

Report to Planning Applications Committee

Item

10 March 2022

Report of Head of planning and regulatory services

Subject Application nos 21/01573/F and 21/01574/L – The Dog House, 18 St Georges Street, NR3 1BA

Reason for referral Objections

4b

Ward	Mancroft
Case officer	Sarah Hinchcliffe - sarahhinchcliffe@norwich.gov.uk
Applicant	Punch Pubs

Development proposal		
Single storey rear extension. New lighting, cabling and seating in the outside area.		
Representations		
Object	Comment	Support
5	0	0
2 nd round of consultation (removal of outside TV, clarification of materials and extract equipment)		
Object	Comment	Support
1	0	0

Main issues	Key considerations
1. Principle of development	
2. Heritage and Design	Impact upon the conservation area, nearby listed buildings and archaeology
3. Amenity	Impact upon existing neighbours taking into consideration noise and odour.
Expiry date	17 March 2022 (extended from 3 January 2022)
Recommendation	Approve 21/01573/F and 21/01574/L



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Planning Application No 21/01573/F & 21/01574/L

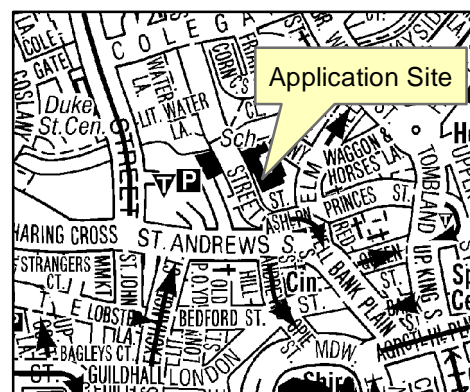
Site Address The Dog House
18 St Georges Street

Scale 1:500



NORWICH
City Council

PLANNING SERVICES



The site and surroundings

1. The site is a Grade II listed public house located on the west side of St Georges Street within the City Centre Conservation Area, and with various other listed buildings in the vicinity.
2. The building is three storey with later two and single storey extensions to the rear. The main part of the building is a mix of render, brick and flintwork all painted in a dark cream colour. The more modern extensions to the rear are of a red brick and red clay pantile construction.
3. There is an existing outside space/ beer garden to the north of the building, located behind metal railings but visible from the road. At the time of officer site visit takeaway food provision was operating from the outside space to the north of the building within gazebo/tents with associated signage, which has since been replaced by a large truck with catering facilities inside. The takeaway food provision is understood to have been operating from the site since the summer of 2021.
4. Directly to the north is a four storey block of residential apartments. To the east is St Andrews Hall. Adjoining to the south is a café/coffee shop and to the west beyond the rear perimeter fence is access, servicing and a parking area for surrounding residential and commercial properties.

Constraints

5. Grade II Listed building, list description for the building is as follows:
“Formerly 2 houses, now public house. Early C17 with C18 and C20 alterations. Flint-rubble ground floor, rear and side walls. Rendered with pseudo timber framing. Pantile roofs. 2 storeys to the left, Jettied at first floor. 3 storeys to the right. 3 first-floor windows. Plain central door and corner pub-front on right side with corner door. Casement windows throughout. Dormer gable and gable-end with raised eaves level between.”
6. City Centre Conservation Area – Elm Hill and Maddermarket Character Area, adjacent to Northern Riverside Character Area – Policy DM9
7. City centre leisure area – Policies DM18, DM23
8. Area of Main Archaeological Interest – Policy DM9

Relevant planning history

9. The records held by the city council show the following planning history for the site.

Ref	Proposal	Decision	Date
4/2001/0596	Installation of 6 uplighters on building.	LBC	07/09/2001
4/1996/0338	Retrospective application for the erection of an external fire escape	APPR	30/09/1996
4/1996/0339	Retrospective application for the erection of an external fire escape	APPR	30/09/1996

Ref	Proposal	Decision	Date
04/01074/L	Alterations to internal layout, including installation of new staircases and insertion of new external door, new signage and external paving & railings.	REF	29/03/2005
04/01096/F	Installation of new door to side elevation & new paving & railing to outside area.	REF	29/03/2005
05/00702/L	Formation of new external door opening and internal alterations including installation of new staircase and strengthening of first floor.	APPCON	30/08/2005
05/00749/F	Installation of new door to side elevation.	APPCON	15/09/2005
06/00670/F	Internal alterations and erection of rear extension.	WITHDN	19/09/2006
06/00671/L	Demolition of part external wall, internal alterations and erection of rear extension.	APPR	12/10/2006
06/00924/F	Erection of rear single-storey extension and courtyard seating area with refuse storage enclosure and parking space.	APPR	24/10/2006
07/00760/F	Erection of rear extension and courtyard seating area with refuse storage enclosure	APPR	09/01/2008
07/00761/L	Erection of rear extension and courtyard seating area with refuse storage and internal alterations.	APPR	09/01/2008
08/00591/F	Retrospective application for erection of lean-to extension to rear of property, external AC units to be fitted on rear wall, porch to be built on side of premises and addition of railings and gate.	APPR	05/08/2008
08/00592/L	Retrospective application for erection of lean-to extension to rear of property, external AC units to be fixed on rear wall, erection of porch to side of property and erection of railings and gate.	APPR	07/08/2008
20/00230/F	Fixed seating booths to external terrace area.	APPR	20/08/2020
20/00231/L	Refurbishment including internal alterations and fixed seating to external terrace.	APPR	20/08/2020
20/00286/A	Display of: 1no. externally illuminated hanging sign; 1no. non-illuminated sign painted on fascia.	APPR	20/08/2020
20/00290/L	Installation of external signs, associated lighting and re-painting of the exterior.	APPR	20/08/2020

The proposal

- The proposal is to add a single storey extension to the rear of the public house to create a new catering kitchen. The small existing kitchen area will operate as a

glass washing area. The extension will be of red brick construction with a perimeter mono-pitch clay pantiled roof surrounding a small area of flat roof. Associated plant and extract equipment will be positioned on the flat roof of the extension.

11. Externally, an area of fixed seating is proposed along the rear boundary fence and 2.45 metre-high timber posts are proposed towards the northern site boundary to support decorative external lighting.
12. The applications have been revised since first submission following advice from the case officer and conservation officer. The main revisions include:
 - Removal of the external TV and TV housing,
 - Provision of timber supports for the external lighting instead of proposals to fix lighting to the wall of the adjacent apartment building,
 - Removal of the proposed bonded resin finish from the external surfacing, instead retention of the existing paving in this area,
 - Provision of details for the arrangement of flues, vents and extracts associated with the use of the proposed extension as a catering kitchen'
 - Clarification that the kitchen extension will prevent the need for any external 'pop-up' catering facilities.

Summary information

Proposal	Key facts
Scale	
Total floorspace	20 square metres (internally)
No. of storeys	One
Max. dimensions	4.1 m deep x 6.5 m wide. 2.4 metres to eaves, 4.1 metres to ridge
Appearance	
Materials	<ul style="list-style-type: none"> • Red brick walls. • Clay pantile perimeter mono-pitch roof with flat roof behind. • Black painted timber soffit and fascia boards • Black cast iron half round guttering and black cast iron down pipes. • 4 x 150mm square, 2.45 metre high timber posts to support external decorative lighting.
Operation	
Ancillary plant and equipment	Extract equipment with carbon filter, fan and flue exhaust located on the new area of flat roof which sits behind the perimeter pitched roof.

Representations

13. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 5 letters of representation have been received citing the

issues as summarised in the table below. One further representation was received in relation to the amended plans from a person who had also commented on the initial plans.

Issues raised	Response
Use of the outside TV and seating will result in major night time noise disturbance to the adjacent 8 flats, causing detrimental harm to residential amenities.	See main issue 3 and use of planning condition to restrict times of use of external area. Note the outside TV has been removed from the proposals.
The development is totally out of keeping for a Conservation area, being opposite St Andrews Hall.	See main issue 2.
Lighting should not be fixed to the wall of the adjacent apartment building.	Lighting is now supported on posts independently from the adjacent building.
Pleased to see outside TV removed but concern about potential noise levels generated by people using outside seating area. Request restriction of use of outside area after 10.30pm.	See main issue 3 and use of planning condition to restrict times of use of external area.
Issues below relate to the pop-up food outlet operating from the external area	
The overall appearance is not in keeping with the Listed Building and Conservation area, directly opposite historic St Andrews Hall.	The operation of the 'pop up' takeaway food provision will be dealt with separate from these applications.
No permission for takeaway activities is in place.	The operation of the 'pop up' takeaway food provision will be dealt with separate from these applications.
People and vehicles waiting for burgers outside, together with tables and A boards create an obstruction to other users (including emergency services).	The operation of the 'pop up' takeaway food provision will be dealt with separate from these applications.
Smell and disturbance - currently smoke from burger cooking is a nuisance and should be addressed with measures put in place to solve this.	The operation of the 'pop up' takeaway food provision will be dealt with separate from these applications.

Consultation responses

14. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Design and conservation

15. Provided that we can agree minor details [by conditions], the works will result in an improvement to the facilities of the public house and restaurant. Whilst the rear extension has little public visibility within a courtyard to the rear of the building, it is important that the new extension is sensitive to the rear flint and brick walling and gable, an issue that can be controlled by materiality.

16. The installation of the outdoor television would have some harm on the setting of the listed building and could have some planning implications with regards to noise. Other alterations to the external area such as the fairy lights and seating do not require listed building consent.

Public protection

17. The applicant has provided information regarding the type of kitchen extraction fan to be installed. The noise level from this fan would be acceptable.
18. I note the additional information submitted by the applicant in regards to the odour management system. The proposed system (of baffles, pre-filters and carbon filters with a dwell time of 0.2 seconds) should sufficiently reduce odour levels and therefore avoid disturbance of surrounding land users, therefore this equipment is accepted. The odour management equipment should be maintained in accordance with the manufacturers guidance (this should be conditioned).

Norfolk historic environment service

19. 18 St Georges Street is an early 17th century building (Grade II listed) located adjacent to the medieval Dominican Friary within the historic core of the city of Norwich. As such, archaeological remains of Anglo-Saxon and later date are likely to be present and indeed artefacts of medieval and later date have been found during the construction of the office block to the rear in 1975. Consequently, there is potential that heritage assets with archaeological interest (buried archaeological remains) may be present at the site and that their significance will be affected by the proposed development. In addition, the proposed works may affect parts of the building which are worthy of recording.
20. If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework. Ministry of Housing, Communities and Local Government (2021). para. 205.

Assessment of planning considerations

Relevant development plan policies

21. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets
 - JCS2 Promoting good design
 - JCS5 The economy
 - JCS8 Culture, leisure and entertainment
 - JCS11 Norwich city centre
22. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
 - DM2 Ensuring satisfactory living and working conditions
 - DM3 Delivering high quality design
 - DM9 Safeguarding Norwich's heritage
 - DM11 Protecting against environmental hazards

- DM16 Supporting the needs of business
- DM18 Promoting and supporting centres
- DM22 Provision and enhancement of community facilities
- DM23 Supporting and managing the evening and late night economy

Other material considerations

23. Relevant sections of the National Planning Policy Framework July 2021 (NPPF):

- NPPF2 Achieving sustainable development
- NPPF4 Decision-making
- NPPF6 Building a strong, competitive economy
- NPPF7 Ensuring the vitality of town centres
- NPPF12 Achieving well-designed places
- NPPF16 Conserving and enhancing the historic environment

Case Assessment

24. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the council's standing duties, other policy documents and guidance detailed above, and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

Main issue 1: Principle of development

25. Key policies and NPPF paragraphs – JCS5, DM16, DM18, DM22, DM23, NPPF Section 6, 7, 12, 16.
26. The operation of the public house is an existing and long-established use within the city centre leisure area. Similarly, the use of the external space in association with the public house has been accepted through previous planning applications. The principle of works associated with the use of the site as a public house is therefore acceptable. The matters to consider in this case are design, heritage and amenity.

Main issue 2: Heritage and Design

27. Key policies and NPPF paragraphs – JCS2, DM1, DM3, DM9, NPPF Section 12, Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
28. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 place a statutory duty on the local authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Case law (*specifically Barnwell Manor Wind Energy Ltd v East Northamptonshire DC* [2014]) has held that this means that considerable importance and weight must be given to the desirability of preserving the setting of listed buildings and conservation areas when carrying out the balancing exercise.

29. The proposed single storey extension is of a similar scale, appearance and materials as the existing rear additions to the building. Its location to the rear will be mainly out of public view and only partly visible above high boundary fencing. The extension will have very limited visibility in the immediate and wider setting of the public house and should have a neutral effect on the listed building.
30. The perimeter mono-pitch roof of the extension screens a small area of flat roof behind which the extract equipment and flues required for operation of the kitchen are mostly concealed from view.
31. Following advice from the conservation officer and subsequent amendments, the works proposed are considered to protect and enhance the significance of the listed building and the character and appearance of the surrounding conservation area. The extension will help to provide much improved kitchen facilities for the business and prevent the need for inappropriate external catering provision to be located outside of the building. Together with proposals to refresh the external space and provide supports for small scale 'fairy lighting' all will serve to improve the long-term viability of the public house, and in turn protect the heritage asset. The proposals comply with policies DM3 and DM9 of the Development Management Policies Local Plan 2014.

Main issue 3: Amenity

32. Key policies and NPPF paragraphs – DM2, DM11, NPPF Section 12.
33. Neighbouring residents have raised noise and disturbance and odour concerns relating to use of the external space to the north of the public house. The use of this area in association with the public house has already been established through previous applications. The initial inclusion of an external TV in this area has been removed from the proposals to remedy concerns that this would give rise to increased noise levels in this area. The small amount of fixed seating proposed together with strings of hanging lighting are not elements in themselves that will increase usage and any associated noise in this area.
34. A review of the planning history highlighted a condition of a previous planning application associated with the provision of seating within the courtyard area preventing use of this area by members of the public before 09:00 hours or after 23:00 hours. As these proposals include some modifications to the external courtyard area and given the concerns raised by residential neighbours in close proximity to this area it is considered appropriate to reimpose the condition restricting use of this area outside of specified times.
35. The extension to the building to provide a catering kitchen will help to provide facilities for preparation and cooking of food internal to the building with all necessary flues and extract equipment designed for this purpose. Public protection officers consider the equipment proposed and its operation should not give rise to noise or odour issues at neighbouring residential properties. The provision of a new kitchen within the building will therefore help to provide facilities on site to prepare and cook food without giving rise to noise or odour nuisance. It should also prevent any demand to accommodate such provision external to the building and remedy the associated odour and disturbance issues that have arisen as a result.

36. The revisions to the proposals will ensure that unacceptable impacts on residential amenity of neighbouring residents does not occur. The proposal is in accordance with Policies DM2 and DM11 of the Development Management Policies Local Plan 2014.

Other matters

37. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation: Archaeology.
38. Officers are aware of outstanding planning enforcement and food hygiene matters associated with this site and the operation of a 'pop up food outlet' and are acting upon these matters accordingly. The outcome of this planning application need not have a direct impact on those matters and may help to provide a longer term sustainable and more suitable solution for food provision at the site.

Equalities and diversity issues

39. There are no equality or diversity issues.

Local finance considerations

40. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority. In this case local finance considerations are not considered to be material to the case.

Conclusion

41. The application should be determined in accordance with the development plan unless material consideration indicate otherwise. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

Recommendation

To approve application no. 21/01573/F - The Dog House, 18 St Georges Street, NR3 1BA and grant planning permission subject to the following conditions:

1. Standard time limit
2. In accordance with plans
3. Archaeological investigation
4. The materials to be used in the construction of the roof and external walls of the development shall match in colour, form, texture, bond and mortar, those used in the adjacent extensions to the building.
5. Any damage and repair to be made good.

6. Preservation and protection of existing features to be agreed.
7. Odour management equipment shall be installed and maintained in accordance with approved details and manufacturers guidance.
8. The external courtyard shall not be used by members of the public before 09:00 hours or after 23:00 hours on any day.
9. There shall be no use of amplified sound within the courtyard without prior consent.

Article 35 (2) Statement

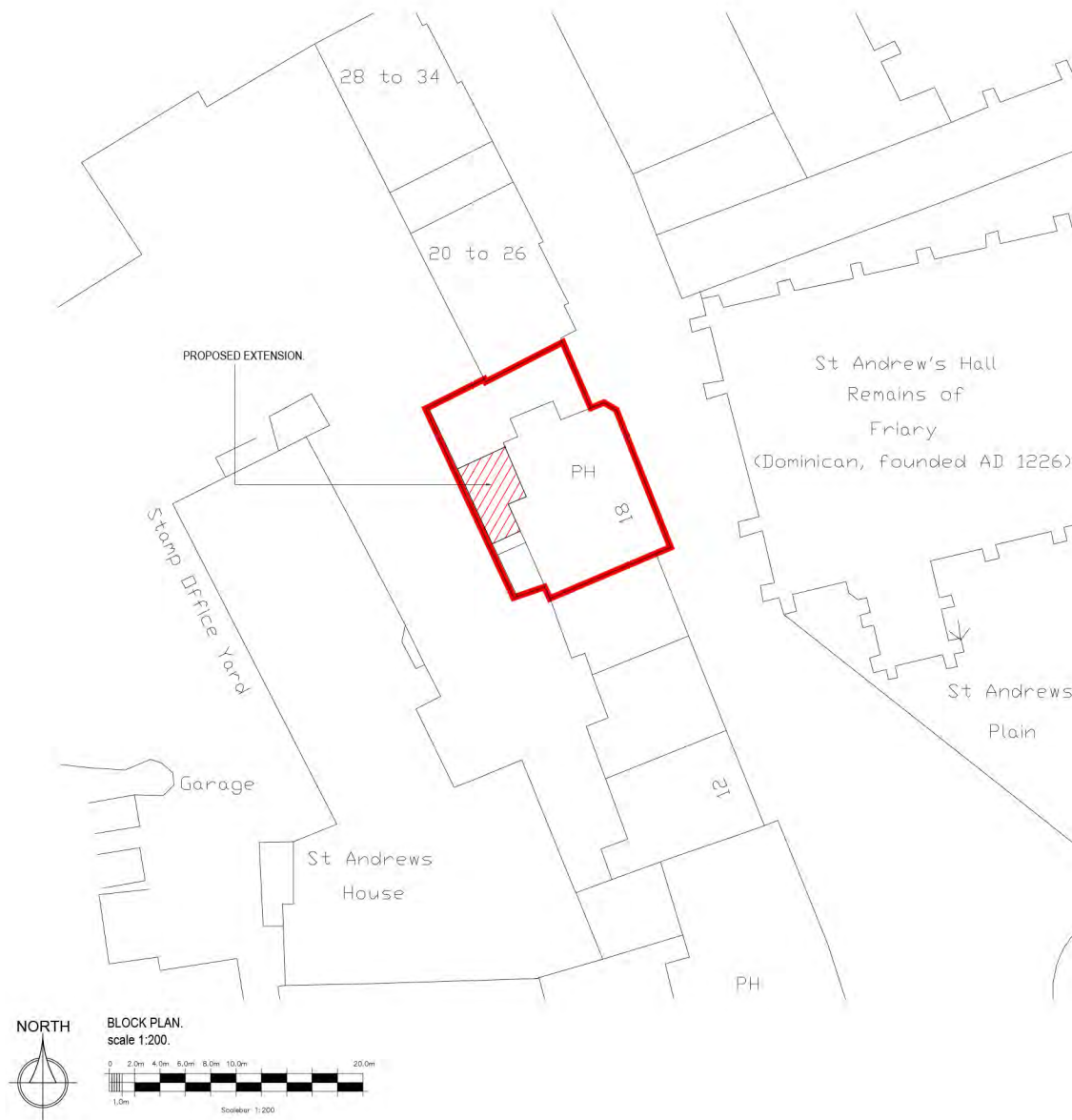
The local planning authority in making its decision has had due regard to paragraph 38 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and following negotiations to ensure an acceptable form of development has approved the application subject to appropriate conditions and for the reasons outlined within the officer's delegated report with the application.

To approve application no. 21/01574/L - The Dog House, 18 St Georges Street, NR3 1BA and grant listed building consent subject to the following conditions:

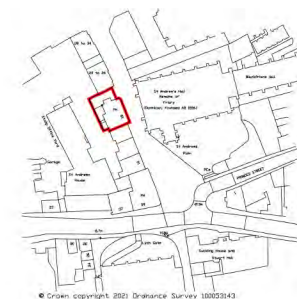
1. Standard time limit.
2. In accordance with plans.
3. Materials for roof and walls (including facing brickwork colour, texture, face bond and pointing) to match that of the adjacent extensions.
4. Any damage and repair to be made good.
5. Preservation and protection of existing features to be agreed.

Reason for Approval

The development is considered to be appropriate and in accordance with the objectives of the NPPF, policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011) and policies DM1, DM3 and DM9 of the adopted Development Management Policies Plan (December 2014).



BLOCK PLAN.
scale 1:200.



SITE LOCATION PLAN.
scale 1:1250.

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Revised:

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Job title: The Ladybrook Hotel, Fir Road, Bramhall, SK7 2NP	Drawing title: Site Location Plan & Block Plan PLANNING APPLICATION	Drawing Number: 930/P/05

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