

## Item 5 - Report on Planning Applications

**Application Ref: NP/16/0077/NMA**

<b>Case Officer</b>	Rob Scourfield		
<b>Applicant</b>	Mr Rossiter & Evans		
<b>Agent</b>	Mr D Morgan, David Morgan Architect		
<b>Proposal</b>	Replacement of original proposals for fire escape with new proposals incorporating a spiral stair set against the indent in pine end wall of existing building, painted to match the pine end & with new fire exit door in pine end at first floor level at top of stairs. Also 2 new windows in pine end at first & second floor levels to match the ground floor window approved in original application NP/15/0648		
<b>Site Location</b>	Hope & Anchor, St Julians Street, Tenby, Pembrokeshire, SA70 7AX		
<b>Grid Ref</b>	SN13620038		
<b>Date Valid</b>	11-Feb-2016	<b>Target Date</b>	09-Mar-2016

**Officer's Appraisal****Background**

This application is to be considered by the Development Management Committee, because the applicant is a member of the authority

The Hope and Anchor is a Grade II listed public house, located on the east side of St Julian's Street, within the Conservation Area. The three-storey building faces onto the street, with a beer garden to the north to the rear of which are single-storey C20 extensions.

The property was granted planning permission (NP/15/0648) for the 'demolition of existing modern rear kitchen and extensions, and replacement with new kitchen, toilets and staircase arrangement on ground and first floor'. This included the insertion of a sash window to the gable end (ground floor)

The proposal is for an amendment to that approved scheme.

**Relevant Planning History**

NP/09/0142 – Removal of existing decking and balustrading and replacement with heritage paving, rendered wall and railing enclosure. Planning permission approved 27/05/09.

NP/11/155 – Remove existing gravel and brick walling in beer garden and replace with heritage paving and rendered wall and railing enclosure. Planning permission approved 27/07/11.

NP/11/156 – Remove existing gravel and brick walling in beer garden and replace with heritage paving and rendered wall and railing enclosure. Listed building consent granted 15/08/11

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NP/11/0391 – Fixing of new mechanical vent extract unit to serve kitchen area. Planning permission approved 21/11/11

NP/11/0392 - Fixing of new mechanical vent extract unit to serve kitchen area. Listed building consent granted 21/11/11

NP/15/0647 - Internal alterations to listed building, demolition of existing modern rear kitchen and extensions, and replacement with new kitchen, toilets and staircase arrangement on ground and first floor. Listed building consent granted 05/01/16

NP/15/0648 - Demolition of existing modern rear kitchen and extensions, and replacement with new kitchen, toilets and staircase arrangement on ground and first floor. Planning permission granted 05/01/16. This included the insertion of a sash window to the gable end (ground floor).

### **Legislation**

Section 96A of the Town and Country Planning Act 1990 (TCPA 1990) came into force in Wales on 1 September 2014. The provision in this section of the Act provides the mechanism to approve non-material amendments to an existing planning permission via a simple application procedure to the local planning authority within a quick determination period.

### **What is a non-material amendment?**

There is no statutory definition of a 'non-material amendment'. This is because it depends on a number of factors such as the context of the overall scheme, the amendments being sought to the original planning permission, the specific circumstances of the site and surrounding areas, which will vary from one application to another. What may be non-material in one context may be material in another.

The responsibility for determining whether a proposed change is non-material lies with the local planning authority. It must be satisfied that the amendments sought to the planning permission are non-material in nature and can therefore be determined as an application under Section 96A of the TCPA 1990.

In deciding whether or not a proposed change is non-material, consideration should be given to the effect of the change, together with any previous changes made to the original planning permission. When assessing and determining whether or not a proposed change would qualify as a non-material amendment, Welsh Government Planning Guidance document (July 2014) advises that local planning authorities may wish to consider the following tests:

*a)(i) is the scale of the proposed change great enough to cause an impact different to that caused by the original approved development scheme; and,*

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*(a)(ii) would the proposed change result in a detrimental impact either visually or in terms of local amenity?*

*(b) would the interests of any third party or body be disadvantaged in planning terms; or,*

*(c) would the proposed conflict with national or development plan policies?*

### **Current Proposal**

The proposal seeks a non-material minor amendment to the approved scheme under NP/15/0648 for 'demolition of existing modern rear kitchen and extensions, and replacement with new kitchen, toilets and staircase arrangement on ground and first floor'

### **Consultee Response**

**Tenby Town Council:** Support

**Tenby Civic Society:** Desirable for fire escape to have Victorian detailing (other comments relating to NP/15/0648 in terms of glazed doors and exterior glazed partition not relevant to current application)

**Tenby Chamber of Trade and Tourism:** No response received at the time of this application

**PCC Transportation and Environment:** No response received at the time of this report

**PCC Public Protection:** No adverse comment

**PCC Building Control:** No comment received at the time of this report

**Natural Resources Wales:** No adverse comment

**Mid and West Wales Fire and Rescue Service:** No adverse comment subject to compliance with relevant building regulations

**Dyfed Powys Police:** No response received at the time of this report.

### **Public Response**

The application has been appropriately advertised, and no responses have been received at the time of this report.

### **Officer Assessment**

The previously approved scheme was considered to be in keeping with the character of the listed building, and its setting in terms of design and form.

The proposed changes comprise:-

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- The insertion of two sash windows to the north gable elevation at first and second floor levels. The windows are to be traditional timber painted sash windows of Late Georgian 12-paned design matching the existing.
- The construction of a fire escape metal spiral stair from ground to first floor level to the north gable elevation. The stair is to be of simple design, painted to match the public house. The protected fire corridor consented under NP/15/0648 was unworkable due to site constraints, leaving only the forecourt area available for the provision of fire escape. The proposed escape stair is to be set against the existing indent of the gable end, sited within the existing beer garden, away from the street frontage
- Insertion of a fire door at the head of the stair. Door to be of painted timber four-panelled with upper glazing

In terms of the response received from Tenby Civic Society, the design philosophy is to keep the fire stair as simply detailed as possible so as to lessen its visual impact.

Listed building consent is being sought under NP/16/0062.

### **Conclusion**

The amendments proposed are considered to be 'non-material' in nature in that they will not result in a significant form of change, nor will they have a detrimental impact on the character and appearance of the Conservation Area, or on the amenity of the surrounding residential properties. The interests of any third party or body will not be disadvantaged in planning terms and the proposal will have no material effect on the original scheme for which planning permission was granted. As such the changes proposed are acceptable in accordance with the Pembrokeshire Coast National Park Local Development Plan (Adopted September 2010) as required under Section 38(6) of the Planning and Compulsory Purchase Act 2004.

### **Recommendation**

Approve

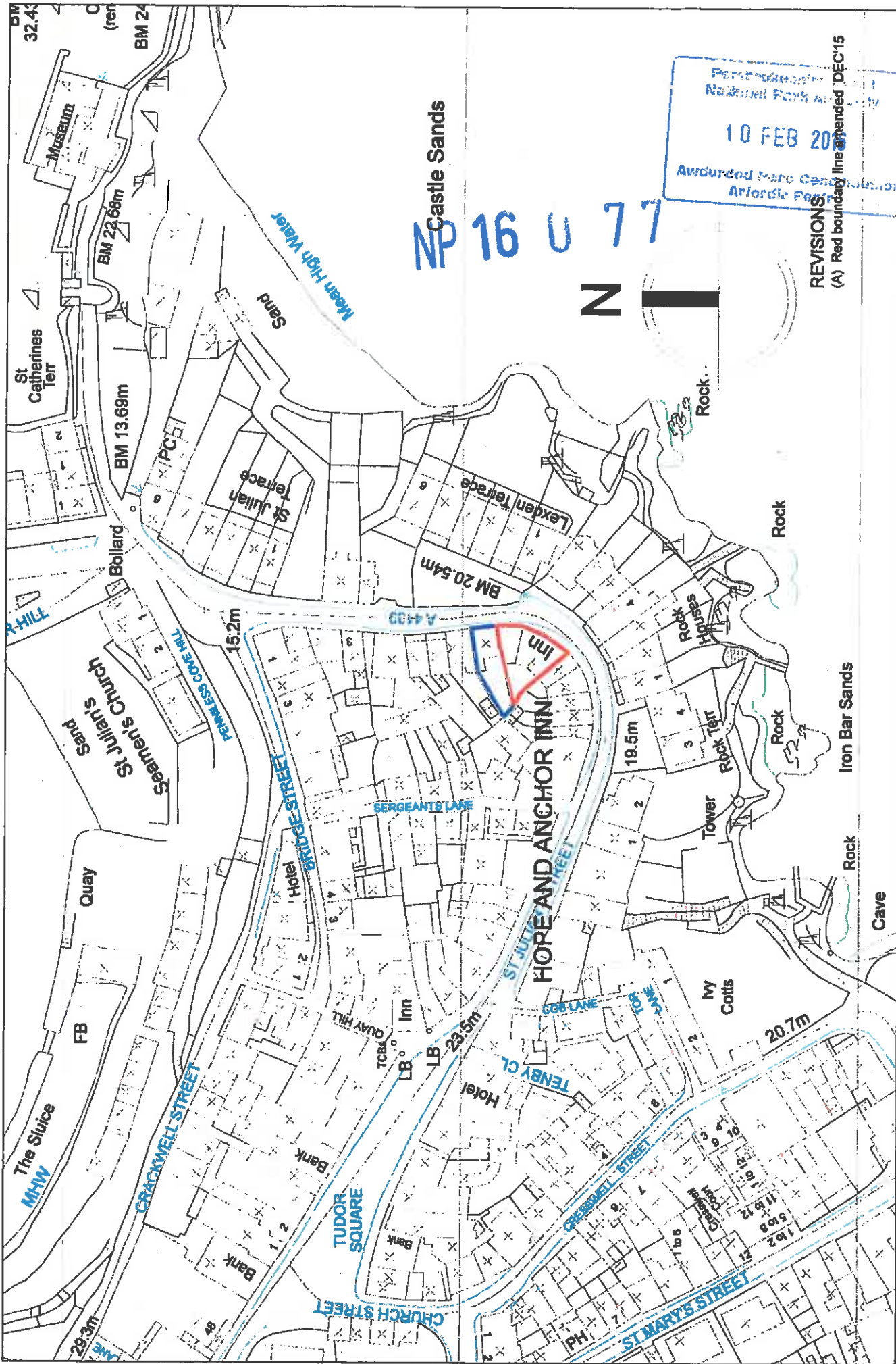
### **Additional Material**

#### **Decision Drawings**

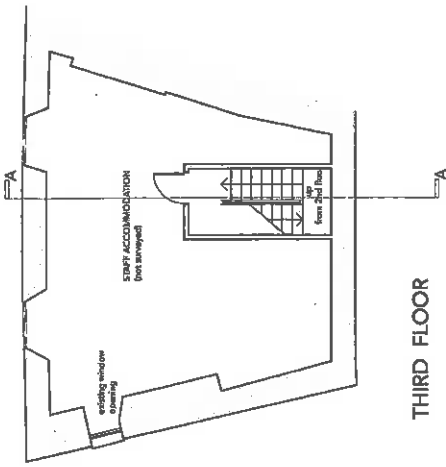
Site Plan

1412/PLNG/03(A)

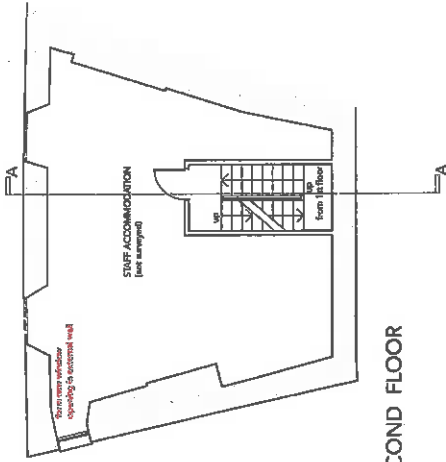
1412/PLNG/04(B) - dated 10/02/16



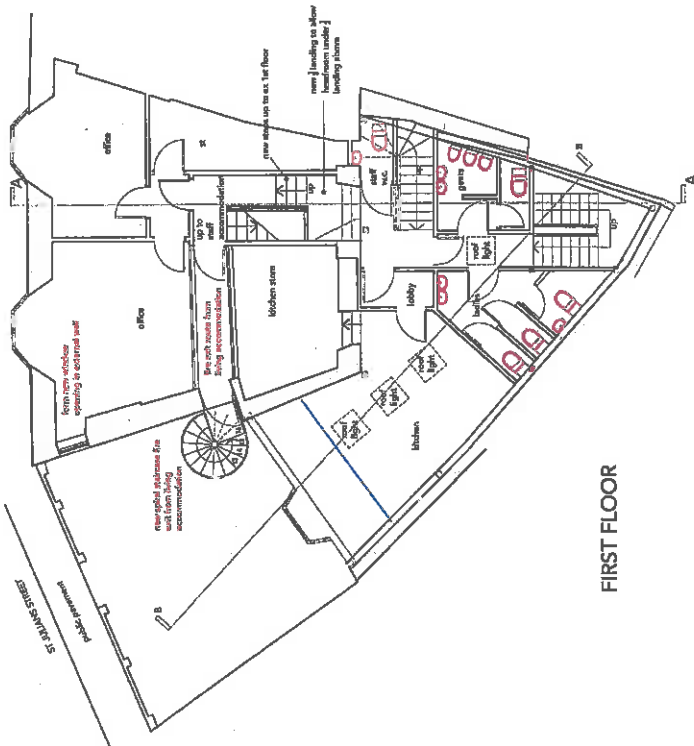
<b>LOCATION PLAN</b>	Proposed alterations to Hope and Anchor Inn St Julian's Street, Tenby.	date Nov 2015	prwg No 1412/LOC(B)	Copyright exists on this drawing. Drawing to be read in conjunction with Specification. Architect to be notified of any discrepancies between drawings and Specification. Planning Authority only. To scale from these drawings.	David J P Morgan BSc BArch RIBA Office 5, County Chambers, Warren St, TENBY, SA70 7JS Tel 01834 218271 email david@highseasgallery.com
		scale 1:1250@A4		REVISIONS (A) Red boundary line amended DEC'15	



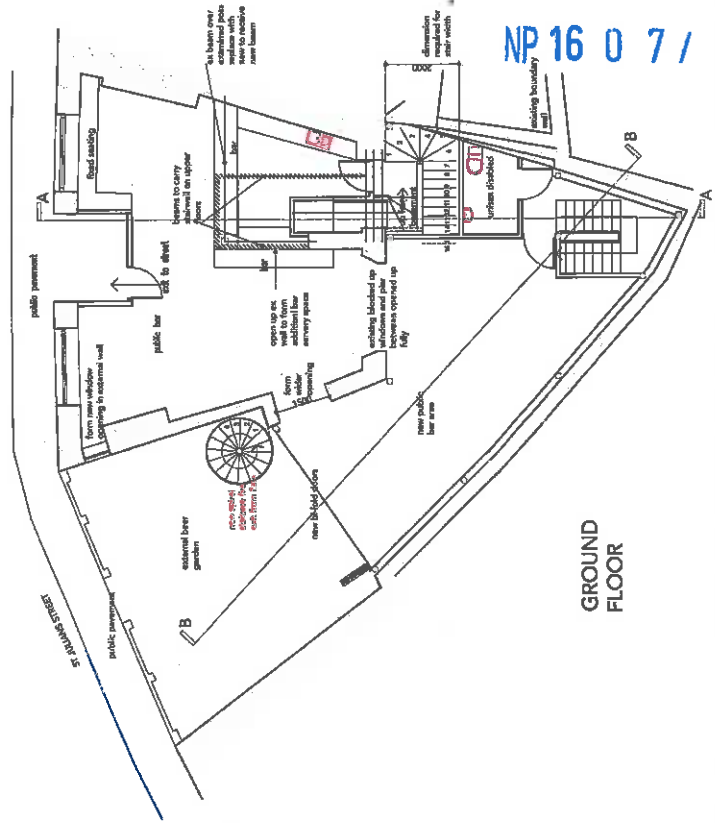
THIRD FLOOR



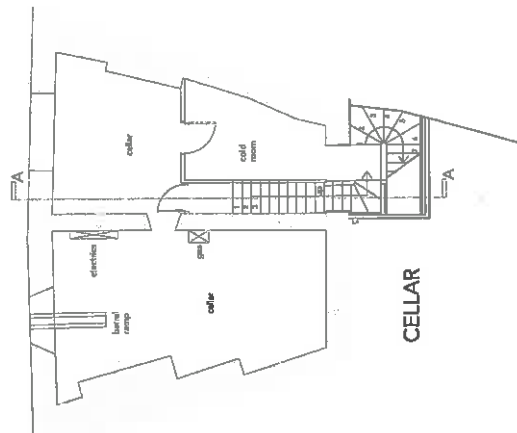
SECOND FLOOR



FIRST FLOOR



GROUND FLOOR



CELLAR



Members of the Coast  
Walkers Park's authority  
10 FEB 2016  
Approved Plans Committee  
Approved for

NP 16 0 7 /

REVISIONS

- (A) Alterations under non material amendment application (highlighted text in red) 2 Feb 2016

proposed plans

Hope and Anchor  
Alterations

date  
NOV2015  
scale  
1:100@A2

dwg No  
1412/PLNG/03(A)

Copyright exists on this drawing.  
Drawing to be read in conjunction with Specification  
Architect to be notified of any discrepancies between  
drawings and Specification.  
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