Case No: **15/00682/FUL (FULL PLANNING APPLICATION)**

Proposal: **CHANGE OF USE TO A4 PUBLIC HOUSE, TOGETHER WITH INTERNAL AND EXTERNAL ALTERATIONS AND EXTENSION**

Location: **8 MARKET HILL ST IVES PE27 5AL**

Applicant: **MR JON RANDALL**

Grid Ref: **531439 271186**

Date of Registration: **29.04.2015**

Parish: **ST IVES**

RECOMMENDATION - Members are requested to allow the removal of the suggested condition relating to a noise meter to be installed in the beer garden.

1. ADDENDUM REPORT

1.1 This application is referred back to Panel following approval by Members at DMP on 15th February 2016, when the Applicant agreed to a condition requested by Members relating to a noise meter. (It should be noted that the HDC EHPO did not consider a noise monitor would be practical). However, the installation of a noise meter in the beer garden cannot be honoured due to the reasons below:

- On the face of it a noise monitor seems like a good idea, however it would only be possible to find out if the guideline level of 50dB was exceeded at the end of a 16 hour period.
- A noise monitor could possibly undermine good management techniques as Wetherspoons could fall into a situation where no action might be taken against noise until an indicator went off – which would lead to poor management.
- The Acoustic Consultant from Spectrum says; “it would not be practical to install a permanent noise monitor on the site boundary”. The Consultant explained that he is not aware of any such system being implemented in an outdoor setting permanently. He further explained that if such a system is available, there would be no way of determining which specific noise source would trigger it. For example, if a bird sat on top of the microphone or a dog started barking nearby, this could trigger the alert system.
- Furthermore:

• The system would need regular calibration which is not practical.
• An alert system cannot reduce the noise from patrons.
• The WHO noise criteria relates to a 16hr daytime period (07:00-23:00). Therefore, only at the end of the 16hour period (23:00) would it be possible to determine if the criteria has been exceeded, by which time the garden would be closed.
• The system could be an easy target for vandals.
• The system would need to be weatherproof and I am not aware of this being available.

1.2 The Wetherspoons representative at the February DMP also stated that Wetherspoons were happy to install a sound monitor to meet the criteria if such a device could be specified to meet the criteria of the sound assessment by the EHPO. However the EHPO agree that this sound monitor is also not required and the technology to create it does not exist and the solution is not practical.

1.3 It is clear from the EHPO's and Acoustic Consultant's comments that this suggested condition cannot be implemented, failing some of the tests laid out in the paragraph 206 of the NPPF:

1.4 Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

1.5 Due to the reasons above, there is no suitable wording for a workable noise meter condition that would meet these tests.

Conclusion

1.6 On the basis of the above, Members are requested to reconsider the need for a noise meter as the condition fails the tests by not being enforceable or reasonable in all other respects.

2. RECOMMENDATION – Members are requested to allow the removal of the suggested condition relating to the noise meter.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs.

CONTACT OFFICER:
Enquiries about this report to **Ms Dallas Owen Development Management Officer 01480 388468**

Development Management Panel

Scale =1:1,250
Date Created: 05/04/2016

Application Ref:15/00682/FUL
Location: St Ives

Huntingdonshire DISTRICT COUNCIL

H.M. LAND REGISTRY

TITLE NUMBER

CB206715

ORDNANCE SURVEY PLAN REFERENCE	TL 3171 O	Scale 1/1250
COUNTY CAMBRIDGESHIRE	DISTRICT HUNTINGDONSHIRE	© Crown Copyright

FILED PLAN
H.M. LAND REGISTRY

GREEN PAPERS FOLLOW

DEVELOPMENT MANAGEMENT PANEL 15 FEBRUARY 2016

Case No: **15/00682/FUL (FULL PLANNING APPLICATION)**

Proposal: **CHANGE OF USE TO A4 PUBLIC HOUSE, TOGETHER WITH INTERNAL AND EXTERNAL ALTERATIONS AND EXTENSION**

Location: **8 MARKET HILL ST IVES PE27 5AL**

Applicant: **MR JON RANDALL**

Grid Ref: **531439 271186**

Date of Registration: **29.04.2015**

Parish: **ST IVES**

RECOMMENDATION - APPROVAL subject to the conditions listed in Section 8 of the October Panel report attached, and to include that the beer garden is not used after 2100hrs.

This application is referred to Panel because members deferred it from their October Development Management Panel (DMP) meeting. Members deferred decision to enable officers to Improve design of shopfront; Rethink the need for a beer garden; Consult with Parish and locals.

1. Assessment

1.1 On the 2nd November 2015, the agent submitted an Amended Plan ref;F1673-05 Rev A – Proposed Elevations (front elevation doors to have solid bottom panels), to address Members concerns raised at DMP on 19th October 2015; and their response to MAS noise report.

1.2 On the 16th November 2015 there was a stakeholder meeting where approx.12 people attended; and the agents hosted a public exhibition where approx.50 people attended.

1.3 On the 10th December 2015 the agent submitted: the Comments received and responses to those comments received from the Public Exhibition (included in green papers). Taking into account the comments received the applicants submitted a Management Plan document. This management plan document talks about:
-(Wetherspoons working practices regarding intolerance to excessive drinking and their 'Don't Do Drunk' policy;
- that a CCTV system operates in all their premises and their staff are trained to use it;
- That they subscribe to the local PubWatch scheme 'Banned from One – Banned from All' initiative;
- That they subscribe to security and Fire Safety practices;
- That they subscribe to community Liaison which enables Managers to be contacted by local residents 24 hrs per day 365 days a year for legitimate concerns.

1.4 In addition the applicants have also submitted an Outside area Management document; Graphic mock-up of Proposed Signage; Amended Plans ref;F1673-05 Rev B(Proposed Elevations) and F1673-02 Rev L (Proposed floor plans) The key design changes are that stallrisers have been introduced at the front and sliding doors have been moved from the rear elevation to the side.

1.5 The 14 day re-consultation on the Amended Plans received on the 10th December was carried out on the 21st December 2015.

2. CONSULTATIONS

2.1 **HDC EHPO** – No objection - Notwithstanding the submitted information the view of the EHPO remains the same (as per the Report in the Green Papers). The two consultants have differing views. Spectrum has been appointed by the applicant and MAS have been appointed by a third party, so it's obvious that they will take completely different viewpoints. EHPO officers still propose that the summer doors at the rear of the Pub and the Beer Garden are closed at 9pm for all public use. Smokers should be advised to smoke outside the front entrance after 9pm to protect the residential properties at the rear from excessive noise.

Officer response: Smokers standing outside the front of P.H. is not an unusual occurrence within the Town Centre, and would protect the amenity of local residents by directing the activity to the front rather than at the rear after 9pm. A condition is recommended that the beer garden closes at 9pm.

2.2 Consultee comments on the most recent Amended Plans received 10th December 2015:
St Ives Town Council (comments dated 13th January) Recommend Refusal (COPY ATTACHED)
-The change of use is not supported by policy.
-The NPPF supports beneficial competition. The Town Council considers increasing the number of Public Houses (P.H.) from 7 to 8 has minimal benefits.
-A P.H. this size is likely to increase the number of incidents of crime.
-The disputed evidence on noise between the applicant and local residents is noted. The HDC EHPO will need to make a positive statement on the likely noise generated by 80 people in the beer garden to that a proper assessment of the noise impact can take place. It is requested that an external noise sensor is provided.
-The proposed amendment to the front elevation is welcomed.

Officer response: The LPA note the concerns of the Town Council, however the LPA consider that the change of use can be supported by policy as per the original report presented to DMP in October 2015 (see Green papers). The issue of noise has been considered fully by the EHPO. The Police Architectural Liaison Officer has examined the crime date for the whole night time economy for St Ives Town Centre and has raised no objections to the proposal.

2.3 **Cambridgeshire Constabulary Architectural Liaison** – No objection - I confirm that I have viewed these amendments and remain to have no grounds for objection, or further observations.

2.4 **Environment Agency** – No objection - There are no EA issues within the Amended Plans. Therefore we have no comments to add to those previously made.

3. REPRESENTATIONS

3.1 The Local Planning Authority has received 7 representations following re-consultation (4 objections and 3 in support).

3.2 The objectors raise the following issues:
-it should also be listed as A3 use due to number of meals
-the building is only empty because it has served the purpose for the applicant
- the proposal will result in the loss of a retail unit
-the proposal will not be good for the economy as there are numerous A3/A4 uses in the town
-there are many A3/A4 establishments which already exist that the applicant could have bought
-impact on neighbours is serious.
-where will the smokers go if banned after 9pm
-in June 2015 Brighton LPA turned down a Wetherspoons due to loss of retail
-urge Panel to refuse the change of use
- that the proposal will cause noise and disturbance
-that the beer garden at the rear will generate noise, litter and crowds resulting in loss of amenity for residential properties
-that the proposal will impact on the wider neighbourhood from customers leaving late at night

3.3 In support:
-it will bring in additional footfall to the town, who will also support local businesses
-it will also increase the capacity of the guided busway and make the town more competitive
-provide employment
-that the prices will promote competition of benefit to those on lower incomes e.g. pensioners
-good value
-the beer garden should not be a problem as the Golden Lion has a large beer garden and no body complains about that
- A vacant shop being utilised which hopefully will bring more people into St Ives - young & old.

Officer response: the representations received following the re-consultation have raised no additional issues to those considered in October.

4. In terms of the design changes, below is a detailed description of the changes, as well as an assessment of the acceptability of these changes:

The shopfront

4.1 A traditional shopfront is now proposed with smaller openings, and the addition of stallrisers and panelling, the railings have been removed from the proposals. Signage would be subject of a separate application. This has been discussed with the Conservation Officer

who advises that the amended shopfront would be an improvement on the existing shopfront and will preserve the character and appearance of the conservation area. The proposal is therefore considered to accord with the NPPF; policies En5, En6 and En25 of the Local Plan 1995; CS1 of the Adopted Core Strategy 2009; LP1 and LP31 of the Draft Local Plan to 2036: Stage 3 2013. The draft policies can only be afforded limited weight in their consistency with the NPPF as they are emerging policies.

Alterations to the rear elevation

4.2 The proposed sliding doors have been moved from the rear elevation to the side elevation. Fixed glazing is proposed on the rear elevation, except for the proposed glazed Fire doors that have been repositioned from the side to the rear elevation. There is no objection to these changes in terms of visual amenity. The proposal is therefore considered to accord with the NPPF; policies En5, En6 and En25 of the Local Plan 1995; CS1 of the Adopted Core Strategy 2009; LP1 and LP31 of the Draft Local Plan to 2036: Stage 3 2013. The draft policies can only be afforded limited weight in their consistency with the NPPF as they are emerging policies.

In terms of issues relating to noise disturbance, and specifically the applicants noise survey states:

4.3 -Noise limits for mechanical services plant noise have been established for the sensitive trading hours and residual night time hours, based on background noise and taking account of BS 4142 guidelines relating to reasonable standards of noise. Predictions have indicated that with the specified noise control mitigation to items of mechanical plant (section 5.1.2), the overall noise from these services would meet noise limit objectives. Noise limits for the beer garden have been established taking account of WHO guidelines and BS 8233:2014. Noise levels from patrons in the beer garden area during both the normal and peak trading periods, would be lower than the WHO guideline noise levels for moderate annoyance at the nearby residential receptor locations. Furthermore, noise levels from the beer garden would not exceed the BS 8233:2014 indicated guideline noise levels outside of the nearby offices.
-Limits associated with noise breaking out of the summer opening doors at the front and rear of the premises have been established, taking account of WHO guidelines and BS 8233:2014. Predictions have indicated that noise levels would be lower than the WHO guideline noise levels for moderate annoyance at the nearby residential receptor locations. Furthermore, noise levels from open summer doors would not exceed the BS 8233:2014 indicated guideline noise levels outside of the nearby offices. The applicants noise survey concludes that the noise levels predicted for each of the potential noise impacts are sufficiently low not to cause an adverse impact on the nearby residential community.

4.4 Planning officers have had further discussions with the District Council pollution control officers. The pollution control team advise that the noise from the proposed use should not be a problem to sensitive receptors in the area. However, noise from the beer garden and the open back doors may have a negative effect on the Mulberry

Cottage during the late evening/night so would recommend putting time restrictions on the use of the beer garden.

4.5 A further Technical Document produced by Spectrum dated October 2015 was submitted by the applicant as a response to the concerns raised by MAS Environmental on behalf of the occupiers of Mulberry Cottage and Gateway House. MAS Environmental raised concerns over the conclusions of the noise impact assessment report. The Spectrum document concludes that the assessment methodology proposed by Spectrum, which was accepted by HDC, is widely accepted by many other local authorities. The criterion used is appropriate for the type of establishment to which planning permission is sought. The alternative IOA and BCC criterion suggested by MAS is intended for establishments which hold entertainment events. The Spectrum report goes onto argue that using this criteria here is misleading and is not intended for the assessment of noise from a beer garden or the summertime opening of doors at a Public House where no entertainment events would be held.

4.6 HDC pollution control officers advise, taking into account the additional information received, that their view remains the same (as per the Report in the Green Papers). The pollution control team add that the two consultants have differing views. Spectrum has been appointed by the applicant and MAS have been appointed by a third party, so it's obvious that they will take completely different viewpoints.

4.7 Subject to appropriate conditions, it is considered that the proposal complies with the NPPF; policy S14 of the Local Plan 1995; CS1 of the Adopted Local Plan 2009; LP1 and LP15 of the Draft Local Plan to 2036: Stage 3 2013. Whilst the policies are broadly consistent with the NPPF paragraphs 109 and 123 that seek to minimise against unacceptable levels of noise from new development including through the use of conditions, policies S14 and CS1 would be afforded greater weight as they are adopted policies, whilst LP1 and LP15 can only be given limited weight as they are emerging policies.

Consultation with Parish and Locals

4.8 In line with the Member decision to defer decision, the agents on the 16th November 2015 attended a stakeholders meeting with St Ives Town Council, Civic Society, St Ives Town Initiative, St Ives Retail Group; and hosted a public exhibition where approx.50 people attended. Data from a 'Comments Response Form' has been submitted by the applicant where the majority of responses were in support of the proposed development; the majority were in support of a viable use for the building although 9 would prefer a different use than Wetherspoons; the majority thought that the proposals would improve the appearance but it could be improved further e.g. no railings; there was a mix of general comments with only 2 people commenting that retail would be better, 1 person concerned regarding where smokers would go after 9pm and 7 people raising concerns over noise.

4.9 The applicant has taken these considerations into account by altering the shop front. Deliveries would take place at the front so that

neighbours at the rear would not be affected by noise associated with delivers. A beer garden is an important aspect of the business plan, however the applicant has re-positioned the sliding doors to the side to mitigate any potential noise from the building.

Conclusion:

4.10 The proposed development is considered to be compliant with relevant national and local planning policy since:
* It will bring a vacant building in a sustainable town centre location back into use.
* The scale and location of the development is not considered to have an overly detrimental impact upon the Conservation Area.
* It would not have a significant detrimental impact on the amenity of neighbours.
* It is acceptable in terms of highway safety.
* It would not be at risk of flooding or exacerbate the risk of flooding elsewhere.
* There are no other material planning considerations which lead to the conclusion that the proposal is unacceptable.

8. RECOMMENDATION - APPROVAL subject to the conditions listed in Section 8 of the October DMP report attached, and to include a further condition that the beer garden is not used after 2100hrs.

CONTACT OFFICER:
Enquiries about this report to **Ms Dallas Owen Development Management Officer 01480 388468**

St Ives Town Council
TWINNED WITH STADTALLENDORF
TOWN CLERK: Alison Melnyczuk BA (Hons) FILCM
Town Hall, Market Hill, The Old Riverport, St Ives, Cambridgeshire PE27 5AL
Telephone: 01480 388929
email: clerk@stivestowncouncil.gov.uk

15 January 2016

Mr A Moffat
Head of Development
Huntingdonshire District Council

Dear Mr Moffat

Planning Application 15/00682 Wetherspoon plc

Following the decision by the HDC Development Management Panel to defer the decision at its October 2015 meeting, the Town Council met with the applicant on the 16th November and the applicant agreed to the following:

- Provide an impact statement on the development's impact on the existing pubs and restaurants in the town
- Consider an external noise sensor to enhance the monitoring of the external noise from the beer garden
- Redesign the front elevation to the remove the railings and move the rear door to lessen the noise impact on adjacent properties.

St Ives Town Council considered new information on the above application at its Planning Committee on Wednesday 13 January 2016 and **recommended rejection** for the following reasons.

Change of use to A4 Public House

The change of use is a direct contravention of HDC policy S12 that seeks to retain retail units in town centre. There are no policies in the NPPF or associated guidance document that contradicts this policy. In fact these documents requires planning authorities to have policies regarding suitable uses in town centres.

The applicant agreed to provide an impact statement at a meeting on the 16th November. They have now refused to do so. There is no evidence to support policy S12 being overruled by other considerations.

The NPPF and guidance support beneficial competition (Guidance on vitality of town centres paragraph 001). The Town Council considers that increasing the number of public houses in the town from 7 to 8 has minimal competition benefits. It could however cause existing premises to close which would leave the town centre with a number of disused buildings which would be difficult to find new uses. This would not enhance the vitality of the town centre.

The Town Council notes the recent Police report into nigh time economy crime in St Ives. However this only considered a limited area of the town centre. Police crime reports submitted to the Town Council indicate 1 or 2 incidents of violent crime associated with people leaving pubs per month. Recent incidents were recorded on 3 October, 5 November,

6 November, 12 December and 28 December. An additional public house of this size is likely to increase the number of incidents.

The Town Council is concerned that our previous comments linked to change of use were not covered in the Officers report on the original application.

Noise

The Town Council notes the disputed evidence on noise between the applicant and local residents. The HDC Environmental Health Officer will need to make a positive statement on the likely noise generated by 80 people in the beer garden so that a proper assessment of the noise impact can take place.

The Town Council requests that an external noise sensor be provided in the beer garden, set at a level to be agreed with the EHO. The sensor would have an indicator within the bar area. This will enable staff to monitor external noise.

Building Appearance

The Town Council welcomes the new front elevation and it is much improved from the original.

Yours sincerely

Alison Melnyczuk BA(Hons) FILCM
TOWN CLERK

ST IVES TOWN COUNCIL PLANNING COMMITTEE : 13 January 2016
APPLICATIONS FOR PERMISSION FOR DEVELOPMENT

App No & Date Reg	Name and Address of Applicant/Agent	Proposal and Location	Type of Application	Recommendation to District Council
1500682 21.12.2015	J D Wetherspoon plc Architect Victoria House Ack Lane East Bramhall Stockport Cheshire SK7 2BE	Change of Use to A4 public house, together with internal and external alterations and extension 8 Market Hill St Ives	Full	Recommend Refusal -Refer letter
1501696 10.12.2015	Mr D Waters The Willows 46 High Street Earith PE28 3PP	Change of Use from a store building to a residential property Boiler Room Sheltered Housing Crown Close St Ives	Full	Would Recommend Approval SUBJECT TO -a full asbestos survey being carried out and measures put in place for asbestos removal -assurances that all measures will be in hand to ensure no pollution is present on the site during the works -assurance that, in accordance with the Committee's previous recommendation, that the site is made safe and confirmed to be so before granting of the planning application
	Mr D Georgiev Eshedent Ltd 8 Owl Way Hartford Huntingdon PE29 1YZ	Change of use to a D1 Dental Practice 19B East Street St Ives	Full	Recommend Approval SUBJECT TO -agreement on appropriate signage

1502232 08.12.2015	Mr and Mrs M Potter Mr G Saberton Greg Saberton Design Tom's Hole Barn Branch Bank Prickwillow Ely CB7 4UR	Increase to the ridge height/loft conversion 68 Edinburgh Drive St Ives	Full	Recommend Approval -appropriate scale of development -does not impact on the street scene
1502273 18.12.2015	Mr R Money The Old Post Office Church Street Woodhurst Huntingdon PE28 3BN	Change garage to domestic area; infill to front; change flat roof to tiled pitched roof 16 Parkway St Ives	Full	Recommend Approval -appropriate scale of development -in keeping with street scene
1502322 31.12.2015	Burgess and Walker Transport Ltd Mr M Page Barford & Co 17 Howard House Church Street St Neots PE19 2BU	Variation of conditions 3,11 and 18 of Planning Permission 15/01109 in relation to the erection of storage building with ancillary offices and use of land for outside storage with surfacing, drainage works and landscape planting Land North of Needingworth Industrial Estate Needingworth Road Needingworth	Section 73 consent	Recommend Approval -sensible amendments to conditions which do not affect the overall scheme

Development Management Panel

Scale =1:1,250
Date Created: 19/01/2016

Application Ref: 15/00682/FUL
Location: St Ives

Huntingdonshire DISTRICT COUNCIL

Legend

- Listed Building
- The Site
- Conservation Area

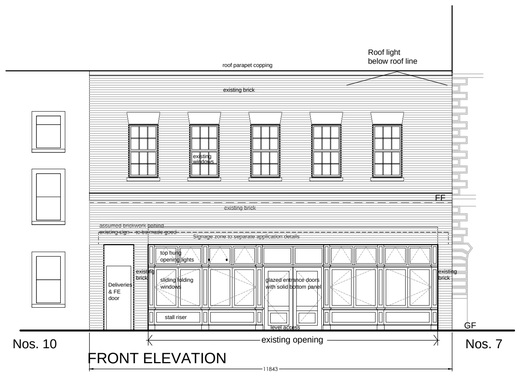
H.M. LAND REGISTRY

TITLE NUMBER

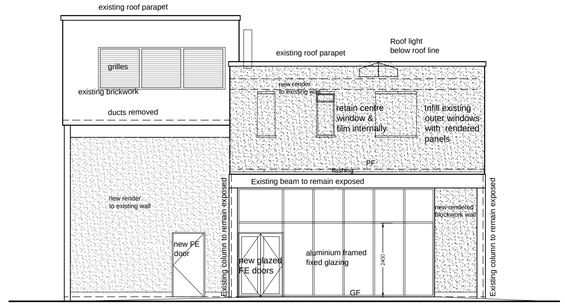
CB206715

ORDNANCE SURVEY PLAN REFERENCE	TL 3171 O	Scale 1/1250
COUNTY CAMBRIDGESHIRE	DISTRICT HUNTINGDONSHIRE	© Crown Copyright

FILED PLAN
H.M. LAND REGISTRY



FRONT ELEVATION



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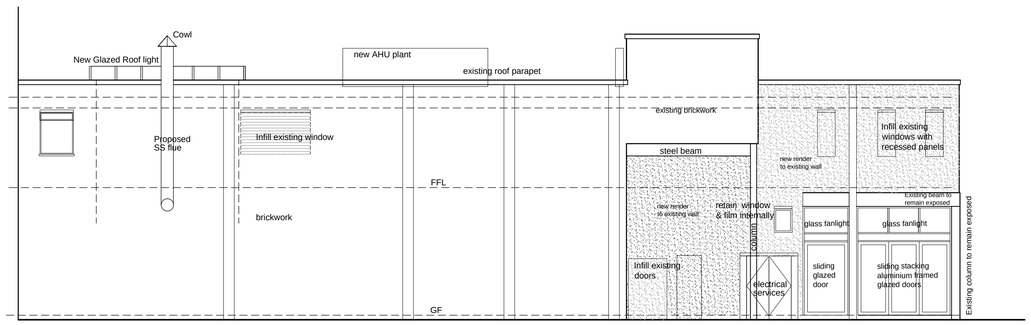
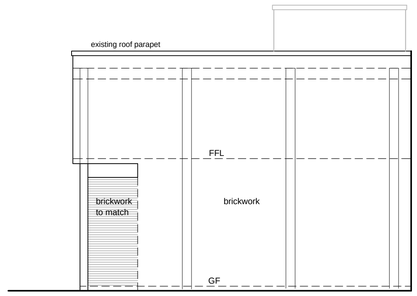


WEST SIDE ELEVATION



EAST SIDE ELEVATION

NOTE:

The Contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before work starts.

This drawing must be read with and checked against any structural or other specialist drawings provided.

The Contractor is to comply in all respects with the current Building Regulations whether or not specifically stated on these drawings.

This drawing is not intended to show details of foundation or ground conditions. Each area of ground relied upon to support the structure depicted must be investigated by the Contractor and suitable methods of foundation be provided.

THIS SCHEME IS NOT BASED ON AN ACT SURVEY

Drawing Status

Construction Status

Rev.		By	Date
B	Updated for stall risers at front, sliding doors moved from rear elevation to side	ATG	26.11.15
A	Front elevation doors to have solid bottom panels	ATG	02.11.15

architect
architecture and interior design

Architect CT
Victoria House
Ack Lane East
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Site

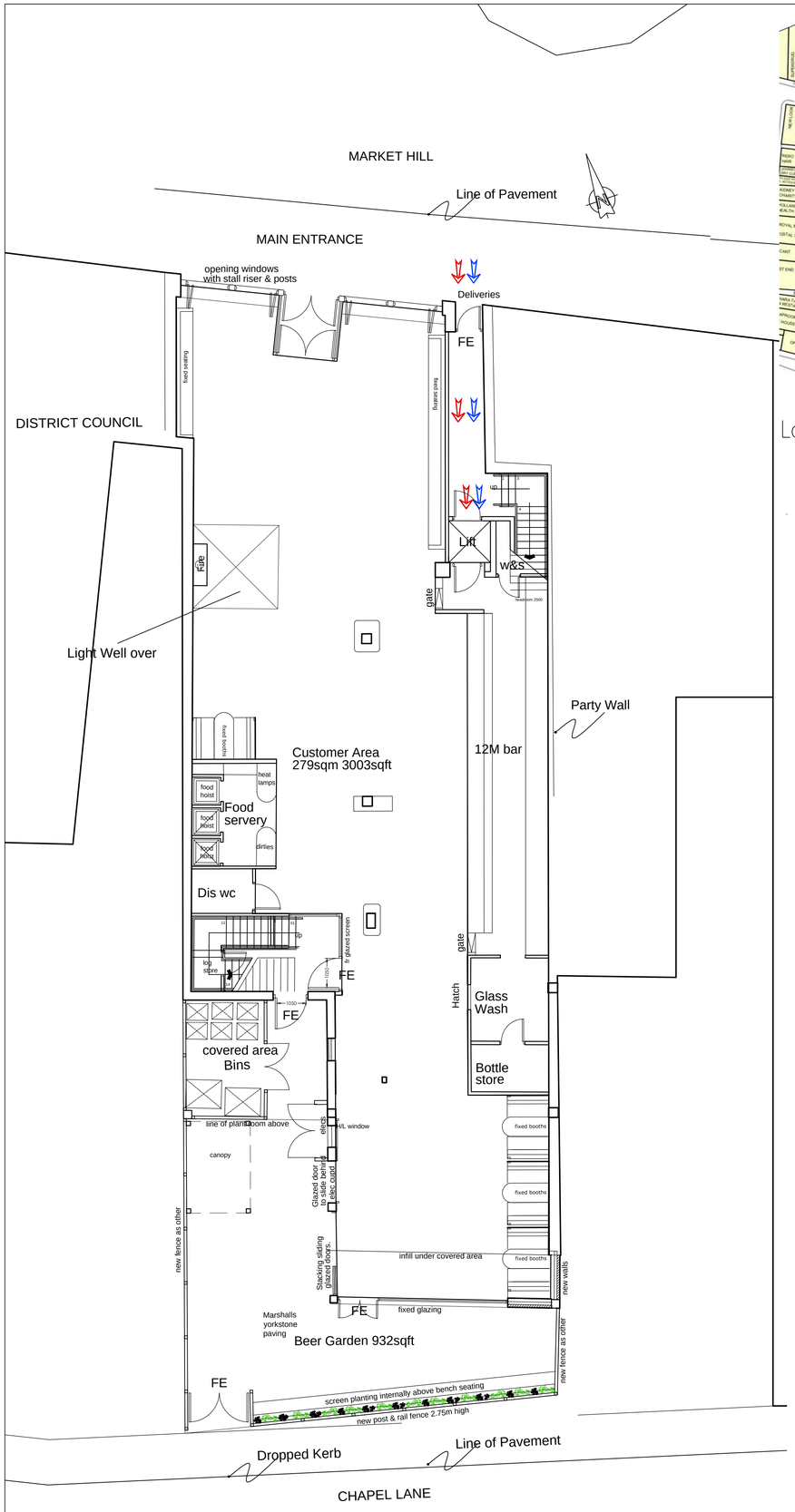
MARKET HILL
ST IVES

Title

PROPOSED
ELEVATIONS

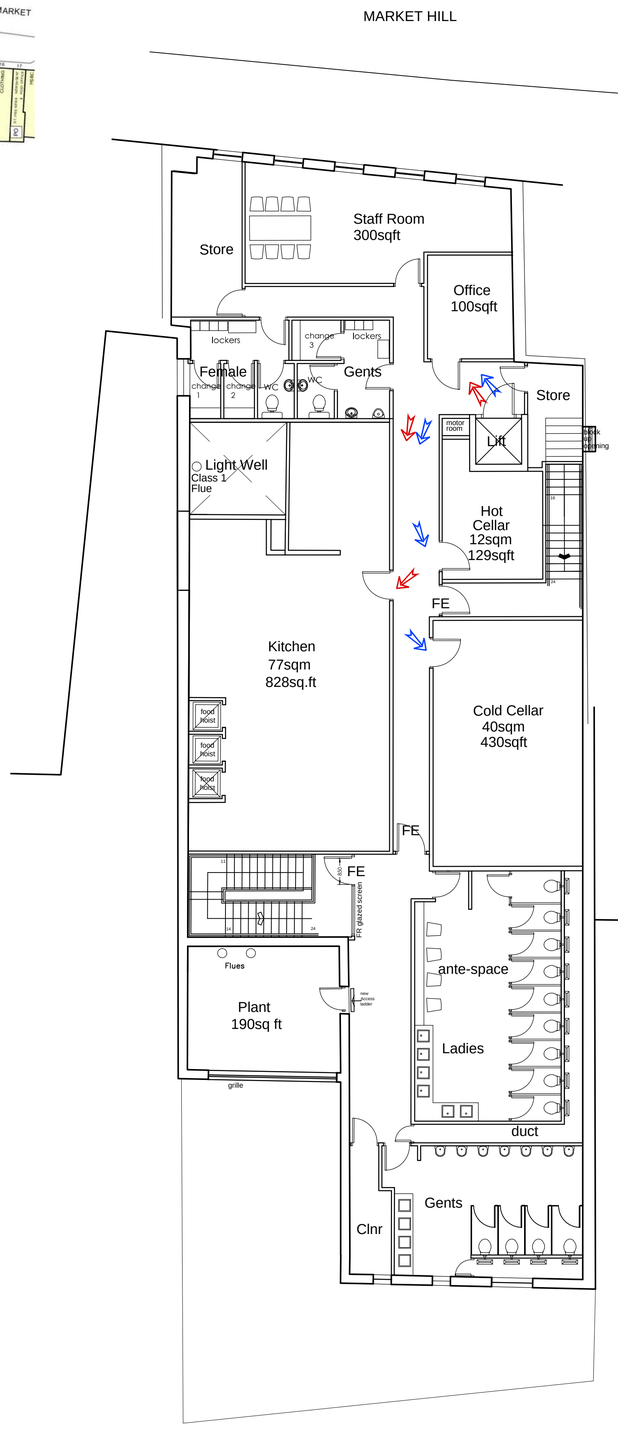
Project Manager/ Checked	Drawn By	Scale	Date
		1:100@A1	Mar 2015

Arch./Des.	Drawing Number	Rev.
	F1673 -05	B



Ground

Location Plan



First

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THIS SCHEME IS NOT BASED ON AN ACT SURVEY

Feasibility Calculations:
Trading area 279sqm 3003 sqft = 372 customers
external drinking 87sqm = 932 sqft

FIRE ESCAPE
Front FE - 1900 clear = 380
Rear stair FE - 1050 clear =220
Side FE - 1300 clear = 260
Assuming largest (front)is blocked:
Escape Capacity = 480
Assuming rear & side are blocked (both within 45deg)
Escape Capacity = 380
Note- there is secondary escape from first floor

JDW Sanitary Calculations:
188 female = 9 wc/6wb
188 male = 4 wc/7u/4wb (no extra U req)

KEY
- Kitchen / Food deliveries
- Beer deliveries
- DAYLIGHT

Ground Floor Customer Area = 3013sqft
External Dining/ Drinking = 932sqft

Rev.		By	Date
L	Updated for stall risers at front, sliding doors moved from rear elevation to side	ATG	26.11.15
K	Beer garden fence increased to 2.75m high	ATG	17.08.15
J	Rooflight reduced for kitchen	SM	29.06.15
I	Revised customer toilets and staff areas	SWG	19.03.15
H	Updated from notes	SWG	05.03.15
G	Updated following dog meeting	sm	26.02.15
F	Updated	ATG	04.02.15
E	Backfill fridges omitted & beer garden increased	ATG	10.09.14
D	trading increased to 3500sqft	sm	09.09.14
C	food servery updated	sm	08.09.14
B	urinals updated	PH	04.02.14
A	Layouts amended to latest brief	PH	04.02.14

Drawing Status

Construction Status

architect
architecture and interior design
Architect CT
Victoria House
Ack Lane East
Bramhall
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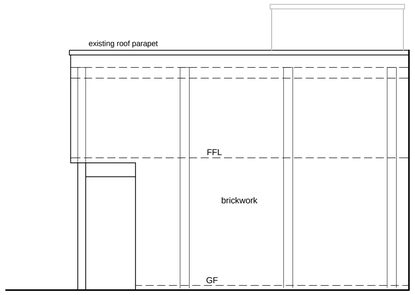
SK7 2BE
T: 0161-439 9205
E: general@architect-ct.co.uk
W: www.architect-ct.co.uk

Site
MARKET HILL
ST IVES

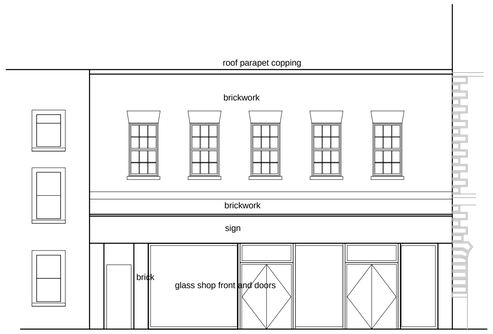
Title
PROPOSED
FLOOR PLANS
PLANNING

Project Manager/ Checked	Drawn By	Scale	Date
	PH	1:100@A1	JULY 2012

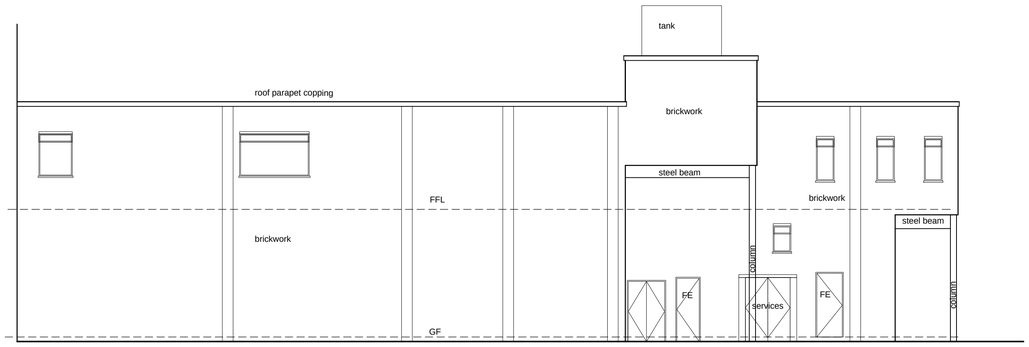
Arch./Des.	Drawing Number	Rev.
	F1673 -02	L



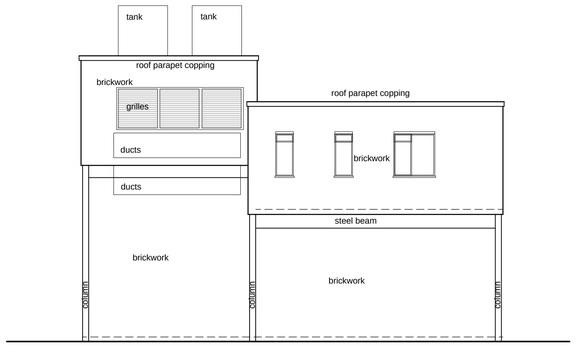
EAST SIDE ELEVATION



FRONT ELEVATION



WEST SIDE ELEVATION



REAR ELEVATION

NOTE:

The Contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before work starts.

This drawing must be read with and checked against any structural or other specialist drawings provided.

The Contractor is to comply in all respects with the current Building Regulations whether or not specifically stated on these drawings.

This drawing is not intended to show details of foundation or ground conditions. Each area of ground relied upon to support the structure depicted must be investigated by the Contractor and suitable methods of foundation be provided.

THIS SCHEME IS NOT BASED ON AN ACT SURVEY

Drawing Status	
Construction Status	

Rev.		By	Date

architect
architecture and interior design

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Site

MARKET HILL
ST IVES

Title

EXISTING
ELEVATIONS

Project Manager/ Checked	Drawn By	Scale	Date
		1:100@A1	Mar 2015

Arch./Des.	Drawing Number	Rev.
	F1673 -04	

Existing front elevation

Existing rear elevation

NOTE:

The Contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before work starts.

This drawing must be read with and checked against any structural or other specialist drawings provided.

The Contractor is to comply in all respects with the current Building Regulations whether or not specifically stated on these drawings.

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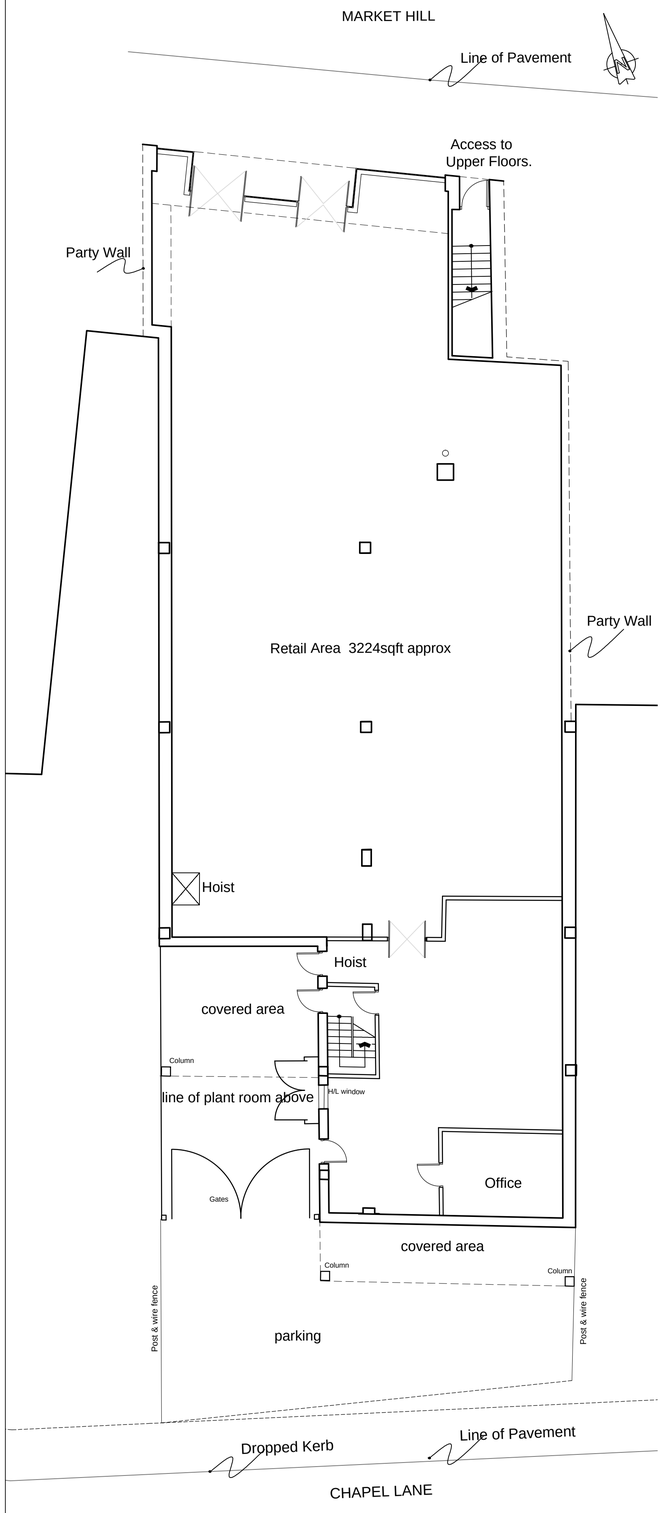
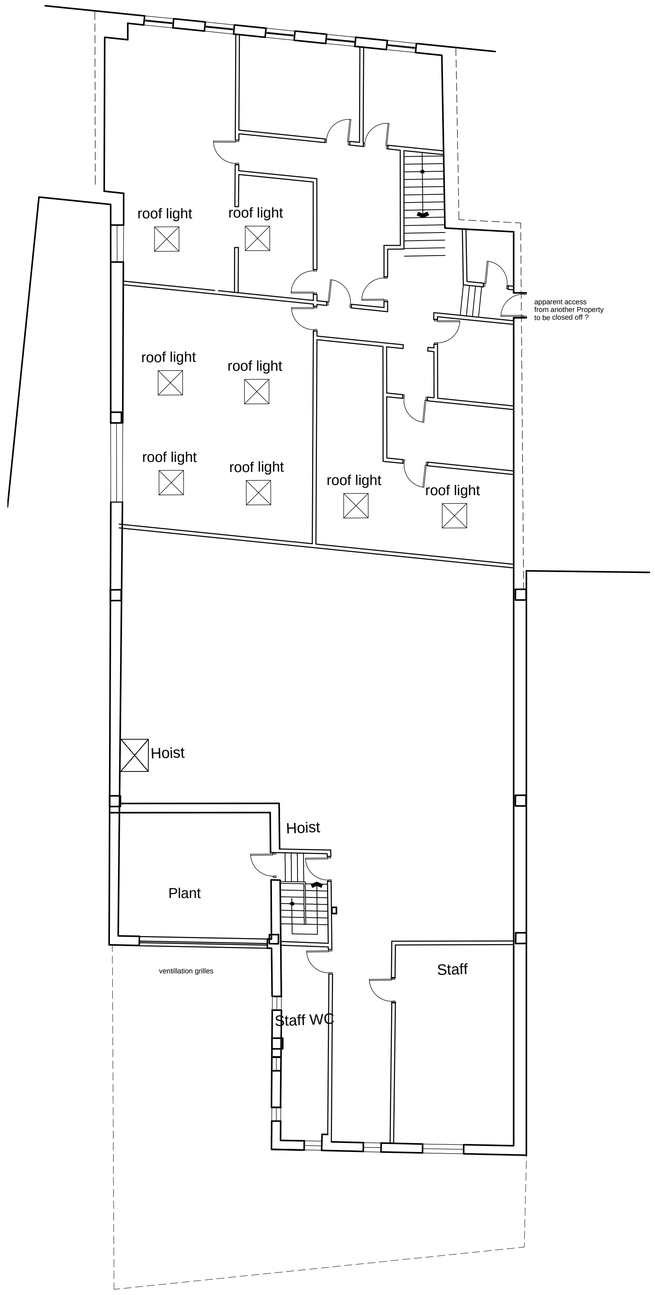
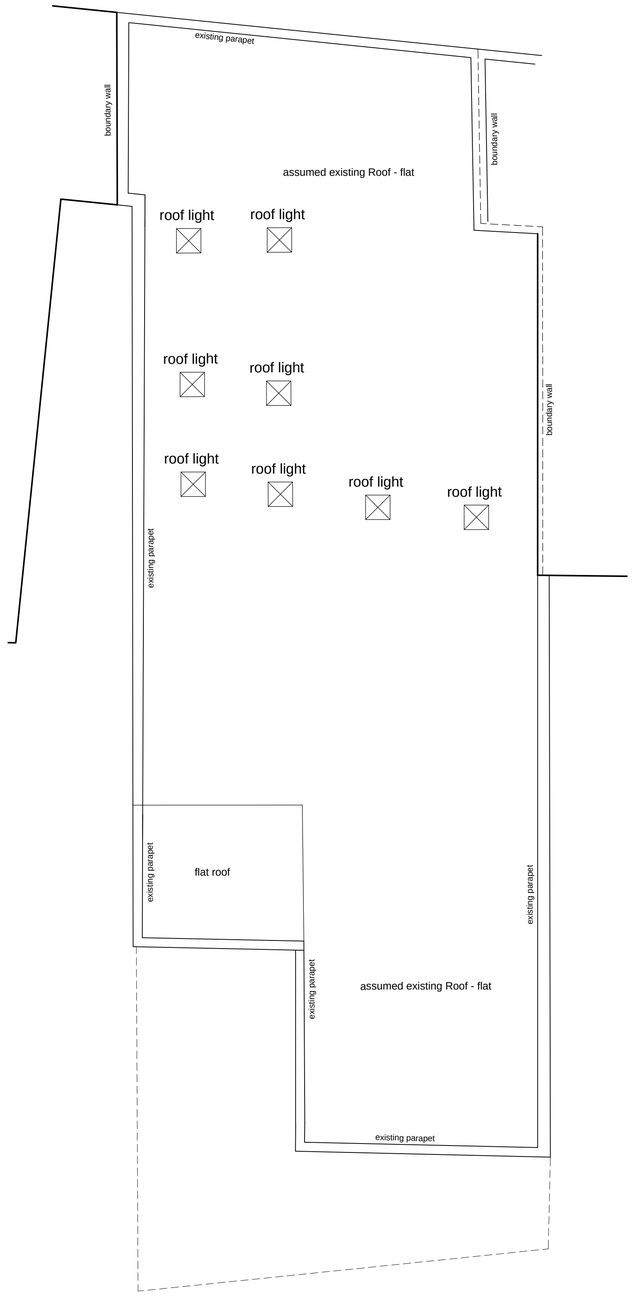
THIS SCHEME IS NOT BASED ON AN ACT SURVEY



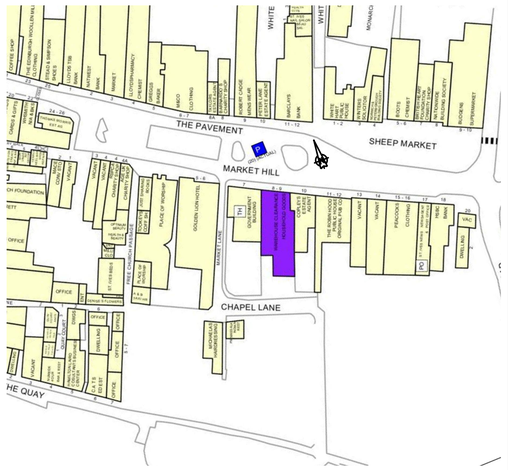
GROUND FLOOR PLAN



FIRST FLOOR PLAN



Roof



Location Plan

Drawing Status			
Construction Status			
C	further update	SWG	05.03.15
B	Updated	ATG	04.02.15
A	Layouts details added	PH	04.02.14
Rev.		By	Date

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Site

MARKET HILL
ST IVES

Title

EXISTING
FLOOR PLANS

Project Manager/ Checked	Drawn By	Scale	Date
	PH	1:100@A1	JULY 2012
Arch./Des.	Drawing Number	F1673 -01	Rev. C

GREEN PAPERS FOLLOW

Case No: **15/00682/FUL (FULL PLANNING APPLICATION)**

Proposal: **CHANGE OF USE TO A4 PUBLIC HOUSE, TOGETHER WITH INTERNAL AND EXTERNAL ALTERATIONS AND EXTENSION**

Location: **8 MARKET HILL ST IVES PE27 5AL**

Applicant: **MR JON RANDALL**

Grid Ref: **531439 271186**

Date of Registration: **29.04.2015**

Parish: **ST IVES**

RECOMMENDATION - APPROVE

The application is reported to the Development Management Panel as the Town Council has an opposing view to that of the planning officer.

1. DESCRIPTION OF SITE AND APPLICATION

1.1 The application site is located on the south side of Market Hill and consists of a large two-storey brick building of limited architectural merit, with a vacant retail unit at ground floor and office use at first floor. Huntingdonshire District Council (HDC) Business Rates section has advised that they have the premises registered as empty since August 2014. The property is within the St Ives Conservation Area and annotated as 'frontages protected for retail use' within the Local Plan 1995 Part 2: Proposals Map. The site is also within the Environment Agency (EA) Flood Zone 3, SFRA 1 in 100yr extent and 1 in 1000yr extent.

1.2 Although retail and commercial uses are predominant within the core of the Town Centre, there are some residential properties further away, specifically to the south of the site along Chapel Lane and Birt Lane..

1.3 The proposal is for the change of use of the ground and first floor to A4 public house. Permission is also sought for a small extension to the rear underneath part of the existing overhanging first floor of 1.8m by 8.2m. In addition, a new sliding glazed door at the ground floor will lead to a beer garden at the rear. This garden will be screened from Chapel Lane by a new 2.75m high planted screen fence.

1.4 The applicant is proposing a number of changes to the elevations. These changes include the following:

1. Improvements to the ground floor façade treatment;
2. Blocking of windows on the rear and side elevations;
3. New render to the rear elevation and rear part of the west elevation;
4. Proposed flue on the west elevation;

5. New glazed fire escape doors on the west elevation; and
6. New glazed roof light.

1.5 Hours of opening have not been specified on the application form.

1.6 The application form states that there are currently five parking spaces to the rear of the building, however the parking spaces will be lost as a result of the proposed extension and beer garden.

2. NATIONAL GUIDANCE

2.1 The National Planning Policy Framework (2012) (The NPPF)

2.2 Planning Practice Guidance

For full details visit the government website
https://www.gov.uk/government/organisations/department-for-communities-and-local-government

3. PLANNING POLICIES

3.1 Saved policies from the Huntingdonshire Local Plan (1995)

- S12: "Retail units" – retention will be sought in existing town centres.
- S13: "Vitality in Town Centres"
- S14: "A3 Uses" *In 1995 when this policy was established this would have encompassed all uses now known as A3, A4 and A5.
- En5: "Conservation Area Character"
- En6: "Design standards in Conservation Areas"
- En25: "General Design Criteria"
- En27: "Shopfront Design"
- CS8: "Water"
- CS9: "Flood water management"

3.2 Saved policies from the Huntingdonshire Local Plan Alterations (2002)

- None relevant

3.3 Adopted Huntingdonshire Local Development Framework Core Strategy (2009)

- CS1: "Sustainable development in Huntingdonshire"
- CS8: "Retail and Town Centre Uses"

3.4 Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013)

- LP1: "Strategy and Principles for Development"
- LP2: "Contributing to Infrastructure Delivery"
- LP6: "Flood Risk and Water Management"
- LP8: "Development in Spatial Planning Areas"
- LP13: "Quality of Design"
- LP15: "Ensuring a high standard of Amenity"
- LP16: "Advertising"
- LP17: "Sustainable Travel"
- LP18: "Parking Provision"
- LP20: "Town centre vitality and viability"

- LP31: “Heritage Assets and their settings”

3.5 Supplemental planning documents:
- St Ives Conservation Area character Statement

Local policies are viewable at https://www.huntingdonshire.gov.uk

4. PLANNING HISTORY

4.1 There is none site specific relevant to the determination of this proposal.

4.2 23 Bridge Street ‘Tap Room’
Planning permission granted in September 2004 for change of use to Class A3 (food and drink (under planning reference 0**402868FUL**) – opening hours were not conditioned

5. CONSULTATIONS

5.1 **St Ives Town Council** – recommend REFUSE (copy attached).
Not all of the points raised in the Committee’s previous comments have been addressed, i.e.
-adequate soundproofing
-confirmation that there would be no two-way use of the fire exit
-fitting of obscure glass in upstairs windows
-control of noise levels
-the plans still show loudspeakers in the garden to the rear
-time restrictions on use of the outside area and opening front windows.

Officer response: The hours of activity for the trading of the pub, the sale of alcohol and the prevision of regulated entertainment including music, the hours of operation can be considered alongside other restrictions such as doors and windows closed, electronic sound limiters, and other management controls. The conditions of the licence can be reviewed based on the licensing objectives which include the prevention of public nuisance. Further controls exist within the Environmental Protection Act 1990 regarding statutory nuisance. Movement through the fire exit will be conditioned accordingly, and the fitting of obscure glass will be a condition. The plans do not show loudspeakers in the garden to the rear. A condition regarding use of the sliding doors and beer garden are recommended accordingly, and the Environmental Health Protection Officer (EHPO) has not raised any concerns regarding the opening of front windows.

5.2 **Cambs Police Architectural Liaison Officer** – no objections.

5.3 **Environment Agency (EA)** – No objection - initially recommended refusal due to inadequate Flood Risk Assessment (FRA), however the Agent submitted an amended FRA submitted. The EA have subsequently Withdrawn their objection.

5.4 **HDC Environmental Health** – No objection - initially requested that additional information was required e.g., noise assessment. Following this request, the Agent submitted a noise assessment and amended the plans to address the concerns. The EHPO has concluded from the information that ‘overall the noise from the application should not

be a problem to sensitive receptors in the area'. Notwithstanding the above, the EHPO recommends that the sliding doors at the rear of the Pub and the Beer Garden be closed at 9pm as single glazed residential bedroom windows are located 10 metres from the beer garden.

The proposed specification, submitted with the application, for the extraction system will be suitable.

Officer response: A condition regarding use of the sliding doors and beer garden are recommended accordingly.

6. REPRESENTATIONS

6.1 In addition to a site notice and press notice, 69 neighbours were consulted. A total of 67 representations have been received – 56 object, 9 support, 2 neutral.

The objectors raise the following issues:

-a large pub chain isn't needed in St Ives
- the proposal will result in the loss of a retail unit
- that there are a lack of shops in St Ives
- that there are already too many pubs / need more good quality retailers
- that the proposal will impact of crime and security
- that the proposal will cause noise and disturbance
-request that no live music be permitted in the beer garden and, if there is live music permitted in the pub, it should not be relayed to the beer garden by loudspeaker
-that the beer garden at the rear will generate noise, litter and crowds resulting in loss of amenity for residential properties
-that the proposal will impact on the wider neighbourhood from customers leaving late at night
-that noise and fumes from the Golden Lion are already unpleasant
-that there is no parking provision for staff and delivery vehicles
-that the proposal would have a negative impact on hotel bedrooms of Golden Lion overlooking the site
-that the proposal would distort the balance of retail and commercial
-that the scale is much greater than is required to serve local needs
-that there is a need to be more creative in the use of prime town centre retail outlets and protect this resource

In support:

-any new business to employ local people and brings revenue to the town would be of benefit
-that the existing premises are an eyesore and that it will improve the existing building
-that the prices will promote competition of benefit to those on lower incomes e.g. pensioners
-Wetherspoons is exactly what St Ives needs – the food is excellent, prices reasonable and premises clean.

Neutral:

-I hope the right decision will be made for St Ives and its citizens so we don't end up with a sleepy town.
-Wetherspoons is a brand and potentially could draw other brands to town

-If St Ives wants to become ‘up and coming’ proper brand shops need to establish here

6.2 Officer response: all the points above have been addressed in report below / conditions recommended where relevant / highlighted where they are not a planning issue.
The following issues have also been raised by objectors but are not material planning considerations:
- the proposal will damage local businesses / pubs
- that sales of cheap liquor will mean that younger people will come to St Ives getting drunk and cause problems
- that the pub operator will lower the ‘tone’ of the market town

7. ASSESSMENT

7.1 The main issues to be determined in relation to this application are the principle of the change of use; the relationship with neighbouring residential properties; impact upon the character and appearance of the Conservation Area, and flooding.

Principle of the proposed development:

7.2 The property has an established A1 retail use with office use at first floor. The present policy S13 (Huntingdonshire Local Plan (1995)) for Market Hill is to maintain shopping units as they are defined as ‘frontages protected for retail use’. The accompanying text with the policy states that ‘the District Council has defined a prime shopping area in which change of use from Class A1 (shops) to A2 and A3 will be resisted’. (Note: In 1995 when this policy was established, A3 would have encompassed all uses now known as A3, A4 and A5). Further the accompanying text states ‘It is recognised that A2 uses (financial and professional services) and A3 uses (sale of food and drink) can contribute to the vitality of a shopping area’.

7.3 In terms of national planning policy, the NPPF advice is more up-to-date than the Local Plan 1995 in terms of the vitality of Town Centres. The NPPF states that Local planning authorities should plan positively, to support town centres to generate local employment, promote beneficial competition within and between town centres, and create attractive, diverse places where people want to live, visit and work. Further Draft policy LP20 (Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013))supports proposals that would maintain and enhance the vitality and viability of the town centre and existing range including those which contribute to creating a balanced evening economy offering entertainment as well as eating and drinking establishments.

7.4 In addition, Planning Practice Guidance Appendix 2 Glossary defines main town centre uses as retail development (including warehouse clubs and factory outlet centres); leisure, entertainment facilities the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

7.5 Taking the above into account it is recognised that:
- the proposal would provide for a re-use of premises that are currently vacant and have been since August 2014
- since the 1995 policy, peoples' shopping behaviours have changed, for example the increase in internet shopping, and this has had an impact on town centres, and more recently has shifted the focus in terms of town centre uses more towards leisure/cafés/pubs/entertainment uses.
- Market Hill, Bridge Street, Crown Street and the Sheep Market are at the centre of the town's night time economy and feature a number of pubs and restaurants

7.6 For these reasons, it is considered that the principle of the proposed change of use to an A4 public house, and alterations to the external appearance of the building would help to improve the overall environment of the Town Centre in line with the aims of the NPPF, and the Planning Practice Guidance Appendix 2.

7.7 Notwithstanding the above, Local Plan policy S14 provides detailed guidance on the consideration of applications for restaurant and public houses – the determination of which depends on three factors:
-the effect on adjacent properties and nearby residential properties
- whether there is an appropriate level of car parking and general highway implications
-the proposed hours of opening and whether they can be controlled by restrictive conditions

7.8 These matters are discussed in the following sections of the report

7.9 It is considered that on balance the proposal would comply with the NPPF; and policies S14 of the Local Plan 1995; CS1 of the Adopted Core Strategy 2009; LP1 and LP20 of the Draft Local Plan to 2036. Whilst the adopted policies are broadly consistent with the NPPF paragraph 23 (which supports the vitality of town centres), policies LP1 and LP20 should be afforded the greater weight as they are more up-to-date than the policies within the Local Plan 1995.

Impact on neighbouring properties:

7.10 Local Plan policy S14 provides detailed guidance on the consideration of applications for restaurant and public houses – the determination of which depends on three factors. Two of those factors are the effect on adjacent properties and nearby residential properties and whether the proposed hours of operation can be controlled by restrictive conditions.

7.11 Although the property is within the core of the Town Centre where retail and commercial premises prevail, to the south of the site along Chapel Lane and Birt Lane there are residential properties. Specifically it is noted that that the neatest residential bedroom windows are located 10 metres from the proposed beer garden.

7.12 It is not unreasonable to expect public houses/restaurants in core town centre locations such as this, indeed, these types of uses

generally form part of Town Centre living conditions. It is noted that many public houses e.g., Nelsons Head, Tap Room, Robin Hood (when it re-opens), Golden Lion, Floods Tavern, The White Hart, The Royal Oak and Oliver Cromwell in the town centre all have an outside seating/drinking areas, although it is accepted that all the above sites have different characteristics and settings compared to the application site. It would nevertheless be unreasonable to refuse the application on the basis that it has a beer garden, especially if the use of an area as a beer garden can be controlled by condition (for example hours of opening), and unless there was significant and demonstrable harm to residential amenity. It is accepted that noise will be generated from the use, however taking into account:
- that the height of the fence surrounding the beer garden has been raised to 2.75m; and
- that a condition is recommended restricting no use of the rear garden/sliding doors past 2100hrs

7.13 It is considered that no significant harm will be caused to neighbouring residential amenity

7.14 Furthermore, the gate from the beer garden to Chapel Lane is to be used as a fire escape only and will be conditioned as such. Accordingly it is accepted that there would be no disturbance caused by customers/staff using the rear access.

7.15 In terms of windows, of the 8 windows at first floor on the west side and rear elevations, only one will remain on the rear and one on the west side at first floor, and it is considered that these alterations would be sufficient to mitigate against noise emanating from the premises. In addition, no live music is proposed for this venue and a condition is recommended restricting this.

7.16 No hours of opening have been proposed. However, it is considered that an 'hours of operation' condition would not be appropriate as the other public houses in the vicinity do not have restrictive conditions and in addition have been granted the following licences:
Golden Lion hotel: until 0200hrs 7 days per week
The Robin Hood: Mon-Wed and Sundays until 00.30hrs, Thurs until 01.30hrs, Fri and Sat until 0200hrs.
Oliver Cromwell: Mon-Wed and Sundays until 2330hrs, Thurs until midnight, Fri and Sat until 0030hrs.
The Tap Room: Mon-Wed and Sundays until 2330hrs, Thurs to Sat until 0130hrs.

7.17 Food smells are a material consideration to this application although the issues of smells / air pollution are subject to legislation that falls within the remit of Environmental Health to enforce. Notwithstanding, Environmental Health have been consulted and are satisfied that the filtration / extraction system proposed is suitable.

7.18 Subject to appropriate conditions, it is considered that the proposal complies with the NPPF; policy S14 of the Local Plan 1995; CS1 of the Adopted Local Plan 2009; LP1 and LP15 of the Draft Local Plan to 2036: Stage 3 2013. Whilst the policies are broadly consistent with the NPPF paragraphs 109 and 123 that seek to minimise against unacceptable levels of noise from new development including through the use of conditions, policies S14 and CS1 would be afforded

greater weight as they are adopted policies, whilst LP1 and LP15 can only be given limited weight as they are emerging policies.

Crime Prevention:

7.19 The site is location in a town centre location where a night time economy exists. Neighbour concerns regarding antisocial behaviour are acknowledged, although powers exist for the police to take appropriate action and this could not be a reason of refusal of the application, particularly as the Cambridgeshire Police Architectural Liaison Officer did not raise any concerns.

Impact on the character and appearance of the Conservation Area:

7.20 The applicant is proposing a number of changes to the fenestration. These include 1. Improvements to the ground floor façade treatment; 2. Blocking of windows on the rear and side elevations. It is considered that these changes will improve the external appearance of the building within the Conservation Area. Further a rear extension to infill under part of the existing overhang at ground floor is also proposed, and this is also considered to improve the external appearance of the building.

7.21 The proposal is considered therefore to comply with the NPPF; policies En5, En6 and En25 of the Local Plan 1995; CS1 of the Adopted Core Strategy 2009; LP1 and LP31 of the Draft Local Plan to 2036: Stage 3 2013. The draft policies can only be afforded limited weight in their consistency with the NPPF as they are emerging policies.

Flooding:

7.22 The site is within the EA Flood Zone 3, SFRA 1 in 100yr extent and 1 in 1000yr extent.

7.23 As part of an initial consultation, the Environment Agency in a letter dated 22 July 2015 were concerned that the FRA submitted did not comply with the requirements set out in the Planning Practice Guidance to the National Planning Policy Framework. The submitted FRA did not, therefore, provide a suitable basis for an assessment to be made of the flood risks arising from the proposed development.

7.24 The applicants have since submitted a revised FRA and the Environment Agency have been re-consulted. The EA are satisfied that the revised FRA dated September 2015 addresses most of their concerns.

7.25 In more detail the revised FRA has assessed the residual risk in the event of a breach or overtopping of the River Great Ouse flood defences by comparing predicted flood levels with the site levels. The SFRA maps indicate that this site is located within a Rapid Inundation Zone and is therefore considered to be at risk of flooding to significant depths in the event of a breach of the defences. Although no flood resilient measures are proposed, the FRA indicates that safe access and egress and safe refuge should be available in the event of a breach or overtopping of the defences. The FRA has also considered

the requirement for a flood warning and evacuation plan. A condition is recommended that a Flood Plan (incl. method of flood warning and evacuation) is submitted to the LPA.

7.26 It is considered that the FRA and development has adequately considered flood risk. The proposal is therefore compliant with the NPPF, policies CS8 and CS9 of the Local Plan 1995; CS1 of the Adopted Core Strategy 2009; LP1 and LP6 of the Draft Local Plan to 2036: Stage 3 2013. Whilst all the policies are broadly consistent with the NPPF paragraph 103 that flood risk is not increased elsewhere and 104 where changes of use should meet the requirements for site-specific flood risk assessments, the draft policies can only be afforded limited weight in their consistency with the NPPF as they are emerging policies.

Parking/Highways:

7.27 The premises are well related to existing car parks in the town centre and are accessible by other modes of transport e.g., walking, cycling, public transport, and would accord with the sustainable objectives of the NPPF.

7.28 In terms of deliveries, there would have been vehicles coming and going from the site when used as retail, therefore a refusal of this proposal based on the impact of delivery vehicles would not be considered sustainable. It is proposed that deliveries would continue to take place at the front of the building, on Market Hill.

7.29 Any issues regarding the highway would need to be directed to the relevant authority, Cambridgeshire County Council, who is the local highway authority responsible for enforcing highway safety.

Other issues:

7.30 Blocking of neighbours access – this would be a civil matter between the relevant parties and is something that has the potential to occur whatever the use of the building might be.

7.31 Enough pubs in the town – this comment is noted but is not a material consideration in determining this application.

7.32 Damage local businesses / pubs – whilst the concerns are noted, current policy requires LPAs to consider the vitality and viability of town centres and positively encourages competition within and between town centres.

7.33 The retail unit has been empty for approx.13 months. The vitality and viability of a town is market led, and if an independent or chain retailer chose to come to St Ives they will do so. The use of buildings (whatever the size) is also market led, and changes of use are considered against relevant material considerations, not in terms of the type of retail provision or who the retailer is.

Conclusion:

7.34 The proposed development is considered to be compliant with relevant national and local planning policy since:

* It will bring a vacant building in a sustainable town centre location back into use.
* The scale and location of the development is not considered to have an overly detrimental impact upon the Conservation Area.
* It would not have a significant detrimental impact on the amenity of neighbours.
* It is acceptable in terms of highway safety.
* It would not be at risk of flooding or exacerbate the risk of flooding elsewhere.
* There are no other material planning considerations which lead to the conclusion that the proposal is unacceptable.

7.35 Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is therefore recommended that planning permission should be granted.

8. RECOMMENDATION - APPROVAL subject to conditions to include the following

- Time limit
- Development in accordance with the submitted drawings
- Materials
- Provision of a Flood Plan (incl. method of flood warning and evacuation)
- Sliding doors to the beer garden should be closed at 2100hrs
- Collection and deliveries restricted between 0800 and 2000hrs
- Proposal for a CCTV system covering both front and rear elevations (main street entry and beer garden) and also a system covering the public bar area, stairs and upstairs corridor.
- Rear gate from beer garden onto Chapel Lane to be used in the event of a fire only, and details to be submitted of fire escape door.
- Details of the hard and soft landscaping for the beer garden incl. fence and screen planting
- No live music
- Take away PD rights - no additional openings
- Obscure glazing

A full report is available on the Council's website www.huntingdonshire.gov.uk

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs.

CONTACT OFFICER:
Enquiries about this report to **Ms Dallas Owen Development Management Officer 01480 388468**

ST IVES TOWN COUNCIL PLANNING COMMITTEE : 24 June 2015
APPLICATIONS FOR PERMISSION FOR DEVELOPMENT

App No & Date Reg	Name and Address of Applicant/Agent	Proposal and Location	Type of Application	Recommendation to District Council
1500338 12.06.2015	Mr Paul Hunt Mr D Smith Waterland Associates Unit 4 The Incubator Alconbury Enterprise Campus Alconbury Weald Huntingdon PE28 4WX	First floor extension to side, replace 2 existing conservatories and erection of a garage/workshop in the garden 4 Westwood Close St Ives	Full (Additional information)	Recommend Approval The Committee welcomes the receipt of additional information on this application.
1500458 02.06.2015	Mr P Rourke 34 St Audrey Lane St Ives PE27 3NG	Convert existing garage to a new entrance hall with downstairs cloakroom, brick up existing front door and installation of window, removal of an existing conservatory and erection of an orangery and replace existing flat roof over dining room and conservatory with pitched roof 34 St Audrey Lane St Ives	Full AMENDED PLANS	Recommend Refusal Although slightly improved, the Committee's original views still stand: -Height of boundary wall with neighbouring property excessive thereby reducing light -Unneighbourly extension
1500528 16.06.2015	Mr J Best Blue Sky Planning Bourne House 475 Godstone Road Caterham CR3 0BL	Variation of Condition Numbers: 2,4 & 14 of planning permission 1301918 to allow for an additional hour of trading and alterations to proposed cyclepath access to the store and to vary Condition 4 to allow trading between 0700-2300 Mon-Sat and 1000-1700 on Sundays. Land west of Five Acres Farm Harrison Way, St Ives	Section 73	Recommend Approval -The Committee has concerns that the formal crossing points have been removed. The preference would be for an alternative route around the site. -If there is to be no formal route through the site the path should be routed around it.
App No &	**Name and Address of**	**Proposal and**	**Type of**	**Recommendation to District Council**

Date Reg	Applicant/Agent	Location	Application	
1500655 10.06.2015	Mr A Compton 1 Westwood Road St Ives PE27 6DH	Construction of new boundary wall 1 Westwood Road St Ives	Full	Recommend Approval -the Committee welcomes the revised design and removal of the railings.
1500656 10.06.2015	Mr A Compton 1 Westwood Road St Ives PE27 6DH	Construction of new boundary wall 1 Westwood Road St Ives	Listed Building Consent	Recommend Approval -the Committee welcomes the revised design and removal of the railings. -appropriate design for listed building
1500682 03.06.2015	Mr J Randall J D Wetherspoon plc Central Park Beech Crescent Watford WD1 1QH	Change of use to A4 Public House, together with internal and external alterations and extension 8 Market Hill St Ives	Full	Recommend Refusal -see attached letter setting out the Committee's views
1500759 05.06.2015	Ms T McCarter Mr T Partridge RPS Planning & Development Highfield House 5 Ridgeway Quinton Business Park Birmingham B32 1AF	Installation of condensing unit on side wall of supermarket Co-operative Food Constable Road St Ives	Full	Recommend Approval -the Committee would recommend that an assessment of noise levels at nearby residences ought to be conducted prior to final consent being given
1500895 12.06.2015	Mr L Marshall Mr R Biddle 12C East Chadley Lane Godmanchester PE29 2BJ	Proposed second storey extension 14 Lammas Way St Ives	Full	Recommend Approval -appropriate scale of development -in keeping with other developments in the area

1500912	Clayhill Properties	Change of use of ground floor from	Full	Recommend Approval

St Ives Town Council
TWINNED WITH STADTALLENDORF
TOWN CLERK: Alison Melnyczuk BA (Hons) FILCM
Town Hall, Market Hill, The Old Riverport, St Ives, Cambridgeshire PE27 5AL
Telephone: 01480 388929
email: clerk@stivestowncouncil.gov.uk

25 June 2015

Mr A Moffit
Head of Development
Huntingdonshire District Council

By email

Dear Mr Moffit

Planning application 15/00682 Wetherspoon plc.

St Ives Town Council considered the above application at its Planning Committee meeting on Wednesday 24 June 2015 and **recommend rejection** for the following extensive reasons.

Change of use to A4 Public House

- Against HDC policy S12 & S13 and NPPF - Application is against HDC planning policy S12 which aims to retain retail units within town centres. The loss of one of the larger retail units in the town is also counter policy S13 and the NPPF to maintain the vitality of the town centre as it will reduce the range of the A1 retail offered and make the town less attractive to shoppers. No evidence has been presented to show how the development would enhance the viability and vitality of St Ives. St Ives already has a range of food and drink outlets and another facility is unlikely to add anything to the total town retail offer.

- Impact assessment study - HDC should commission a study, paid for by the developer, to investigate the impact on the town centre. This should include, the ability to attract more people to the town, the amount of money spent in town and the possible impact on other food and drink premises.

- 2007 Planning Policy Statement E6 - The application is also counter to Policy E6 of the 2007 PPS which restricts non A1 uses to 30% of the primary shopping frontage. The policy also deals with the over concentration of non A1 units. In this case the loss of an A1 unit will result in group of non A1 building which will cover nearly 50% of one side of Market Hill comprising:
    - Robin Hood PH, Office, (this application), Town Hall, Golden Lion PH, Free Church.

- Alternative suitable locations - The applicant has not provided any evidence of attempts to find new A1 uses for the building nor efforts to find suitable alternative buildings within the town. The HDC Retail Study 2013, identified a number of retail groups that wanted to move to St Ives. A supplement in the Times newspaper (21/06/15) headlined that it was “full steam ahead for UK retail”. Recent applications for the Music Box (application 14/01880) and the former Ice Bar on The Broadway (application 15/00054) suggest that alternative large licenced premises are available within St Ives.

- Unused property - It is understood that the existing tenant was removed when the applicant brought the building. Therefore to claim that the building has been unused for some time is misleading.

- Consultation - The applicant has not consulted with the Town Council as recommended by the NPPF, also as a potential neighbour, during the preparation of this application. Local residents have not been consulted and requests for meetings have been declined.

St Ives TC therefore recommend that the change of use element of the application be refused as it is counter to a number of HDC and National policies.

Changes to the building

If the change of use is accepted, there are a number of concerns regarding the proposals. Some of these will overlap with a possible future licence application:-

- Generally the Town Council consider the application to be of a poor quality with significant gaps in the information provided. We note that the Environmental Health Officer has found it impossible to make a recommendation due to the lack of detail. Additional information should be requested before the application is decided.

- The proposed full width opening doors with railings in front are totally out of keeping with other buildings in Market Square. Although the existing building may be of little architectural merit, an opportunity has been lost to make significant improvements to the façade to bring it up to the standard of adjacent listed properties in the conservation area.

- No details have been provided of the noise impact of the open windows nor any constraints when the windows will open. The Town Council recommend that there should be a constraint on when the windows are open, i.e. they must close after 21.00 in the evening

- No noise information has been given for the beer garden at the rear. The nearest homes on Birt Lane, Chapel Lane and the communal gardens of The Cloisters are just 10m away. A time constraint should be placed on the use of the beer garden and amplified music should not be permitted at any time.

- There are no details of the signage or any external lighting.

- There are no details of the rear beer garden fencing.

- The proposed flue from the fire is within Town Council land and agreement has not been reached, in fact no communication has yet been made requesting permission.

- A roof plan showing all proposed plant should be provided. Noise levels from any external plant should be identified.

- No statement on staff / user transport assessment deliveries and parking. The loss of 5 parking spaces is unacceptable.

Other comments

- The many letters of objection, and none in support of the application received by the Town Council is noted.

- The delay between HDC receiving the application (April 2015) and information being made publicly available is of concern.

Should this application not be rejected at Officer level, the Town Council requested that it is sent to the Development Control Panel for determination. Please note that should this happen the Town Council wishes to attend and speak.
Yours sincerely

Alison Melnyczuk
Town Clerk

ST IVES TOWN COUNCIL PLANNING COMMITTEE : 9 September 2015
APPLICATIONS FOR PERMISSION FOR DEVELOPMENT

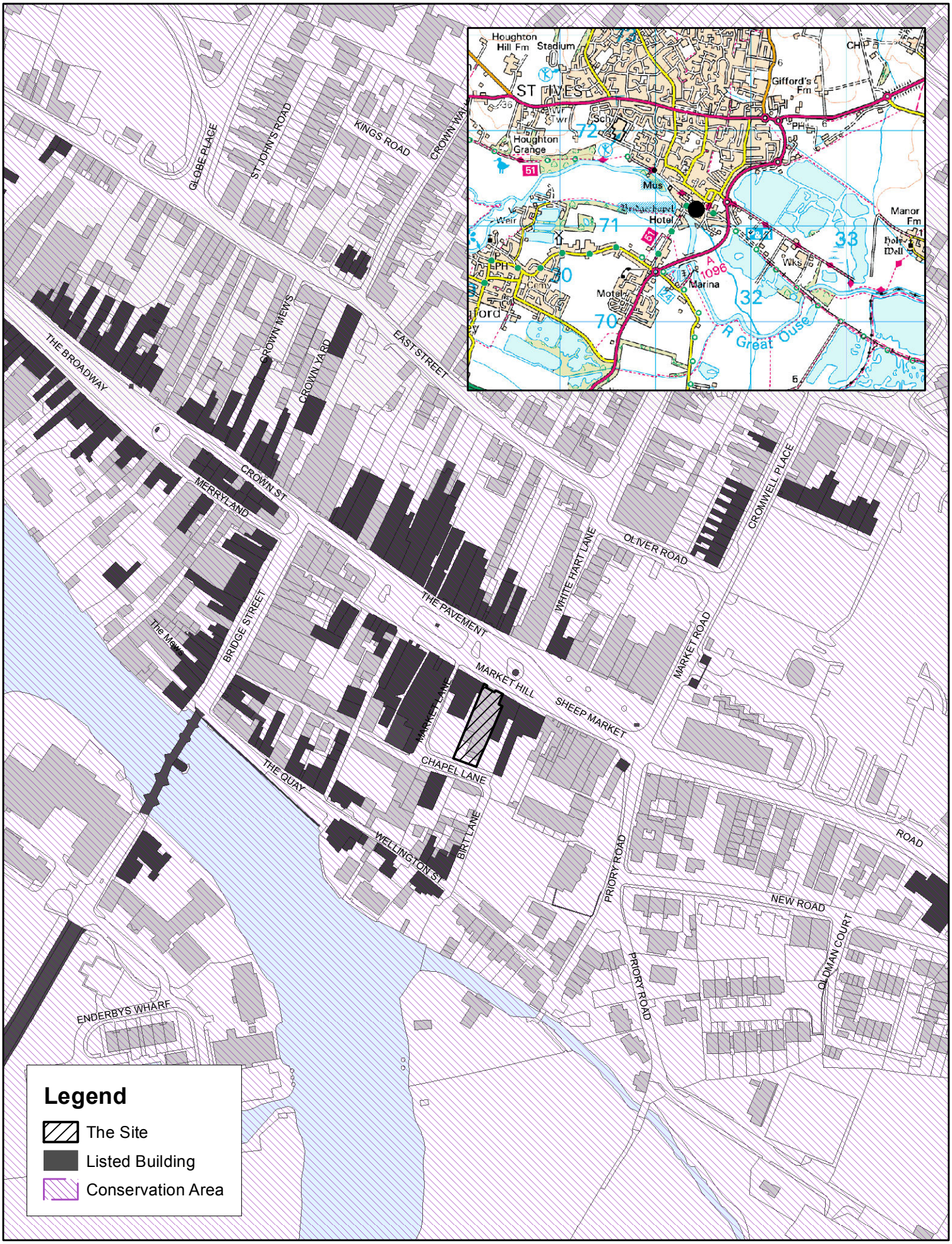
App No & Date Reg	Name and Address of Applicant/Agent	Proposal and Location	Type of Application	Recommendation to District Council
1500682 18.08.2015	Mr J Randall J D Wetherspoon plc Central Park Beech Crescent Watford WD1 1QH	Change of use to A4 public house together with internal and external alterations and extension 8 Market Hill St Ives	Full	Recommend Refusal Not all of the points raised in the Committee's previous comments have been addressed, ie -adequate soundproofing -confirmation that there would be no two-way use of the fire exit -fitting of obscure glass in upstairs windows There is also no indication of how noise levels will be controlled. Despite assurance there will be no amplified music, the plans still show loudspeakers in the garden to the rear The Committee would support the views of the Environmental Health Officer on placing time restrictions on use of the outside area and opening front windows.
1501137 07.08.2015	HSBC Corporate Real Estate Mr R Possnett AXIS Architecture Talbot Chambers 2-6 North Church Street Sheffield S1 2DH	Replacement of the existing external ATM HSBC Market Hill St Ives	Full	Recommend approval The Committee has no objections to the exchanging of the existing equipment for an updated version as there is no major change to the exterior of the premises as a result.

Development Management Panel

Scale =1:2,500
Date Created: 30/09/2015

Application Ref: 15/00682/FUL
Location: St Ives

Huntingdonshire DISTRICT COUNCIL



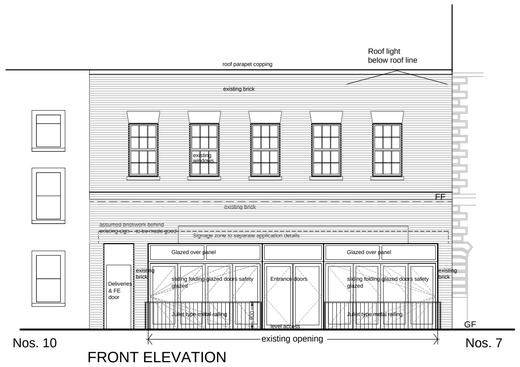
H.M. LAND REGISTRY

TITLE NUMBER

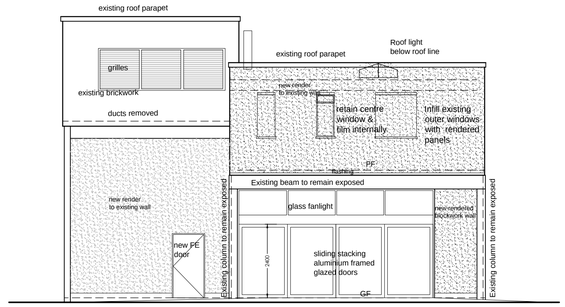
CB206715

ORDNANCE SURVEY PLAN REFERENCE	TL 3171 O	Scale 1/1250
COUNTY CAMBRIDGESHIRE	DISTRICT HUNTINGDONSHIRE	© Crown Copyright

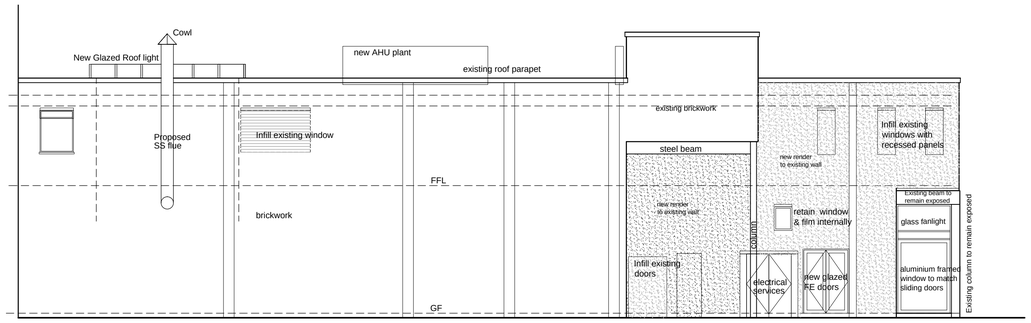
FILED PLAN
H.M. LAND REGISTRY



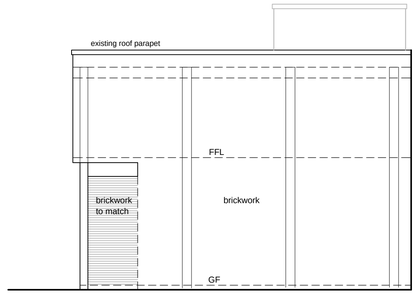
FRONT ELEVATION



REAR ELEVATION



WEST SIDE ELEVATION



EAST SIDE ELEVATION

NOTE:

The Contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before work starts.

This drawing must be read with and checked against any structural or other specialist drawings provided.

The Contractor is to comply in all respects with the current Building Regulations whether or not specifically stated on these drawings.

This drawing is not intended to show details of foundation or ground conditions. Each area of ground relied upon to support the structure depicted must be investigated by the Contractor and suitable methods of foundation be provided.

THIS SCHEME IS NOT BASED ON AN ACT SURVEY

Drawing Status	
Construction Status	

Rev.		By	Date

architect
architecture and interior design

Architect CT
Victoria House
Ack Lane East
Bramhall
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SK7 2BE

T: 0161-439 9205
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Site

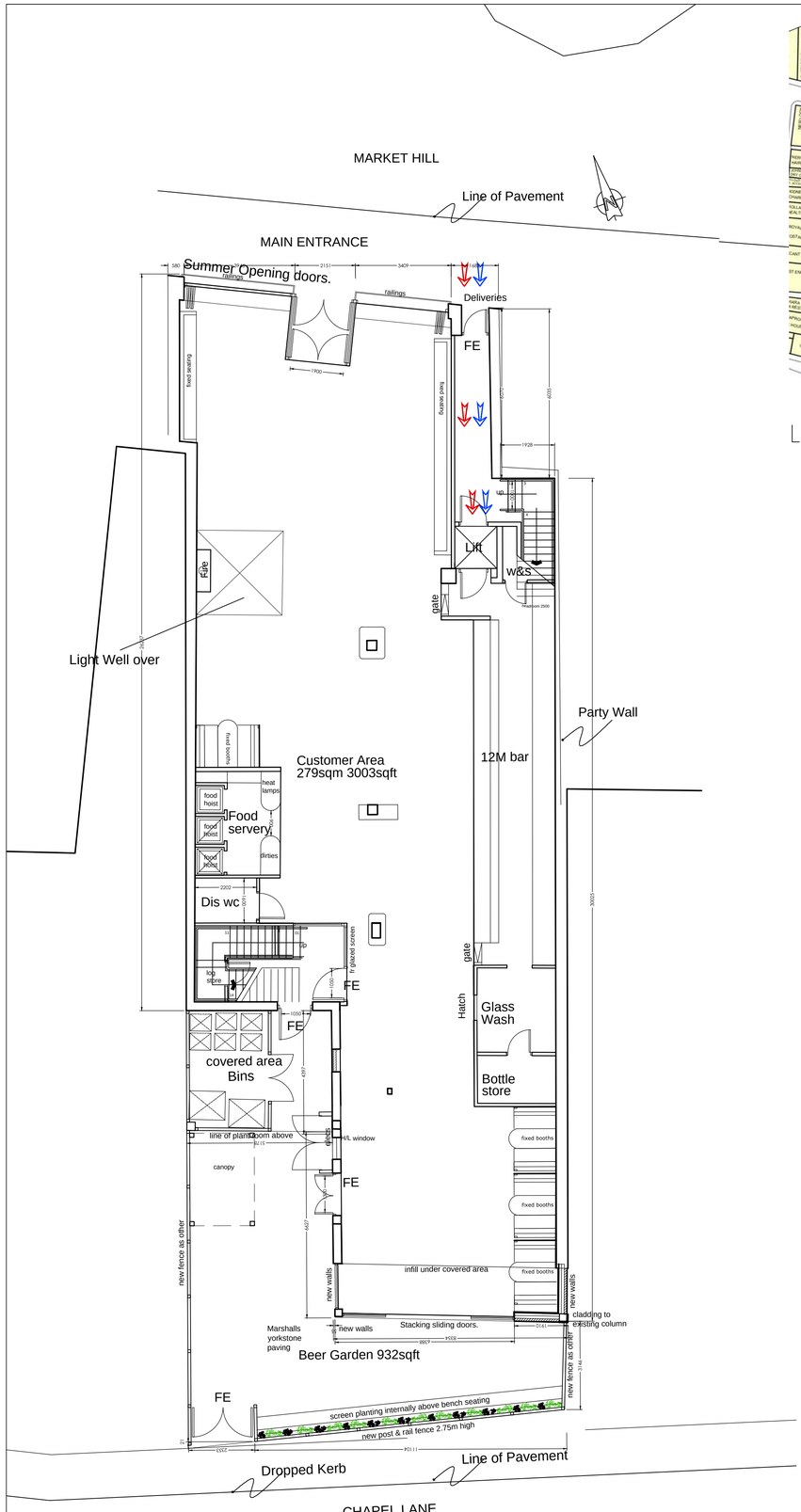
MARKET HILL
ST IVES

Title

PROPOSED
ELEVATIONS

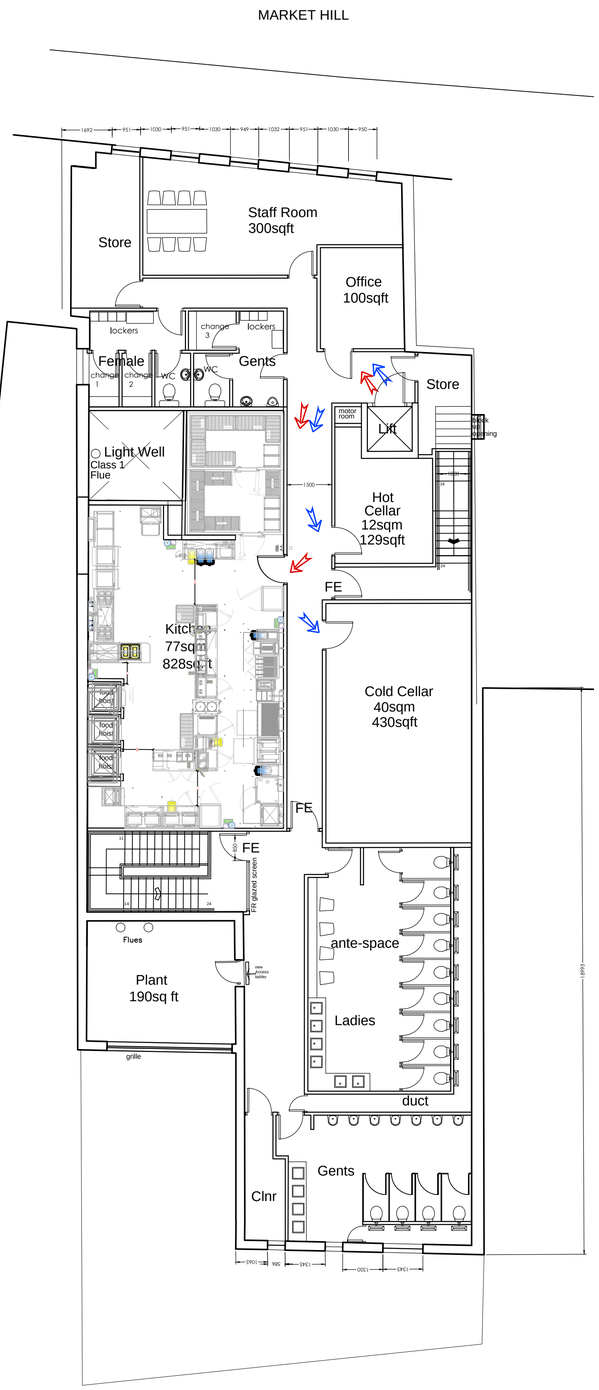
Project Manager/ Checked	Drawn By	Scale	Date
		1:100@A1	Mar 2015

Arch./Des.	Drawing Number	Rev.
	F1673 -05	



Ground

Location Plan



First

NOTE:

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Feasibility Calculations:
Trading area 279sqm 3003 sqft = 372 customers
external drinking 87sqm = 932 sqft

FIRE ESCAPE
Front FE - 1900 clear = 380
Rear stair FE - 1050 clear =220
Side FE - 1300 clear = 260
Assuming largest (front)is blocked:
Escape Capacity = 480
Assuming rear & side are blocked (both within 45deg)
Escape Capacity = 380
Note- there is secondary escape from first floor

JDW Sanitary Calculations:
188 female = 9 wc/6wb
188 male = 4 wc/7u/4wb (no extra U req)

KEY
Kitchen / Food deliveries
Beer deliveries
DAYLIGHT
Ground Floor Customer Area = 3013sqft
External Dining/ Drinking = 932sqft

Rev.		By	Date
K	Beer garden fence increased to 2.75m high	ATG	17.08.15
J	Rooflight reduced for kitchen	SM	29.06.15
I	Revised customer toilets and staff areas	SWG	19.03.15
H	Updated from notes	SWG	05.03.15
G	Updated following dog meeting	sm	26.02.15
F	Updated	ATG	04.02.15
E	Backfill fridges omitted & beer garden increased	ATG	10.09.14
D	trading increased to 3500sqft	sm	09.09.14
C	food servery updated	sm	08.09.14
B	urinals updated	PH	04.02.14
A	Layouts amended to latest brief	PH	04.02.14

Drawing Status
Construction Status

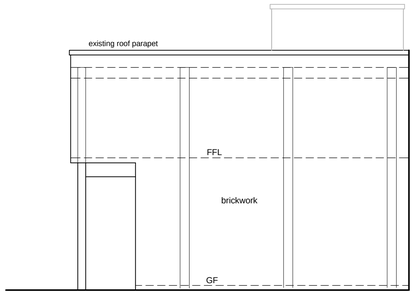
architect
architecture and interior design
Architect CT
Victoria House
Ack Lane East
Bramhall
Cheshire
SK7 2BE
T: 0161-439 9205
E: general@architect-ct.co.uk
W: www.architect-ct.co.uk

Site
MARKET HILL
ST IVES

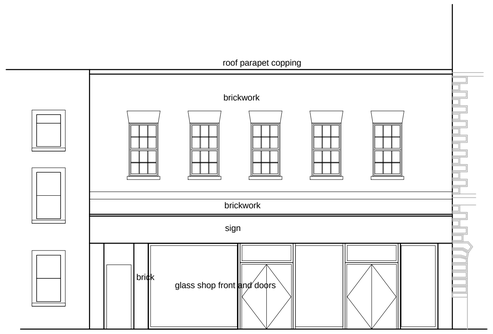
Title
PROPOSED
FLOOR PLANS
PLANNING

Project Manager/ Checked	Drawn By	Scale	Date
	PH	1:100@A1	JULY 2012

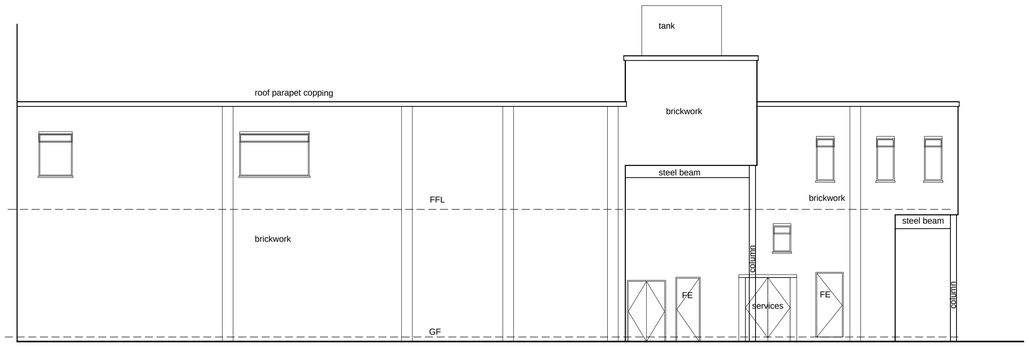
Arch./Des.	Drawing Number	Rev.
	F1673 -02	K



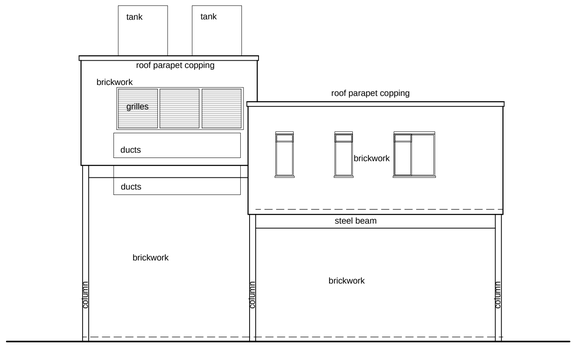
EAST SIDE ELEVATION



FRONT ELEVATION



WEST SIDE ELEVATION



REAR ELEVATION

NOTE:

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Drawing Status	
Construction Status	

Rev.		By	Date

architect
architecture and interior design

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Site

MARKET HILL
ST IVES

Title

EXISTING
ELEVATIONS

Project Manager/ Checked	Drawn By	Scale	Date
		1:100@A1	Mar 2015

Arch./Des.	Drawing Number	Rev.
	F1673 -04	

Existing front elevation

Existing rear elevation

NOTE:

The Contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before work starts.

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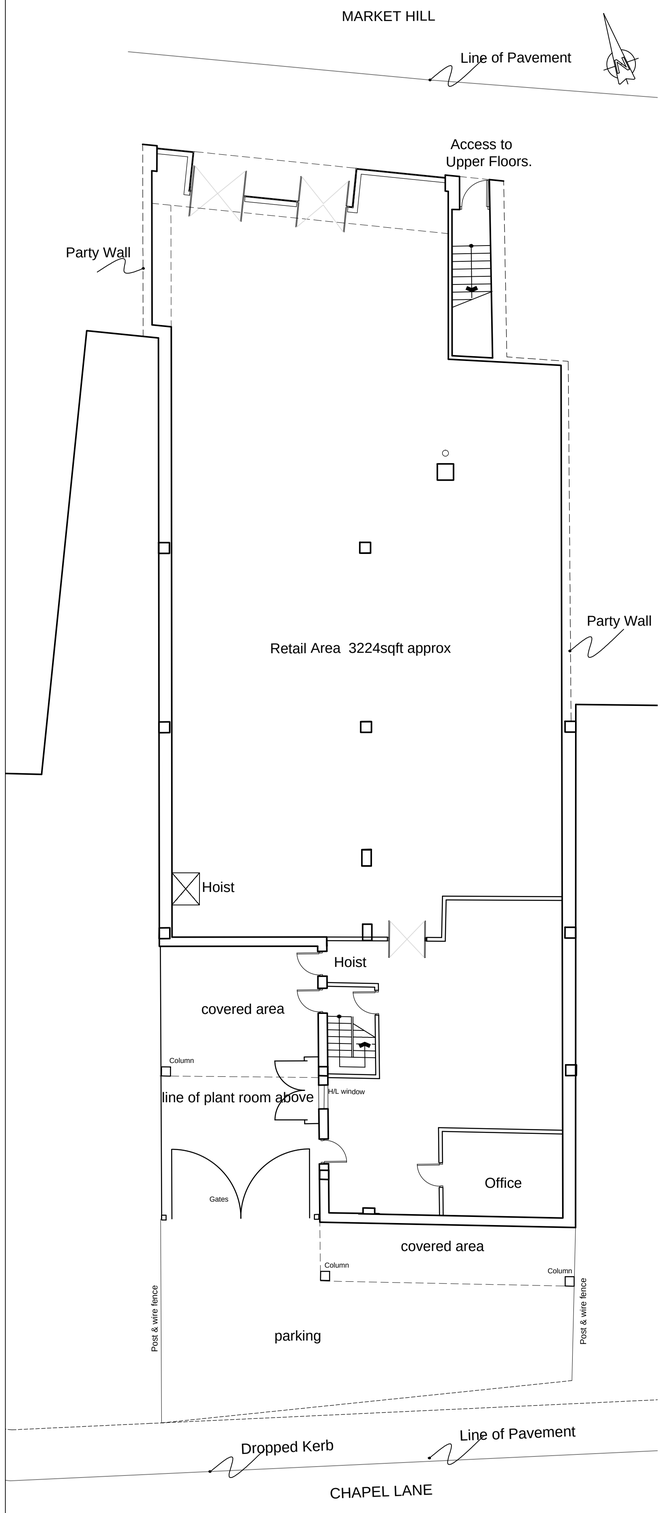
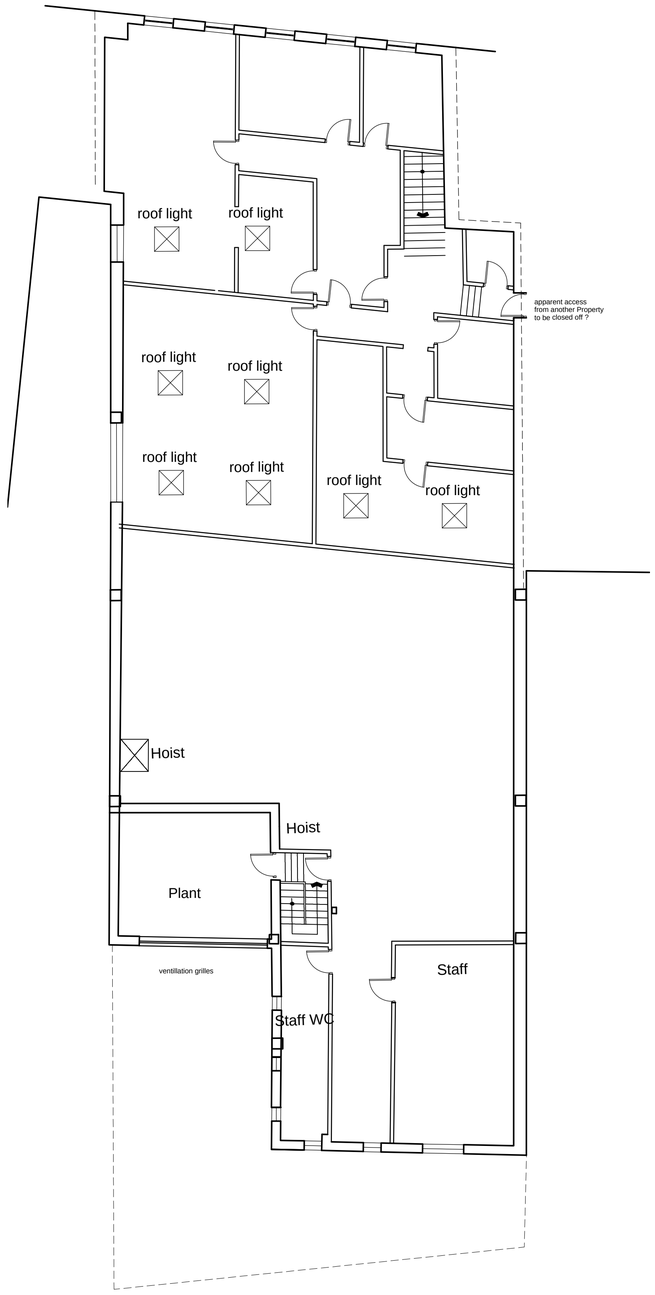
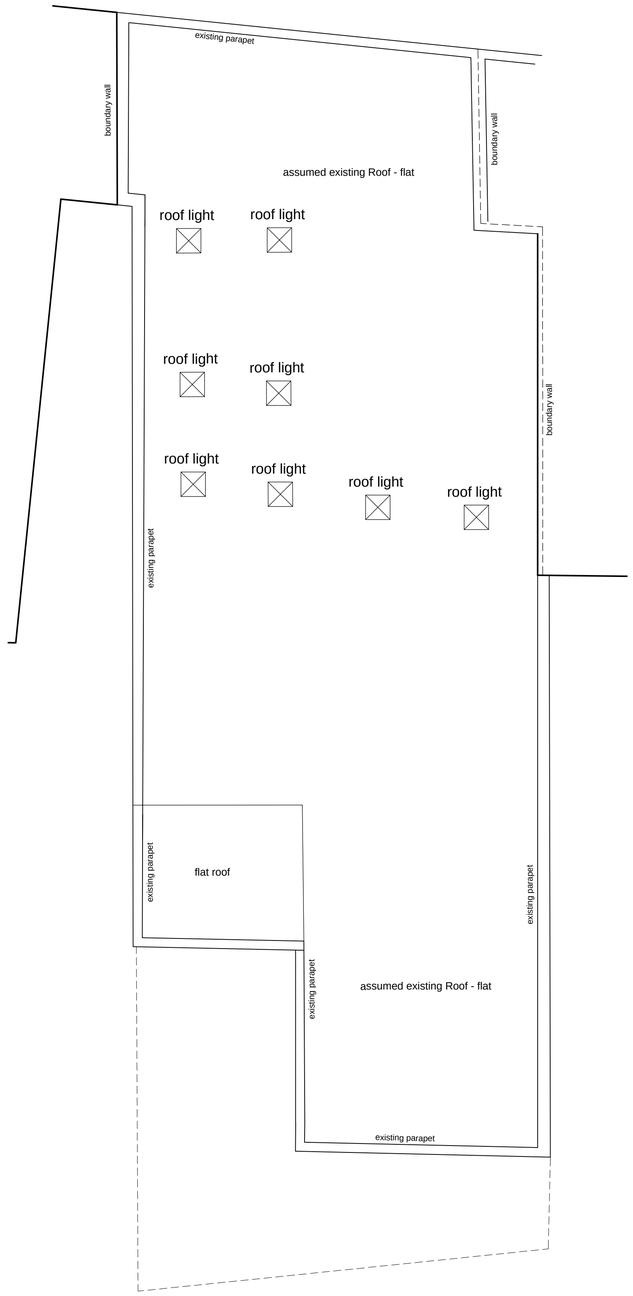


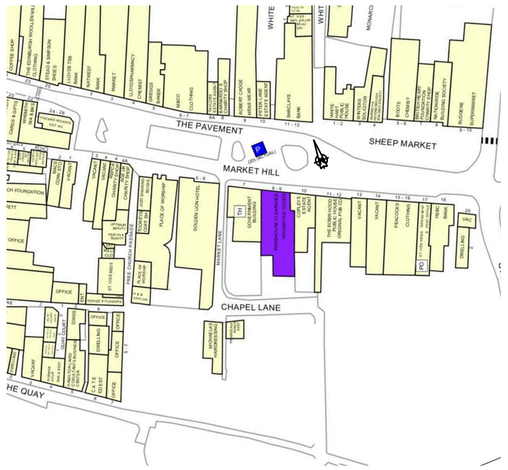
GROUND FLOOR PLAN



FIRST FLOOR PLAN



Roof



Location Plan

Drawing Status			
Construction Status			
C	further update	SWG	05.03.15
B	Updated	ATG	04.02.15
A	Layouts details added	PH	04.02.14
Rev.		By	Date

architect
architecture and interior design

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Site

MARKET HILL
ST IVES

Title

EXISTING
FLOOR PLANS

Project Manager/ Checked	Drawn By	Scale	Date
	PH	1:100@A1	JULY 2012
Arch./Des.	Drawing Number	F1673 -01	Rev. C

NOTICE OF PUBLIC EXHIBITION

PLANNING APPLICATION BY

J D WETHERSPOON PLC

JD Wetherspoon invite you to come and view exciting development proposals for a Wetherspoon Public House. Details of the public exhibition are provided below;

Event	'Drop In' Public Exhibition
When	Monday 16th November 2015
Where	St. Ives Town Hall, Council Chamber, Market Hill, St. Ives, PE27 5AL
Time	13:00 to 20:00
Proposal	Change of use from vacant Shop to Public House – 8 Market Hill, St. Ives
Further Information	This consultation will provide an opportunity for any interested parties to discuss the proposed development with members of the project team. Details of the proposals are also available after the exhibition at: www.signetplanning.com/consultation
Contact	For further information about the exhibition, please contact Jamie Pyper at; Signet Planning Rowe House 10 East Parade Harrogate HG1 5LT pyperj@signetplanning.com

COMMENTS FORM

JD WETHERSPOON
MARKET HILL, ST. IVES, CAMBRIDGESHIRE

This is your opportunity to comment on the proposals and we welcome your views below. The display boards are available online at www.signetplanning.com/consultation zone from Tuesday 10th November 2015 with the closing date for responses on Monday 30th November 2015.

Q.1 PRINCIPLE Do you support the general principle of the proposed development?

_____
_____
_____

Q.2 RE-USE How important do you consider it to find a viable new use for the vacant retail unit?

_____
_____
_____

Q.3 APPEARANCE Do you think the proposals will improve the appearance of the site?

_____
_____
_____

Q.4 OTHER Do you have any general comments which you would like to be considered?

_____
_____
_____
_____
_____
_____

NAME

ADDRESS / EMAIL

YOUR FEEDBACK

Please note the closing date for comments is Monday 30th November 2015. To provide us with your views you can do either of the following:

1. Visit the Signet Planning website consultation page (www.signetplanning.com/consultationzone)
2. Send an email to info@signetplanning.com
3. Send your comments to Jamie Pyper at Signet Planning, Rowe House, 10 East Parade, Harrogate, HG1 5LT.
4. Fill in the space above and leave your comments with us at the exhibition.

Comments Form Responses St Ives JDW

Question	Response	Tally
Question 1: Principle Do you support the general principle of the proposed development?	Yes	14
	No	11
	Possibly	2
Question 2: Re-Use How important do you consider it to find a viable new use for the vacant retail unit?	Very	17
	Would Prefer Different Use than as Wetherspoons	9
	No Comment	1
Question 3: Appearance Do you think the proposals will improve the appearance of the site?	Yes	13
	No	3
	To an Extent	1
	Yes - if it was a retail unit	3
	The frontage needs to be improved (i.e. railings)	6
	No Comment	1
Question 4: Other Do you have any general comments which you would like to be considered?	Retail Use would be better	2
	Personnel the pub would attract. Noise from beer garden/nuisance/deliveries (especially on market days?)	7
	Extra traffic/parking?	2
	Where do smokers go after 9pm?	1
	The exterior needs to be better/more attractive – no railings	5
	More traditional – in keeping with 'market town' – Name it 'The Riverport'	2
	Designated Family Area/Adults Area	2
	Enough pubs/restaurants already in St Ives	2
	Consultation done too late	2
	A big asset to St Ives	3
	No Comment	3

From: Lee Bradley< Lee@architect-ct.co.uk>
Sent: 25 January 2016 21:50
To: Owen, Dallas (Planning Serv.)
Subject: RE: Your Ref 15/00682/FUL 8 Market Hill St Ives CRM:0031210 ;
Attachments: Comments Form.pdf; Notice of Public Exhibition.pdf; Comments form responses St Ives JDW.PDF; ST Ives jdw_02_Option05 A -.jpg; RK1796 - JDW St Ives, Cambs - Spectrum Response to MAS Report.pdf; Management Plan jdw St Ives.pdf; JD Wetherspoon St Ives Outside Area Management Details.pdf; F1673-05B ProposedElevations-A1.pdf; F1673-02L ProposedPlans-A1.pdf; F1673-01C Existing Plans-A1.pdf; F1673-04 ExistingElevations-A1.pdf

Hi Dallas,

I finally have some more info on this FYI
RE: Your Ref 15/00682/FUL 8 Market Hill St Ives CRM:0031210 ;

Stakeholder meeting
When it was – 16th November 2015
how many attended – about 12 people
how many comments received – NA see below
summary of the comments received –

- BS4142 is the relevant regulation you use for noise levels – Do JD Wetherspoon agree?
- JDW will investigate the introduction of an external noise monitoring system for the beer garden that will notify the management when levels start to get to the upper agreed level to enable them to mitigate the levels going above the agreed (the figure discussed was 48-50db)
- JDW would look into the Civic Society and zero impact assessment on the economy of the rest of the town
- JDW would incorporate bi-folding windows on the front of the building and remove the railings.

how have they taken them into account. - see below

·1 *BS4142 is the relevant regulation you use for noise levels states the council – JD Wetherspoon do not agree due to the following reasons*

Regarding BS 4142, the standard specifically states in Section 1 *"the standard is not intended to be applied to the rating and assessment of sound from people".* Our report only assesses noise from the proposed mechanical plant in accordance with BS 4142 for this reason. It would not be appropriate to assess noise from the beer garden and summer opening doors in accordance with BS 4142.

The cumulative noise levels from the use would not exceed the WHO annoyance criterion. Therefore the cumulative noise impact for a worst case scenario would be low. For the majority of the time, the impact would be much lower.

The alternative IOA and BCC criteria suggested by MAS is intended for establishments which hold entertainment events. Using this criteria here is misleading and is not intended for the assessment of noise from a beer garden and summer opening doors at a Public House where no entertainment events would be held.
A detailed response is enclosed to the MAS report.

The assessment methodology proposed by Spectrum, which was accepted by HDC, is widely accepted by many other local authorities. The criteria used is appropriate for the type of establishment to which planning permission is sought and we have confirmed with the planner and HDC that our original report is upheld with regards to noise and odour

- *2 You will investigate the introduction of an external noise monitoring system for the beer garden that will notify the management when levels start to get to the upper agreed level to enable them to mitigate the levels going above the agreed (the figure discussed was 48-50db)*

Although on the face of it this seems like a good idea. Essentially measurements that are appropriate as agreed with the HDC relate to a 16 hour LAeq level , so it would not be practical to have an alarm system in place, because you would only really know if the guideline level of 50dB was exceeded at the end of the 16 hour period.

I have relocated the sliding doors to the side elevation –because we want to do what we can to compromise and take heed of the local communities concerns on this point.

We also accept that no food or drink be served in the garden but we request a smaller barriered off area after that time to accommodate smokers from the pub – as we don't want smokers to use the front pavements we want to manage our guests as a responsible establishment would.

A beer garden is essential for our pub to work – as it is for the adjoining Robin hood and Golden lion – So we ask that this be taken into consideration.

As our rear elevation visual shows we are prepared to close off almost all existing windows at high first floor level to the rear and frost the window to the gents past head height so that we get a little natural light in but we don't overlook any other premises.

- *3 You would provide the Civic Society a zero impact assessment on the economy of the rest of the town*

The St Ives Civic Society and the recent consultation event requested that the applicant undertake an impact assessment of the application proposals. In response to this request it is worth highlighting that the National Planning Policy Framework (NPPF) seeks to promote positive competitive town centres and support their vitality and viability. Leisure uses such as public houses are considered an appropriate land use in town centre locations with paragraph 26 of the NPPF stating that applications for retail, leisure and office developments will only require an impact assessment where the proposals are in an out of centre location and exceed 2,500sqm (this is why it would be appropriate for the Waitrose development for example). In this instance, the scheme does not exceed 2,500sqm and it is located within a town centre and therefore assessing the impact of the proposals is not a legitimate planning requirement.

Notwithstanding the above, J D Wetherspoons have plenty of experience of moving into established town centres where alternative public houses are already available and it is our experience that Wetherspoons can be complementary to these existing businesses and attract new customers to the centre who undertake linked trips to other services and facilities.

In addition when JDW purchased the property, had it been marketed for long time – years I'm told – without interest, 'Warehouse clearance shops' was a small independent supermarket chain which was bought by Morrisons. Morrisons purchase was never centred around this site and they never traded from this site as it wasn't suitable. Therefore the property was on the market for a long time.

We have previously provided you with information in relation to the job creation that will be generated by these proposals as well as the additional spending that this will create within the local economy. It is therefore the case that the proposals will offer significant benefits to the locality and should not be perceived as a threat.

I enclose a JD Wetherspoon management plan that highlights how the pub will operate
the proposed development will result in significant job creation, created as part of the public house operation. These include a mixture of part-time and full-time employees, as well as various different roles in the day to day operation of the site. Based on other equivalent comparators the employment opportunities are broken down approximately as follows:

- 1 x Site Manager;
- 4 x Deputy Managers;
- 6/8 x Kitchen Staff (chefs);
- 10 x full-time bar staff (circa 39 hours per week);
- 15/17 x part-time bar staff (circa 20 hours per week); and
- 4 x cleaners.

It also must be acknowledged the contribution made by public houses to the vitality and viability of town centres, particularly where they operate an all-day facility which can interact with surrounding businesses.

This contributes to the day time and evening economy during peak and off peak periods.
The proposals will do just that.

The following figures provide an approximate indicator of the economic outputs of the proposed development. Clearly there will also be benefits to the wider local economy than those simply generated on-site.

The total construction costs will be around £1.6m and it is estimated that the gross impact generated by the implementation of the proposed development will be specialist employment for 17 people over the 16-week construction period. It is important to note that construction is a key contributor to economic activity and employment due to its heavy reliance on an extended and varied supply chain. As a result, construction activity has positive impacts that go well beyond the on-site jobs created and the capital expenditure invested in the development scheme.

Gross Value Added (GVA) per employee provides a measure of the value of the output produced by employees within the economy. It is a key indicator for economic growth. Based on data from the Office for National Statistics (ONS), the GVA generated by the on-site construction employment would total £0.255m. The public house's workforce will generate £1.951m of additional GVA annually.

The County's ONS jobs density (total jobs to population aged 16-64) is higher than the Great Britain average and as a result many Cambridgeshire residents who are employed work within the County. Therefore it is expected that many of the jobs created by the public house will be taken up by local people. The proposal will also improve the County's underrepresentation in the accommodation and food services sector (ONS data).

I hope this helps to address your concerns re economy – while the management plan demonstrates the community benefits of the Wetherspoon development in St Ives.

We also talked about Car parking – we would be employing a majority of local staff and would encourage use of the local facilities for parking which appear to be fantastic (over 2500 spaces) and public transport. Obviously we would not condone parking on double yellow lines and there is enforcement in place for that issue outside of planning matters.

Also deliveries were mentioned – our deliveries are consolidated in an offsite warehouse to minimise deliveries and are minimal – We are delivering to the front – The only use for the rear gates is for a fire escape and for bin collections as existing as the other local business and residents current use. There is no customer access from the rear of our proposal.

· *4 You would incorporate bi-folding windows on the front of the building and remove the railings.*

I enclose a revised visual and plans and elevations – It shows a more traditional frontage with a stall riser as we discussed and I think it's a fantastic improvement. The rails are gone and it's much more fitting on the street scene – this is a direct change from our meeting and after talking to local residents and the community at our forum.

public consultation
When it was – 16th November 2015
how many attended – about 60 people approximately
how many comments received – 112 in total – the total of the tally on the responses form
summary of the comments received – see enclosed comments responses form
how have they taken them into account. – see above

I attach a copy of the 'Notice of Public Exhibition' which was used to advertise the event; a copy of the Comments Form/Questionnaire, which was available at the event and via our website;
and a copy of the Comments Form Responses, which summarises the comments received and which I trust you will have already seen
– 27 people in total completed the Comments Form.
With regards your query as to why the Comments Form Responses table shows 27no responses to Q's 1-3 though 31no to Q4,
I would suggest this is simply due to Q4 asking for 'any other comments' and, obviously, if some individuals made comments on more than one matter when responding to Q4,
the table will show more than 27 comments made in total, albeit by only 27 people.
We believe approximately 60 people attended

Can you confirm that this is suitable please
And if I can do anything else to support this application