

Parish: Chichester	Ward: Chichester South
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CC/16/02950/LBC

Proposal Internal and external alterations to facilitate use as A3 restaurant / cafe including lightweight removable partitions for WC and kitchen areas, extraction equipment and associated vents on rear (east) elevation and roof.


Site The Corn Exchange Baffins Lane Chichester West Sussex PO19 1UD

Map Ref (E) 486308 (N) 104725

Applicant Mr Tom West (Seaward Properties Ltd)

RECOMMENDATION TO PERMIT



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1.0 Reason for Committee Referral

Red Card: Cllr Dignum - Exceptional level of public interest.

2.0 The Site and Surroundings

2.1 The application site comprises the ground floor of a three storey Grade II listed building at the corner of Baffins Lane and New Town Road, within the Chichester Conservation Area. The building is the former Corn Exchange and has a lawful use as B1 commercial office space, but is vacant at ground and first floor level. The second floor is occupied by a firm of architects.

2.2 The site is located within the Settlement Boundary, outside the designated Primary and Secondary retail frontages; the Grade II* Corn Exchange fronting East Street is located in the primary Retail Frontage and abuts the site to the north. To the west of the application site is a frontage of primarily office and retail uses. To the south of the application site are residential properties located in New Town. To the east of the application site are the rear of residential properties along St Johns Street.

3.0 The Proposal

3.1 The application seeks listed building consent for internal and external alterations to facilitate the use of the ground floor south suite as a restaurant / café (Class A3) (an area of 369 sq metres) to include the provision of roof and wall vents to the eastern elevation, and an internal flue terminating at roof level. Internal partitions would sub-divide the cooking and WC facilities and office on the eastern side of the building.

4.0 History

02/00857/LBC	PER	Fix dome type CCTV camera on ornamental bracket to corner of The Corn Exchange building at 8m above path level with metal conduits fixed to wall for control cables.
04/01944/ADV	PER	1 no. hanging sign approximately 700 x 400mm.
04/01946/LBC	PER	1 no. hanging sign approximately 700 x 400mm.
15/01366/ADV	PER	3 no. brass plaque fascia signs.
15/01367/LBC	REF	General refurbishment, internal alterations, removal of office partitioning, installation of a new lift, replacement of a rear door, proposed new glazed canopy over rear door and 3 no. brass plaque fascia signs.
15/01370/ADV	REF	4 no. hanging signs.
15/01371/LBC	PER	Insertion of four new doors and modification of the two existing

		doors to the west elevation and one new door into the east elevation, all at ground level. Internal alteration including the provision of ramps.
15/02763/ADV	PER	2 no. hanging signs.
15/02798/LBC	PER	Refurbishment, internal alterations, removal of office partitioning, installation of a new lift, 2 no. hanging signs and 3 no. brass plaque fascia signs.
15/03558/LBC	PER	Internal additions/alterations to the second floor.
15/04199/LBC	PER	Addition of 2 no. air conditioning fan units to the rear at ground floor level.

5.0 Constraints

Listed Building	Grade II
Conservation Area	Chichester City

6.0 Representations and Consultations

6.1 Chichester City Council

Objection:

1. The cafe would by virtue of its scale and associated level of activity, be severely detrimental to the amenities of local residents and the character of the Conservation Area.
2. The opening hours extend beyond those of existing commercial premises in this locality and introduce a level of noise and general disturbance from the movement of customers, staff, servicing and deliveries. The operation of extraction and air supply unit at normally quiet times and the resultant kitchen odours would adversely affect nearby residential properties.
3. Internal works and external changes to the east elevation of the building, including the introduction of a dormer vent in an unbroken roofline, to accommodate the proposed kitchen extraction equipment and air supply grills, are considered to be severely harmful to the character and appearance of this Grade II Listed building.

6.2 CCAAC

- Wrong place for such a large restaurant - a relatively quiet residential area where the increased noise and smells from such an establishment would prove a nuisance to the many local residents who would be affected.
- Waste produced by such large premises would also increase traffic movements associated with waste bins, almost certainly at unsociable hours.

- Also, another easting establishment just pushes the area closer to saturation point for the restaurant trade.
- The proposed dormer to house ventilation equipment mars the appearance of this elegant building and the whole scheme is detrimental to the nature of the Conservation Area.

6.3 CDC Historic Buildings Adviser

Support

The proposed 'dormer style' roof vent is modestly sized and has an industrial aesthetic; as such it is unlikely to cause harm to the significance of this listed building. The loss of fabric as a result of joist trimming should be kept to a minimum.

Further comments following additional information:

Support

The use of the building requires some compartmentalisation of the ground floor; this appears to have been done sensitively, confined to the rear where the southern stair tower already intrudes into the space and behind the line of the support columns. It would be preferable if one or two bays could be retained at full width, possibly through an open kitchen with low level partitions. On balance, it appears acceptable as proposed.

Ducting travels up the building on the outside of the service corridor. At ground and first floor levels, it is unlikely to interfere with any features and joist trimming should be kept to a minimum.

At second floor, path of the flue with respect trusses, should be clarified, which sit immediately south of the service corridor. These should not be disrupted and ducting will need to accommodate this. Please clarify.

Various options proposed in respect of the flue, owing to environmental health issues. This is unlikely to be of significant harm to significance, provided it is painted in a dark, matt colour and retains its industrial aesthetic. Public views are not wholly relevant to listed buildings. Sightlines around the building will mean there will be limited views of it and those available will be in the context of the service corridor between the buildings; thereby reducing its potential impact on the Conservation Area.

6.4 18 Third Party Objection, including East Pallant Residents Association

- No notices posted on the building
- Introduction of proposed use will be detrimental to the Conservation Area
- Restaurant use will involve regular commercial traffic
- Environmental impacts on the surrounding area would be considerable in terms of odours, noise, loud music etc
- Already several restaurants/cafes within 100m radius
- Extract from the Boston Tea Party website gives false impression of what we can expect
- Type of development disastrous for the residents of Newtown
- Noise from emptying refuse bins late at night and early in morning (as early as 03.45), people leaving restaurant late in the evening, urinating, vomiting and being noisy
- Longer hours will be sought in future

- Alcohol consumption cause for concern
- Building has architectural merit and should house businesses that do not interfere with the integrity of the building
- Workers will be from outside Chichester and transient, not local
- Adverse impact on smaller cafes/ restaurants and negative effect on area with large café and 150 covers
- Council should not succumb to commercial pressures and compromise the quality of life for local residents
- Stated hours will in practice generate at least another hour of noise from clearing up/cleaning
- Offices are ideal complement to Conservation Area by attracting highly skilled personnel who live close by
- Site better used as internet café because of proximity to internet hub
- Large restaurant will contribute to noise/litter along rear service lane
- Refuse change of use to protect individuality of City
- Resident parking is limited Mon-Sat; will exacerbate Sunday parking for residents
- Proposal would drastically alter balance of commercial and residential uses
- Music will be broadcast in restaurant, adding to noise.

6.5 Applicant/Agent's Supporting Information

The applicant has submitted a Heritage Statement in support of the Listed Building application.

7.0 Planning Policy

The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans. There is no adopted neighbourhood plan for Chichester City at this time.

7.2 The principal planning policies relevant to the consideration of this application are as follows:

Chichester Local Plan: Key Policies 2014-2029

Policy 1: Presumption in Favour of Sustainable Development

Policy 10: Chichester City Development Principles

Policy 47: Heritage

National Policy and Guidance

7.3 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 14 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking:

For decision-taking this means unless material considerations indicate otherwise:

- *Approving development proposals that accord with the development plan without delay; and*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in (the) Framework indicate development should be restricted.*

7.4 Consideration should also be given to paragraphs 17 (Core Planning Principles), and 12 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework (March 2012).

8.0 Planning Comments

Assessment

8.1 The main issue arising from this proposal is the impact on the Grade II Listed Building.

Impact on Historic and Architectural Significance of Heritage Asset

8.2 The application proposes internal and external works to the grade II listed building. Section 16(2) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires special regard to be given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In addition to the requirements of policy 10 of the Adopted Local Plan, to conserve the heritage of the City Centre, policy 47 is relevant and states permission will be granted where it can be demonstrated that the proposal conserves or enhances the special interest and setting of designated heritage assets, including listed buildings and buildings within Conservation Areas.

8.3 The Historic Buildings Adviser (HBA) has been consulted on the application and supports the proposal. The installation of internal partitions would be confined to the rear of the building, behind the line of the existing supporting columns, in a location where the southern stair tower intrudes into the space. Furthermore, the internal partitions would be light-weight studwork and, as such, reversible. The proposal would not therefore harm the open-plan form of the listed building.

8.4 The extraction equipment and associated flue would be housing internally, terminating at roof level. The flue would pass through upper floors of the building. The HBA has advised that the path of the flue should not disrupt features such as exposed timber ceiling trusses. The applicant confirms that that flue path will not disrupt the main open trusses on the second floor: the flue would exit the riser cupboard and enter the area that has been enclosed above the central stairwell. The flue would exit the roof between roof trusses and it is not proposed to cut or alter the main ceiling trusses. A condition is recommended to this effect.

8.5 Concern was raised throughout the public consultation period regarding the provision of the ventilation extraction terminal housed in an arched louvred roof vent in the eastern roofline and its impact upon the architectural interest of the building. Various proposals for the external flue terminal have been put forward by the applicant in response. The amended scheme proposes a circular flue and omits the arched louvred vent. The HBA is satisfied that the proposed flue is unlikely to be of significant harm to the significance and setting of

the listed building, provided it is painted in a dark, matt colour and retains an industrial aesthetic. Any views will be in the context of a service corridor between buildings on the eastern elevation, thereby reducing the potential impact on the public realm of the Conservation Area. No objection is raised by the HBA to the proposed air supply grill at ground floor level on the rear (east) elevation, as this would be discreet in size and scale in a muted terracotta colour to match facing brickwork.

8.6 The proposal would enable the re-use of part of a vacant listed building for wider public use. The proposal will lead to less than substantial harm to the significance of the asset and its effects can be mitigated by planning conditions. Subject to conditions to control the treatment, colour and finish of the external flue, to ensure no cutting or fixings to the main ceiling trusses and the position of the internal flue in relation to ceiling joists, the proposal will preserve the special architectural and historic interest of the listed building and its setting and comply with policies 10 and 47 of the Local Plan and paragraphs 131, 132 and 134 of the NPPF.

Significant Conditions

8.7 Conditions are recommended in relation to the colour and finish of the flue; ensure no cutting of fixings to the main ceiling trusses; and path of the flue in relation to ceiling trusses.

Conclusion

8.8 In summary, the proposed alterations to the listed building to facilitate a change of use would enable the ground floor of a Grade II listed building, which has been vacant for a period of 2 years, to be brought back into use with a scheme that minimises loss of historic fabric. The proposal is therefore in accordance with Section 12 of the National Planning Policy Framework (March 2012) and policies 1 and 47 of the Adopted Chichester Local Plan: Key Policies 2014-2029.

8.9 Based on the above assessment it is considered the proposal complies with development plan policies and therefore the application is recommended for approval.

RECOMMENDATION

PERMIT subject to the following conditions and informatives:-

1) The works for which Listed Building Consent is hereby granted must be begun not later than the expiration of three years beginning with the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) The works hereby permitted shall not be carried out other than in accordance with the approved plans: PL10-A, PL23-G, B23-FD21-A, B23-FD60-G and B23-FD70-H.

Reason: To ensure the works comply with the listed building consent.

3) Notwithstanding the details hereby permitted details of the colour and finish of the extract flue terminating at roof level, shall be submitted to and approved in writing by the Local Planning Authority prior to the works to the extract flue commencing. The flue shall be implemented in accordance with the agreed details and maintained as such thereafter in that colour and finish.

Reason: To protect the special architectural and historic interest of the Grade II listed building.

4) Details of the path of the flue shall be submitted to and approved in writing prior to the first occupation of the use hereby permitted, and notwithstanding the details hereby approved, there shall be no cutting, alteration or fixings to the structural ceiling truss beams at second floor level and minimal cutting of internal ceiling joists, unless otherwise first agreed in writing.

Reason: To protect the special architectural and historic interest of the Grade II listed building.

5) Upon the carrying out of the work for which Listed Building Consent is hereby granted any damage caused to the fabric of the building shall be made good.

Reason: To preserve the special character of the building for the future.

INFORMATIVES

1) The Local Planning Authority, bearing in mind S16(2) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990, has had special regard to the desirability of preserving the building (including its setting and/or any special features) and has concluded that a grant of consent (subject to the above conditions, if any) would:

1. Preserve the character of the building.
2. Affect the character of the building but only in a way which is considered to be acceptable bearing in mind the need to provide accommodation appropriate to the use of the building.

For further information on this application please contact Katherine Rawlins on 01243 534542.