

MC/17/0193

Date Received: 18 January, 2017

Location: The Royal Oak, 53 Cooling Road, Strood, Rochester, ME2 4RP

Proposal: Listed building consent for restoration of existing building including demolition of wing extensions at ground floor level and single storey outbuildings and conversion to a 4-bedroomed dwelling and construction of a terrace of three 2-bedroomed dwellings with associated landscaping and parking

Applicant: Interesting Developments Ltd

Agent: Mr M Sahota Nicholas Taylor & Associates 31 Windmill Street
London W1T 2JN

Ward Strood Rural

Case Officer Majid Harouni

Contact Number 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 13 June 2017.

Recommendation – Listed building consent be granted subject to:

- A. A S106 agreement being entered into to secure:
- i) The development is to be dealt with in phases and occupation of the respective dwellings can only take place once the works on that phase have been completed in accordance with the planning permission and the works carried out in accordance with the schedules of works set out in the Heritage statement prepared by Asset Heritage Consulting dated December 2016 submitted with the listed building and planning applications received on 18/01/2017 and drawings received 15/20/32, 15/20/31 Rev B, and 15/20/30 Rev A in respect of the Royal Oak's conversion to a four bed dwelling house and erection of a terrace of 3 two bed dwelling houses to the satisfaction of the Council.
 - ii) Phase 1 must be completed before any occupation of the new terrace of 3 dwelling houses.
 - iii) The Phases are as follows:

Phase 1

Demolition of the ground floor extensions to the sides and rear of the Royal Oak building. Restoration of the internal and external aspects of the Royal Oak. Conversion of the Royal Oak to a 4 bedroom dwelling house (Drawing 15/20/32). No occupation of the Royal Oak as a dwelling house until such time that all the conversion, restoration and repair works have been completed.

Phase 2

Erection of a terrace of three 2 bedroom houses (drawings 15/20/30 Rev A and 15/20 31 Rev B) No occupation of terrace of 3 houses shall take place until such time as the works in Phase 1 have been completed.

- iv) The Second Schedule shall set out a full method statement for the repair and restoration for the Royal Oak.
- v) A management plan should be set out to ensure the long term maintenance and repair of the communal areas of the listed building comprising shared boundaries and car parking areas.

B. Impose 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 Section 91 of the Town and Country Planning Act 1990 (as amended).

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

15/20/01, 15/20/30 Rev A, 15/20/31 Rev B, 15/20/32 received 18/01/2017.

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

- 3 A written scheme of investigation shall be submitted to and approved in writing by the Local Planning Authority prior to any works of demolition. This shall include a full photographic survey and a photographic and sketch intervention record (record in situ) of all features that would be destroyed in the course of the works set in context. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason: In the interest of protection of the heritage asset and in compliance with policy and BNE17 of the local plan.

- 4 No work to the listed building shall take place including demolition, until relevant plans / sections to identify and locate faux timber beams on a

reflected ceiling plan or floor plan and those which are proposed for cutting to evaluate the loss of fabric including the extent of structural and decorative timber repairs have been submitted to and approved in writing by the Local Planning Authority. The submitted information should include a measured condition survey including drawings and a photographic record of the relevant features and extent of removal/replacement. The works shall thereafter be carried out in accordance with the approved details.

Reason: Required prior to commencement of development to ensure no irreversible detrimental harm to the heritage asset in accordance Policy BNE17 of the Medway Local Plan 2003.

- 5 No development shall take place until details / samples (available on site) of all new materials proposed for listed property have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any such approval given. This should include a sample panel of mortar and pointing of no more than 1m² or less than 0.5m² including Brick for the repairs where required. The development shall be carried out in accordance with the approved details.

Reason: In the interest of protection of the heritage asset and in compliance with policy and BNE17 of the local plan.

- 6 All new internal works and finishes and works of making good shall match existing original work adjacent in respect of traditional materials used, detailed execution and finished appearance, except where indicated otherwise.

Reason: In the interest of protection of the heritage asset and in compliance with policy and BNE17 of the local plan.

- 7 No work to the listed building shall take place until a Schedule of Condition of the existing windows/doors and precise details of works for their repair or replacement including the oculus window have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details.

Reason: Required prior to commencement of development to ensure no irreversible detrimental harm to the heritage asset in accordance Policy BNE17 of the Medway Local Plan 2003.

- 8 No work to the listed building shall take place until section detail drawings at a scale of 1:20 through the proposed New Terraced Façade identifying heads and cills of window openings including soffit details have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details.

Reason: Required prior to commencement of development to ensure no irreversible detrimental harm to the heritage asset in accordance Policy BNE17 of the Medway Local Plan 2003.

- 9 All leadwork to be in accordance with the Lead Development Association/Lead Sheet Association guidelines and BS EN 12588: 2006

Reason: To respect the character of the listed building.

- 10 No work to the listed building shall take place until a scheme of site supervision throughout the works (including name of conservation architect or other suitably qualified heritage professional) has been submitted to and approved in writing by the Local Planning Authority. The appointed Heritage Professional shall submit an implementation timetable including site visits to review and inspect each stage/phase of works.

Having regard to condition 4 of this listed building consent, the scheme works shall include:

- a) A detailed survey of the exterior and interior conditions of the building, including marked up/annotated photographs indicating implementation Method Statement(s) for the demolition works, the defective finishes, areas of work, this being all manner of fabric timber boarding, render, brickwork and internal finishes including, lathe and plaster, timber exposed brickwork and a Specification and Schedule of Works of the proposed repairs and restoration of the elevations of the building and internal works to each room including reinstating fireplaces where appropriate.
- a) The appointed Heritage Professional shall submit a timetable including site visits to review and inspect each stage/phase of works for approval in writing by the Local Planning Authority.

The works thereafter shall be carried out in accordance with the approved details.

Reason: Required prior to commencement of development to ensure no irreversible detrimental harm to the heritage asset in accordance Policy BNE17 of the Medway Local Plan 2003.

For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.

Proposal

The proposal comprises the erection of a terrace of three 2 bedroom two storey houses in the northern garden area and the conversion of the listed building to a 4 bedroom dwelling house. The internal and external works to allow the change of use to take place are:

The external works proposed include:

- The demolition and removal of the single storey modern extensions added to the sides and rear except for the lean to extension to the rear. Much of the side

and rear elevations are presently concealed from view but removal of these extensions will allow the historic elevations to be restored.

- Restoration of the external walls to reflect the original core part of the building.
- Removal of hard surfaced areas to the side and rear.
- Provision of close boarded fence and brick wall to delineate the dwellings of the private gardens and the car park.
- Provision for the associated landscaping and 7 on site car parking spaces.

The internal works proposed include:

- Removal of the inferior 20th century extensions noted as not of special architectural interest. This will allow the original proportion of the ground floor rooms to be restored.
- Removal of the UPVC windows and doors are to be replaced with traditionally designed timber windows and doors. The internal layout lends itself to residential conversion without major intervention.
- Remove false beams and incongruous modern plasterwork internally, wherever possible
- Restore historical features such as fireplaces and the distinctive oculus window on the front elevation.

Relevant Planning History

MC/16/1376	Demolition of existing public house and construction of a terrace of two 3-bedroomed and four 4-bedroomed houses with associated parking and landscaping Decision Withdrawn by Applicant Decided 25 May, 2016
86/870	Proposed single storey rear extension Decision Approval with Conditions Decided 13/10/1986
86/787	Proposed alterations to the side and rear of the premises of the premises comprising of new restaurant and toilet facilities Decision Approval with Conditions Decided 26/01/1987
81/502	Single storey rear extension Decision Approval with Conditions Decided 18/08/1981

Representations

These applications have been advertised on site and in the press and by individual neighbour notification to the owners and occupiers of neighbouring properties.

Total of **110 letters of objection** have been received, **25 in respect of the planning application and 85 in respect of the listed building application**, raising the

following:

- There will be greater demand for on street car parking in this already congested area particularly in the morning when parents bring their children to the nearby school.
- Adds to the congestion on the junction of Iden Road and Colling Road.
- Pubs car park has been used by parents taking their children to the nearby school. This will be lost.
- The listed building should be protected as a community hub as this is one of few social hubs in the area.
- This should be run as a community pub.
- There has been a pub on this corner for many years and this should be protected.
- Conversion of the building to a dwelling would damage its historic internal layout.
- Additional houses are not needed more houses are being built at the old Temple school.
- More houses in the garden of the pub will result in loss of green space.
- The proposal would result in over development of the site.
- The proposed terrace housing would be out of character with the area and they are too close to the pavement.
- The proposal would result in overshadowing and possibly overlooking of houses to the rear.
- The proposal is not sustainable and not in compliance with NPPF as it would result in loss of a social facility.

Save the Royal Oak Pub Frindsbury campaign group has made the following representation:

NPPF paragraph 70 requires planning authorities to ‘guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs; The Royal Oak is clearly a valued local facility as shown by the number of objections, its ACV status and the petition. The application wrongly suggests that because there are other facilities within Frindsbury the community is still able to meet its day to day needs. The question is not whether the community will still be able to meet its day to day needs. The wording of the NPPF is primary – this requires protection against the loss of valued facilities in all cases but ‘particularly’ where the application ‘would reduce’ the community’s ability to meet its day to day needs. The loss of the pub is clearly an unnecessary reduction in the community’s ability to meet its day to day needs which should be guarded against.

The application’s planning statement refers to the planning inspector’s decision in Mapplewells Inn, Sutton APP/W3005/W/15/3134656. This is not the most recent authority and can be distinguished on the facts of the cases and is therefore not applicable to the Royal Oak. In the instant case, unlike in the Mapplewells decision, the Royal Oak is a nationally important listed building. In addition the ACV has already been granted for the Royal Oak, The Royal Oak has teams which are not provided elsewhere. None of the other pubs cited in the application allow the community to enjoy the ambiance of the listed building of national importance. These factors create a greater difference between the Royal Oak and surrounding pubs than there was in the Mapplewells decision.

Numerous other planning inspectorate decisions like, Rose & Crown in Croydon; Dukes Head IP6, White Lion; Dog & Partridge, of which I have supplied transcripts, state that loss of use of a listed pub is in itself harmful.

The planning inspectorate decision in Dukes Head, High Street, Coddensham, Suffolk APP/W3520/W/16/3143123 closely mirrors the application for development of the Royal Oak. This was decided in July 2016 and upheld the rejection of an application for the conversion of a listed pub to a dwelling house so is a more recent, and appropriate, authority than the Mapplewells decision which was decided in February 2016.

In the Dukes Head decision, the Inspector considered paragraph 70 NPPF stating that that *'the Framework thus provides a high degree of support, albeit not absolute or unconditional, for the retention of public houses... Paragraph 70 of the Framework does not define the term "unnecessary loss". However, assessment of this clearly requires a structured assessment of relevant factors.'* He went on to hold that the council's planning guidance which had a 'structured approach of testing proposed changes of use of public houses against evidence of viability and other criteria seems to me fundamentally in accordance with the Framework'.

The Inspector went on to note that, as with the Royal Oak, the garden had been excluded when the pub was marketed, finding *'There is no obvious justification for its exclusion, and this would in my view have reduced the attractiveness of the Dukes Head to potential buyers.'* Similarly the owner of the Royal Oak has stated that he will only accept a price for the site which reflects its development value rather than its present pub use.

The Inspector in the Dukes Head went on to find: *'the appellant stated a view that offers should be accepted or rejected on the basis of residential value, and that recovery of its acquisition costs was also a relevant consideration. I do not concur. The planning purpose of marketing in the context of the proposal is to establish whether there is demand for and interest in the building as a public house, and there is no planning permission for a purely residential use. Assessment of offers for the Dukes Head should therefore have reflected its current public house use, its condition and that it is not a going concern. Taking into account also that no valuation evidence is before me, I am unconvinced that the appellant's rejection of the offers received to date has been reasonable and justified, and I conclude that the marketing conducted to date has been unacceptably deficient.'* The inspector concluded *'There is thus a realistic possibility that public house use of the Dukes Head would be successful and viable, and I conclude overall on this main issue that the proposal would result in the unacceptable loss of a valued community facility.'*

Turning to address the impact of the plans on the listed building the Inspector also went on to find that *'within the overall context of these assets, the proposal would lead to less than substantial harm to their significance. However, paragraph 134 of the Framework requires that such harm be weighed against the public benefits of the proposal and paragraph 132 requires that great weight be apportioned to the assets' conservation. Although the benefits I have identified would be public in nature, they would be minor and insufficient to outweigh my findings of harm. The proposal would*

therefore be contrary to the historic environment policies of the Framework.'

Frindsbury Extra Parish Council has objected and made the following representations.

As the listed building consent application (MC/17/0193) denotes, the Royal Oak is a Grade II listed building. It is also listed as an asset of community value (ACV). As such, the building and its curtilage have a degree of protection which should be paramount in the decision on any planning application. In addition, all features of a listed building are taken into account and just because there are 20th century extensions and additions to the 18th century main building does not mean that they are not equally protected. The Parish Council feels that the listed status must be upheld and that no demolition of any part of the pub should take place. The construction of the proposed terrace of 3 houses would necessitate the demolition of one of the additions to the original building.

As an asset of community value, it is understood that there is a group of individuals who wish to purchase the pub, preferably to reinstate its use as a public house or for alternative community use. Were this to be achieved, a successful pub/restaurant or other use would be of great benefit to the community in this area. There has been a great deal of development in the parish in the 21st century, the population having grown by 21% in the decade between 2001 and 2011. Since then there has been even more residential development, including in Cooling Road itself and within a short walk there is another development of 68 dwellings nearing completion. The new residents in the parish deserve the retention of community facilities, not their removal, with the addition of more residents living in the 4 dwellings the site would provide and no community use building in their immediate area for all residents to resort to.

There are also objections on highway grounds. Cooling Road already suffers much traffic at all times of day, with indiscriminate parking. Much of this is blamed on the proximity to Hilltop Primary School and the difficulty of dropping off children in Hilltop Road. In the present day when parents often drop children off on their way to work, it is inevitable that there is much traffic generated by parents. At one time before the pub closed, parents had permission to leave their cars in the pub car park while they walked their children the rest of the way. Since the pub closed this has not been possible. Conversion to housing would prevent this help with school parking forever.

Parking for the dwellings is shown as being in the existing pub car park, with one parking space for each of the three 2-bedroomed terraced properties and two for the 4-bedroomed converted pub. There are also two extra parking spaces. Although these might be the minimum parking standards, there is little space for any additional parking for the residents. Depending on the nature of the residents and where they work, there may be at least two cars per household. The site is in an area poorly served by public transport. It is noted that access from the parking area to two of the terrace houses goes behind the new garden for the converted pub, away from the road, but access for one of the houses is provided by using Cooling Road and walking round to the parking entrance in Iden Road. This may encourage on-street parking.

Cooling Road is also used as a "rat run" for people accessing the Medway City Estate either from the B2000 or even from the A289 Wainscott by-pass, in order to avoid the

severe traffic problems at all times of day at Four Elms roundabout.

It is stated that the pub is not viable. This has not been proven. It is understood that some time ago there were people who wished to buy the pub to keep it open as a pub, but their approaches were rejected. They were not given the opportunity even to try to make a success of it. Currently there is a group who would also like to buy it for benefit to the community. The pub should be preserved as such; unless or until such time as it may be shown the pub is unviable.

The Parish Council would draw the Local Planning Authority's attention to the objections of a large number of neighbours, local residents and others.

Local Member of Parliament, Kelly Tolhurst has objected to the proposals and made the following comments:

The Royal Oak has been part of the local community for over 300 years. It is an Asset of Community Value and a grade II listed building. The proposals do not make reference to how the historical features or its cultural significance will be preserved and this adds great risk to the building losing its distinguished character. Furthermore, if approved, the construction of houses would adversely affect the infrastructure along Cooling Road which is already a heavily congested build-up urban area. Members are urged to strongly consider the protected nature of the building and to recognise the great number of residential objection to this predacious and unwise proposal.

The applicant has submitted the following representation in Support of the application:

Social changes in people using public houses have seen many pubs close across the country. Whilst for many years the Royal Oaks operated as a public house in this part of Strood, a once profitable market has gradually declined, contributing to the closure of the pub in 2014 and its sale by September 2015.

There are a number of alternative pubs within radius of approximately 500 to 1000m to the south, north and east of the Royal Oak.

The Strood town centre and its numerous pubs and drinking establishments are roughly 1000m to the south east. Whilst these pubs are not in the immediate vicinity they are nevertheless within easy walking distance, it is considered therefore that there is appropriate alternative provision locally.

A viability assessment has been submitted with the application and this shows that the pub trade gradually declined and lack of sufficient return stopped investment in the pub and the building require extensive investment.

The applicant has submitted a Planning Statement and a Heritage Statement.

Market appraisal in support of this application states:

- The property was extensively marketed for 2.5 years, both as a leasehold and freehold.

- The Royal Oak is not and does not have the potential to become a viable trading public house.
- Changes such as availability of cheap beer and wine from supper-markets, retails in France together with drink and drive legislation, health concerns, smoking ban, decline in licensed wet sales have led to decline of pubs.
- Decline of wet sale has encouraged diversification to food offer. We do not consider the Royal Oak suitable to develop a dining trade due to its isolated position away from the town centre and major through routes.
- The catchment area is within half a mile radius of the Royal Oak and there is limited business custom to provide opportunity for food trade.
- Pub Business demands a main Road location, a site area of 0.5 to 1 acre and customer area of at least 300sqm. on green field, on the edge of towns or close to retail parks. The Royal Oak does not meet these requirements and therefore can not be considered suitable for destination trade.
- Over recent years polarisation of trade between high volume pubs in the town centres and high volume food on the edge of towns. This has increased price competition, which has made it increasingly difficult for pubs such as The Royal Oak in the back Street locations to compete.
- The property does not enjoy the prominence or accessibility that would be required to operate successfully in the destination led business.
- There are at least 20 pubs within a mile of the Royal Oak. In addition there are other licensed premises such as restaurants, cafes and clubs.
- The following 5 pubs are within 0.5 miles radius of the Royal Oak:
 - Ship Inn, Bill Street, Strood is 0.2 miles away.
 - Sans Pareil, 245 Frindsbury Hill is 0.2 miles away
 - The Bell Frindsbury Hill is 0.3 miles away
 - Basbar 14 Cliffe Road is 0.5 miles away
 - Weston Arms 121 Weston Road is 0.5 miles away.
- No proven trading history, adding to the risk of a start up business.
- Limited return availability to an operator. Potential net profit of £10K per year, assuming a 40 hours working week (we know that the majority of licences work much longer than 40 hours) represents income of £4.80 per hour, substantially lower than minimum wage.
 - There is a need for initial investment costs of around £100K to improve the property and renew the trade inventory.
 - There are a number of trading properties on the market both leasehold and freehold in the area that would appear to offer better opportunities.

The property was marketed. This involved in addition to the estate agent's board attached to the first floor of the building also mail were sent to over 180 potential applicants; only 7 viewing took place and none were interested to run the Royal Oak as a pub.

The following viewing took place:-

- Viewing 17/08/ 2016: Interested in running as a restaurant - did not come

forward with an offer.

- Enquiry from a Mr P. R – interested as a pub/restaurant – did not take it any further after viewing.
- Ms M. W viewed 24/08/2016 – interest operating as Indian restaurant - did not take it any further.
- Costa viewed 31/09/2016 – enquired about opening an Italian restaurant/ice cream desert parlour – decided wrong location for that business.
- Ms E. C viewed 15/09/2016 - interested in tea room – didn't take it any further.
- A well known Supermarket operator viewed 2/11/2016 – interested and made informal offer - would require substantial extensions, not proceeding for moment given new listed status and alterations required.
- Mr. H enquired in January 2017 - interested in a Joint Venture (JV) and profit share arrangement as a restaurant – vendor not agreeable to JV arrangement

Historic England has made the following comments:

The Royal Oak public house, Strood is a 17th century grade II listed building and has seen several phases of extension and alteration. However its original single pile, two bay configuration remains legible with the rear outshot extension, central stack and staircases contributing to our understanding of its intended circulation of space and room function. Its detailed listing description provides clear guidance as to which elements form part of the building's special interest.

The 2015 Direction, Circular Arrangements for Handling Heritage Applications, details the circumstance by which Historic England is consulted on matters related to historic assets. Our principal interest lies in determining if any proposed alteration, addition or demolition is likely to impact on the building's significance. In this case we don't think the proposed change of use would be harmful to the building's significance.

The elements proposed for demolition are later additions that encase the building's historic core and, as highlighted by the listing description, are not of special architectural or historic interest. As the current application does not propose to alter this historic core, we consider that the scheme in its current form would not be harmful to the building's significance.

We note that there is historic precedent for street fronting houses on Cooling Road. On this basis we think that the proposed new houses will respect the historic street line and the established pattern of development and in this way would not be harmful to the building's significance.

We are therefore content for the application to be determined in line with local and national planning policy and on the advice of your in-house conservation specialist.

Historic England provided the following additional comments on 17/03/2017:

We do not wish to change our previous advice; however, it may be helpful if to provide some additional clarification on the main points at issue.

Although the alterations proposed under this scheme are principally to the building's exterior, there are some minor works proposed to the historic core of the building. The

heritage statement explains that false beams and incongruous modern plasterwork internally would be removed (para 3.9), and we agree that this would have a positive effect on the significance of the building. That statement also indicates that other positive changes to the building, over and above removal of the later extensions, would also include re-instatement of fireplaces, traditional windows and the oculus window to the frontage (paras 3.8 & 3.10). These positive changes should be secured as conditions of any consent.

The heritage statement indicates at para 3.13 that buildings formerly existed on the beer garden where a new terrace of houses is now proposed. We understand that this point has particularly been debated by local objectors. Plate 2 of the Heritage Statement appears to show a terrace of houses close to the north of the pub, but historic plans indicate that it may have been set further from the pub than is currently proposed. However, it is clear to us that historically the pub was not as separated from the buildings around it as it is now. That same photo (plate 2) shows a terrace closer to the south of the pub than any existing development and broadly where the junction with Iden Road is currently located. Historic development around the pub was characterised by its position against the pavement and a much greater sense of enclosure to the road than currently exists. The proposed removal of the existing extensions and the position of the proposed development fronting the road would not in our view be either contrary to the character of the area or result in the listed building appearing more hemmed in than has generally been the case historically. The net effects of the scheme on the significance of the listed building would in our view be positive. We have not commented on the proposed change of use of the building because there is very little we are able to say within the scope of listed building legislation on that matter.

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan). The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework 2012 and are considered to conform.

Planning Appraisal

Background

Issues relating to the loss of the community asset and the principle of the change of use are addressed in the planning application also reported on this agenda under ref MC/17/0278.

The Listed Building application will only consider matters relating to the impact on the listed building itself and its setting.

Change of use of public house to a dwelling, erection of new houses and impact on the heritage assets

It is specifically set out in s.16 and s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that the Council must have special regard to the

desirability of preserving the listed structures, their settings or any features of special architectural or historic interest which they possess. The main issues for consideration here is the impact of the proposal on the fabric, character, appearance and setting of the listed building.

The NPPF in paragraphs 132 and 133 states that when considering the impact of a proposed development on the significance of a designated heritage asset, 'great weight should be given to the asset's conservation'. Clear justification needs to be given if an asset is to be degraded as once lost the harm cannot be undone.

The introduction of a terrace of three houses on the northern side of the listed building sets challenges in terms of achieving a design that safeguards the setting of the listed building and the character of the area generally.

With regard to this aspect of the proposal the Conservation Officer and Historic England have respectively stated the followings:

"Historic photographs indicate that buildings previously existed on this site in the form of a gabled single-story building in c. 1900 and a terrace of houses in the 1930s. Tight-knit terraced development of this type is very much part of the distinct urban character of Cooling Road and the houses have been designed to respond positively to and reinforce the character of their context. Roof levels have been kept as low as possible and the front elevations have been slightly set back from the pavement so that they do not compete visually with the listed building. As a result, the development will have a neutral impact on the setting of the listed building will fit in well with its urban context."

"We note that there is historic precedent for street fronting houses on Cooling Road. On this basis we think that the proposed new houses will respect the historic street line and the established pattern of development and in this way would not be harmful to the building's significance".

It is considered that the scale, design and siting of the new-terrace dwellings are appropriate and will not result in harm to the setting of the listed building, character of the wider area or the street scene which is generally semi detached and terrace housing.

Turning to the impact of the removal of the 20 century single storey extensions to the listed building, it is considered that the removal of unsympathetic single storey elements, the various proposed alterations together with internal restoration works and the introduction of a new viable use for the building as a single dwelling house would improve its internal and external conditions and character of the listed building and comply with policies BNE17 and BNE18 of the Local Plan.

Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. The application site is located in an urban area with key essential facilities and services nearby. Accordingly, it is considered the provision of new open market dwellings in this location is sustainably acceptable.

Overall, it is considered the proposed conversion of the building to use as a single dwelling would improve the overall character and appearance of the building, which in turn would lead to an improvement to the character and appearance of the locality and the street scene. In addition the construction of a terrace of 3 dwellings would respect the setting of the Listed Building and the street scene and character of the area. The proposal therefore complies with policies H4, BNE1, BNE17 and BNE18 of the Local Plan.

Local Finance Considerations

None

Conclusions and Reasons for Approval

For the reasons set out in the report, it is considered that the conversion of the pub and construction of the new terrace would enhance the appearance of the listed building and be in keeping with the street scene. The proposal is considered acceptable and in compliance with policies BNE1, BNE17, and BNE18 of the local plan.

The application would normally fall under Officer delegated powers for determination, but is being reported to Committee due to the number of representations received expressing a view contrary to the recommendation.

Background Papers

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess.medway.gov.uk/online-applications/>