

Date of Meeting	21st April 2016
Application Number	16/00736/FUL
Site Address	The Coach House, High Street, Avebury, Wiltshire, SN8 1RF
Proposal	Proposed outdoor seating for use by the food outlet within the courtyard front and rear of the Coach House. Erection of screened refuse area within the coach house courtyard. Extend the opening hours of the food outlet to 7 days per week 11am - 5pm
Applicant	Mr Peter Sides
Parish Council	AVEBURY
Electoral Division	WEST SELKLEY – Councillor Jemima Milton
Grid Ref	410160 169956
Type of application	Full Planning
Case Officer	Jennifer Allen

Reason for the application being considered by Committee

This application has been brought before the Committee at the request of the Division Member, Councillor Milton if recommended for approval on the following grounds:

- Visual impact on the surrounding area
- Design – bulk, height, general appearance
- Environmental and highway impact
- Car parking
- It goes against the World Heritage Site action plan

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved

2. Report Summary

The main issues to consider are:

- Planning History
- Impact on setting of Listed building
- Impact on Conservation Area
- Impact on World Heritage Site
- Impact on visual amenity including Area of Outstanding Natural Beauty and design
- Impact on residential amenity including noise

- Impact on highways

3. Site Description

The site is located within the Avebury and Stonehenge World Heritage Site; within the Conservation Area of Avebury and within the North Wessex Downs Area of Outstanding Natural Beauty. The site is located within the built form of the village next to the Red Lion pub. It is occupied by a storey and a half building set towards the centre of the site with courtyards to the front and rear and a paddock with a small orchard to the rear. The front boundary is onto the High Street with a narrow pedestrian path and is formed by a wall and a couple of gates. Part of the existing building is used as public toilets for visitors to the village, whilst the other part of the building is used as a food outlet. High Street has double yellow lines along the road and there is a bus stop outside the Red Lion Pub.



Site Location

4. Planning History

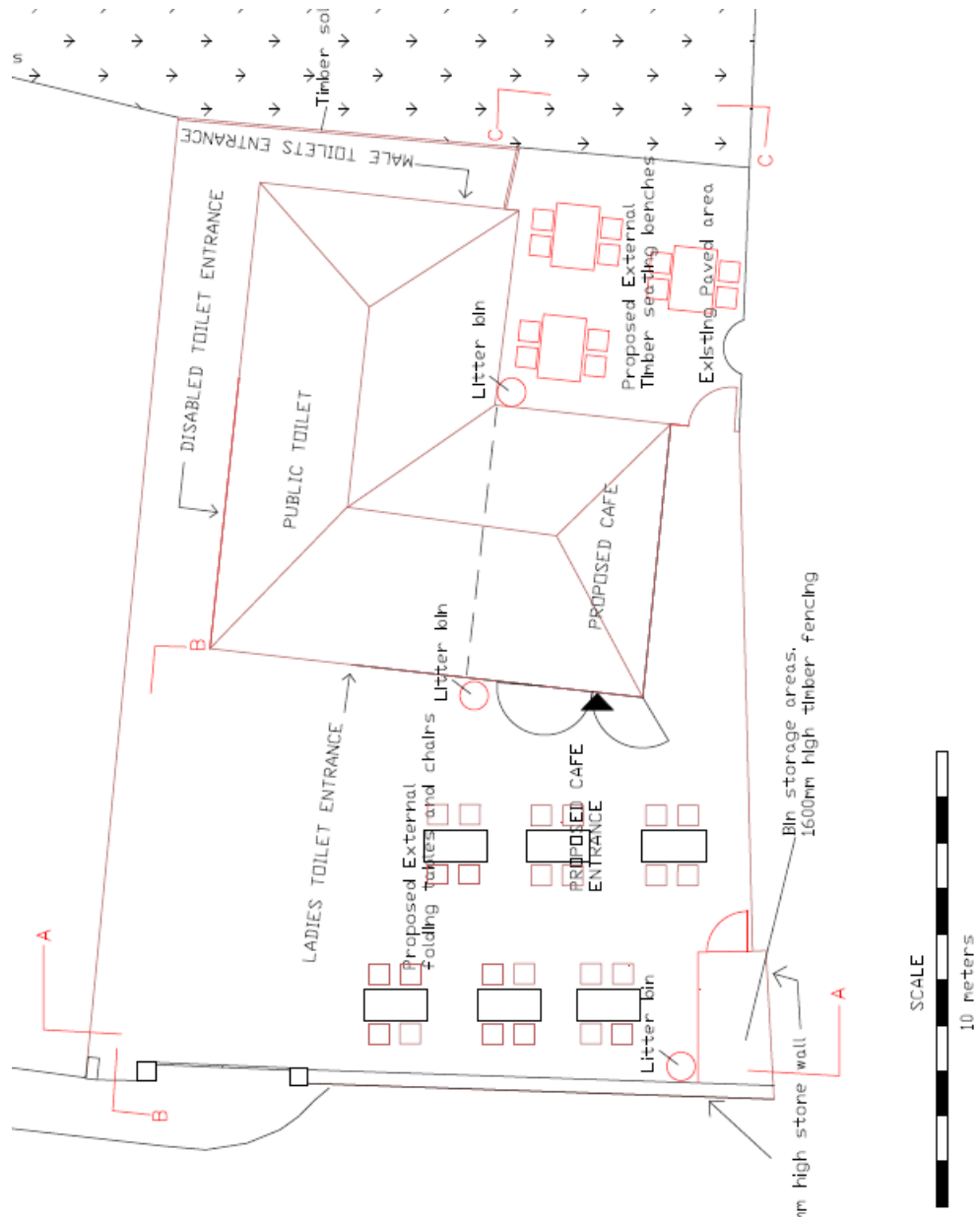
E/10/0837/FUL - Change of use of building to cafe/food outlet and food preparation area. - Approved with conditions - 11/08/2010

5. The Proposal

The change of use of the building to a café/food outlet was approved in 2010. There were no conditions limiting the opening days of the facility, which was shown on the application forms as operating throughout the year. However, it is understood that since its installation in 2011, the facility has only been used to cover the solstice events. The original proposal in 2010 envisaged a few tables/chairs to the front that would be removed when not in use. Opening hours on the original application were 10am (11am Nov-Jan) - 3:30 from November–March and 10am-5:30 pm April-October. The proposed opening hours under this application are

'approximately 11am-5 pm, with the opening period from March-October. Thus the only increase in hours is 90 minutes from 3:30pm – 5pm in March.

As the use of the building has already been established, the current proposal simply seeks to provide more permanent seating/table units and a screened refuse area. The outdoor seating would be picnic tables, 6 located to the front of the building and 3 to the rear. The screen around the small refuse area would be constructed from close boarded fencing with a gate to enter the bin store and would be no higher than the stone wall to the front. The application has been amended to remove the reference to fast food. The use will remain as a café with outdoor seating area.



6. Local Planning Policy

Wiltshire Core Strategy 2015

Relevant policies are CP57 Ensuring high quality design and place shaping; CP58 Ensuring the conservation of the historic environment; CP 59 the Stonehenge, Avebury and Associated Sites World Heritage Site and its Setting

From the point of view of the historic environment a primary consideration is the duty placed on the Council under Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 to pay special attention to the preservation or enhancement of the character or appearance of the surrounding Conservation Area and the duty under the Planning & Listed Buildings Act to have special regard to the desirability of preserving the setting of a listed building (The Red Lion public house is a listed building)

7. Summary of consultation responses

Avebury Parish Council

Object.

The Parish Council considered this application at its meeting on 1 March 2016.

The Parish Council is aware that the Coach House stands in a very sensitive position within Avebury Henge. The World Heritage Site Management Plan 2015 is a material planning consideration. Policy 1d states that 'Development which would impact adversely on the WHS, its setting and its attributes of OUV should not be permitted'. The applicant is a signatory to the Plan.

The Parish Council believes any development in this location should achieve world class standards in line with the ethos of an internationally important World Heritage Site. The Parish Council wishes to see the Coach House brought into a productive use that meets such standards, and believes that the applicant should engage in a process of local consultation to help produce a successful result.

The following issues are relevant:

1. The proposed development is an intensification of the use of the property.
2. The WHS Management Plan aims to avoid concentrating visitors in the centre of the Henge by dispersing them to other parts of the World Heritage Site. The proposal runs directly counter to this objective.
3. The fast food outlet would represent a significant increase in the commercialisation of the centre of Avebury, as evidenced in part by the proposed increase in staffing levels.

This commercialisation would impact on almost all visitors, residents and others in Avebury during its opening hours.

4. No evidence has been offered on increases in demand for fast food and drink in this location, or on the need for a fast food outlet at the Coach House. The outlet has rarely been open over the past five years which seems to indicate limited demand.

5. Litter significantly detracts from the Outstanding Universal Value of the WHS, and from the amenity enjoyed by visitors and local people. The Design and Access Statement says that food will be served in take-away containers with non-reusable crockery. Such take-away containers and crockery will inevitably become a source of litter and are likely to become a major problem, especially in busy periods. The applicant makes no provision outside the outlet for litter collection of discarded take-away fast food containers. Such litter will be time consuming and expensive to collect, or not collected at all. Recommendations by Wiltshire Council's Waste Management Services address the collection of waste from the Coach House, but do not address the need for street cleaning and daily collection of litter.

6. The provision of take-away containers and non-reusable crockery represents poor sustainability practice. Even if some environmental savings may be made in avoiding some dish-washing processes, a 'throw away' image detracts from world class standards in the centre of a World Heritage Site. The Parish Council is not aware of take-away fast food outlets in the centre of other World Heritage Sites internationally.

7. The outlet will attract passing trade from motorists. Additional parking and congestion will be caused in this central location in the village, and the grass triangle opposite the Coach House is likely to be further damaged and its geometry compromised.

8. The proposal may take trade away from local voluntary initiatives, such as 'Teas for Tourists', to the detriment of community causes and organisations.

9. Take-away hot fast food would require Class A5 permission, whereas the application appears to be for Class A3 use as a cafe. If take-away hot fast food will be provided then the current application for Class A3 use should be refused. Any later application for Class A5 use would be a very significant intensification of use and should also be refused.

10. Cooking odours and noise from ventilation systems will arise from the outlet.

11. The public lavatories beside the proposed fast food outlet are in a very poor state and are not included in the application. Any application should provide for them to be upgraded.

12. It is not clear if opening times are limited from March to October (Design and Access statement), or all year round (Section 20 of application form).

13. It is not clear whether the outlet will be open six or seven days a week (see sections three and 20 of the application, or the Design and Access Statement).

Given the sensitiveness of the location and the unknown consequences of the proposal, the Parish Council OBJECTS to the proposal on the above grounds.

The Parish Council has requested Cllr Jemima Milton to call in the application.

The Parish Council believes that the Coach House should be brought into productive use and would be pleased to help develop a proposal that was in keeping with this important site.

If any consent is given, the Parish Council urges that it is limited to a 12 month experimental period and that a review is then held by all interested parties.

World Heritage officer

No major concerns about impacts on the World Heritage Site (WHS) and its attributes of OUV related to this proposal for additional seating as the area is concealed from view.

Wiltshire Council Conservation Officer

The proposal is not considered to have a significant impact on the character and appearance of the conservation area and I have no particular comments to make on the application from a Conservation point of view.

Heritage England

No comment. The application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Wiltshire Council Environment and amenity services

No comment

Wiltshire Council Public Protection

No environmental grounds to object to the proposal. May be prudent to condition opening hours. Only other comment is that customers using the outside seating area to the rear, will inevitably notice some odour and noise impact from the extraction system that serves the Red Lion, but any impact would not be significant enough to raise an objection.

8. Publicity

The application was advertised by site notice/press notice /neighbour notification with an expiry date of 10 March 2016.

Summary of points raised:

The Avebury Society object to the proposal.

12 letters of objection received. Comments relate to:

- No need for the additional outlet
- Existing toilets in poor condition
- No consultation or impact study done on impact on the community
- Traffic congestion
- Increased pedestrian footfall
- World Heritage Site Plan proposal goes against what was agreed
- Seating in view of the henge opposite is contrary to 10Core Policy 58 and 59
- Rear courtyard and garden could sit 20-30 people
- Opening up the rear would create a thoroughfare from the front of the coach house to the rear
- Views from the henge of the areas for seating
- Historic assessment is inadequate to address the significance of the World Heritage site

- Operating a café at the centre of the largest stone circle would detract from the character, appearance, setting and OUV and its designation as a WHS
- Fails to comply with policy TR6 of the Kennet Local Plan
- Licensing application is of concern as the sell of alcohol could be permissible
- A food outlet as proposed would have a negative impact on the outstanding universal value of the site
- The refuse area, the longer opening hours and outdoor seating will increase noise levels, smells and litter in the environs
- Does not protect nor enhance the quality of the historic environment
- Courtyards unhygienic
- Objection to original application in 2010
- Use of the site at present
- Concerns over the increased opening times
- Further signage indicating toilets and café would further detract from the site
- No issue with the forecourt tables only those to the rear
- Rat infestation
- Litter
- Toilets in poor state
- Position of A board
- Neon sign currently
- Smell
- Noise nuisance

9. Planning Considerations

9.1 Planning History & the Nature of the Proposal

As set out above, the use of the café has already been established with the planning permission granted in 2010. The only changes being sought in this permission are the erection of the screen fence within the courtyard; the use of the more permanent tables and a minor extension of opening hours in March only, from 3:30pm-5pm (opening hours in April-October already being longer in the existing permission than those now requested).

9.2 Impact on Character and appearance of the area & Heritage Assets.

The site is located within the World Heritage Site and the Avebury Conservation Area. The Red Lion pubic house, a listed building, is adjacent. However, the courtyard area to the front of the building is effectively screened by the boundary wall that runs adjacent to the High Street and would largely screen any tables from view from the opposite side of the road. Similarly, the existence of such seating and tables alongside the rendered wall of the Red Lion Inn would have no adverse impact on its setting. As the use of the site for the café facility has already been established, there will be no change in the character of the area. There are no tenable reasons for opposing the application on the grounds of the impact on heritage assets or the character and appearance of the area.

9.3 Residential Amenity

The proposed changes will have no significant impact on the amenity of nearby residential properties compared to what has already been approved. The use already has planning permission and the addition of 90 minutes in opening hours from 3:30pm to 5pm in March will have little additional impact.

The seating to the rear would be positioned within the courtyard which sits within the side wall of the Red Lion and the side wall of the café and toilets. The proposal does not propose tables within the grass paddock to the rear of the building. To ensure that no tables are located in this area a condition needs to be imposed to preserve the residential amenity.

Concerns have been raised regarding litter but the proposal includes a new bin store and bins within the site. This will help address these concerns. Being a café use it is unreasonable to restrict the food items to be consumed within the site.

9.4 Highways

The site is located on the High Street with double yellow lines outside the front. Tourists are encouraged to park in the designated parking areas. Again, as noted above, as the use has already been approved, the changes proposed will have no demonstrable impact on highway matters.

10. Conclusion

It is considered that the limited changes proposed in this application will not harm the historic character or appearance of the area or the amenities of local residents.

The proposal complies with planning policy and planning permission should be granted subject to conditions.

RECOMMENDATION

To Grant planning permission subject to the following conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

- 2 The development hereby permitted shall be carried out in accordance with the application form and the following approved plans and documents:

Design and access statement, statement of operation, PA1-205-2 Rev A "Proposed cafe outlet external seating elevations" received on 3 March 2016

PA1-205-1 Rev C "Proposed cafe outlet external seating" received on 14 March 2016

REASON: For the avoidance of doubt and in the interests of proper planning.

The opening hours shall be no earlier than 10 am in the morning and the sale of food from the premises shall end no later than 5pm in the evening.

REASON:

To protect the amenity of nearby residents.

- 4 The seating hereby approved shall only be located in the areas indicated on the approved plan PA1-205-1 Rev B and not within the grassed area and orchard to the rear.

REASON: To preserve the amenities of the surrounding neighbours.