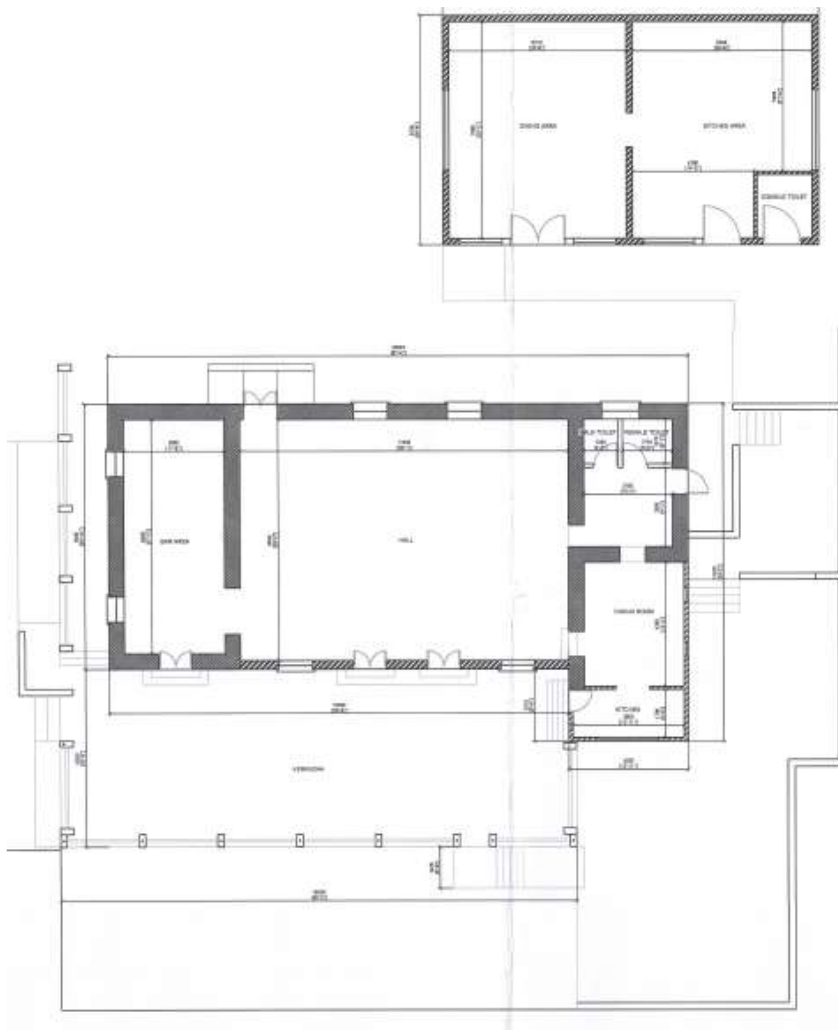
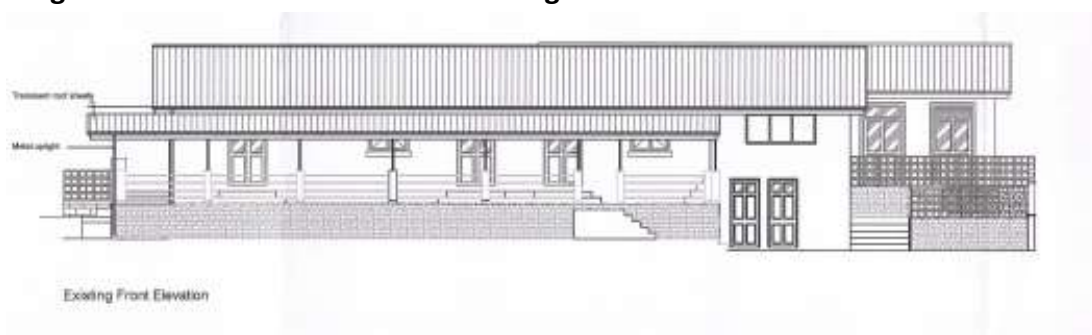


Diagram 5: Elevation of the Main Building



The applicant has also made changes to the area in front of the property by levelling off the front part of the site and has provided a rough tarmac finish to create car parking space for visitor arriving at the premises by car.

The main building and the small building in the rear all have service connection it needs to function for the proposed use. Given the sewage capacity issues in Half Tree Hollow, the concern is whether the proposed use as a drinking establishment add further load on the sewage system.

There are only two toilets shown on the plan, one for male and one for female use in the main building and two toilets in the cellar area. There is also a disable toilet facility in the rear building. Given the floor area of the building, which has potential hold considerable number of people, these toilet facilities may not be sufficient to meet the Building Regulation requirement for a building used as "Public House and Licensed Bar". Whilst the building will be required to meet with the Building Regulation requirement for the proposed use in respect of such facilities, it would be appropriate for these to be set out in the development application.

PLANNING HISTORY AND BACKGROUND

There was a development application in 2018, Ref: 2018/81, seeking permission for the construction of storage building and offices at the rear (southwest) of the existing main building. The development application at that time indicated that current use of the main building was as a dwelling/shop.

This development has been constructed, however the elevation of this building as approved does not quite match the current elevation of this building as shown the plans submitted with application. Whilst the original building proposed looked more like a storage building, the main elevation as constructed look more like a residential building. This building will provide the kitchen and dining area for the main building.

POLICY CONSIDERATION

The proposed development is assessed against the LDCP Policies set out below:

- Intermediate Zone: Policies IZ1 (a, b, g and h)

The assessment of the proposed development against this policies no issues or concern and there are no other policies that would apply in this respect.

STAKEHOLDER CONSULTATION

The stakeholders consulted on the development application. Connect St Helena (Water and Sewage) has raised concern in respect of the addition capacity of sewage discharge from the proposed change of use. Whilst, their response is not an objection it is justification on the potential capacity of discharge from the proposed use, in comparison with the discharge at present. The issues raised are summerised below:

- consideration needs to be given to the fact that the current pubic sewerage system is at capacity and any extension or change of use which is likely to result

in more occupants at the property will place an additional burden upon the public sewer system which may not be sustainable and may result in additional issues within the public system, including potential discharges;

- if permission for planning is granted, there will be a need to take into consideration the current capacity issue until such time as capacity has been increased;
- if planning is granted it may be appropriate to consider imposing conditions on the planning application, such as, limiting the number of occupants that may reside at the premises and/or requiring the applicant to provide alternative ways to deal with waste water which does not rely upon a connection to the public system;
- current connection/customer is a sewage paying customer meaning they have a live sewage connection and they will not need to apply for a new connection; and
- LDCA may need to take into consideration the occupancy level of the proposed development.

OFFICER RESPONSE

As the proposed use is not as residential property, it will not have any occupant, so the issues raised in the response from Connect is not helpful. However given that this a large property and as the applicant has stated in the discussion on the proposal that property has been in multi occupation over the years, but there is no indication of the number occupants.

The other issues is that it is difficult to calculate the potential discharge from the proposed use given that the discharge will have peaks at certain time and that may in the evenings and week-ends. However given that this is a substantial building with a use connection and the proposed use, it may be appropriate to set a maximum capacity of patrons for the building.

NEIGHBOURHOOD REPRESENTATION

Two representations have been received in respect of the proposed development from a local neighbour and the Manager of the HRH Princess Royal Community Care Centre (CCC). The local neighbour has raised no concerns. The Manager of the Community Care Centre has raised major issues for the proposed development and these are summarised below:

- have already been two incidents when functions were held at these premises and on each occasion there were issues with visitor to this premises parked their car in the CCC car park without any regards to the users and visitors to Centre. Future use of the building as proposed could have problems for the CCC, although car parking is provided, it is not going to be sufficient.

- proposed use is likely to affect the amenity of the CCC due to noise disturbance with loud music at late hours, this will cause considerable disturbance and anxiety to venerable elderly residents in the CCC.
- experience of the two functions that have already been held at the premises and the problem caused by the car parking overspill on the CCC car parking would become an on-going concern whenever there is any function. Similarly the hours of operation and the associated noise would have considerable impact on the CCC.

OFFICER RESPONSE

The issues raised by the Manager of the Community Care Centre are relevant and important in the assessment of the proposed use in this location. Whilst the issue of car parking can be managed and controlled with condition requiring the applicant to ensure that patrons are reminded not to park in the CCC car park and to employ car park attendant when there big function organised. However, the issues of noise from the premises may be difficult to control and manage as such entertainment venues would be seeking to operate into late hours on Friday and Saturday evenings and other holidays. The emission of noise will no doubt cause disturbance for the elderly and vulnerable residents at CCC.

OFFICER ASSESSMENT

In principle the change of the use of these building as a drinking establishment and entertainment venue (Use Class A4) is acceptable in this building is of sufficient capacity for such a use as it is able to provide car parking for the users. The property is however close to number of residential properties and whilst they have not raised any objections to the proposed change of use, it will affect the amenity of these residents particular with noise emission. The impact of the proposed use on the residents of the HRH Princess Royal Community Care Centre is also difficult to assess and there is no doubt that noise would be an issue. Given the climate of the Island, such a use is not going to be indoors within a closed environment and it would include outdoor function, noise would be difficult to control.

In view of this and without any clear evidence to assess such a use, Members may be minded to grant a temporary permission to enable the planning officers to assess and monitor the potential impact of an entertainment use in this building. The Manger of the CCC had not previously contact the Planning Services on the two occasion when the unauthorised use of premises had taken place.