

OTTERY ST MARY TOWN
(Ottery St Mary)

07/1965/FUL

Target Date: 06.09.2007

Applicant: Mr & Mrs Rose
Location: Roseys Chippy, 1 Tip Hill, Ottery St Mary
Proposal: Installation of galvanised MS. fryer flue

CONSULTATIONS

County Highway Authority

No comments.

Environmental Health

After visiting the premises and studying the plan, I have concluded that the proposed height of the chimney is insufficient and therefore recommend that the following condition is included on any permission granted.

The flue must terminate at least 1 metre above the ridge of the building and must be situated no closer than 1 metre from any openable window. The flue cap must be sufficient to allow complete dispersal of flue gases. The design of the flue must be agreed with the Local Planning Authority before any permission is granted.

TOWN/PARISH COUNCIL

Recommend approval.

WARD MEMBER(S)

The initial comments of the Ward Member(s) are -

Cllr R. Giles:

"This application is in my ward and my preliminary view, based on the information presently available, is that it should be approved.

"I have read the Conservation Officer's comments and his recommendation of refusal, but do not agree. The position would be relatively unobtrusive; the setting is not particularly meritorious – looking south from Jesu Street one sees something of a mixture of dormers and different types of development to the rear of dwellings on the east side of Tip Hill. As long as the flue meets the Environmental Health Section requirements, and is painted to blend in, I think this is acceptable.

"In the event that this application comes to Committee I would reserve my position until I am in full possession of all the relevant facts and arguments for and against."

Cllr D. Cox:

"I am writing to support the above mentioned application notwithstanding the provisional recommendation of the Conservation Officer as I do not share his view that the flue would be detrimental to the character and appearance of the conservation area. The rear aspect of the Tip Hill terrace is a mishmash of styles and bearing in mind the flue will only be visible from the Jesu Street frontage it should be relatively innocuous provided it is painted to blend in with the brickwork.

"Although it is my recommendation that the application should be approved based on the information presently available, in the event that this application comes to committee, I reserve my position until I am in full possession of all the relevant facts and arguments for and against."

REPRESENTATIONS

1 letter has been received raising the following points:

- It is not clear from the submitted details how the flue will affect the smell coming from the shop

PLANNING POLICIES

Devon Country Structure Plan (2001-2016)

Policy CO6 – Quality of New Development

East Devon Local Plan (1995-2011)

Policy D1 – Design and Local Distinctiveness

Policy EN11 – Preservation and Enhancement of Conservation Areas

SITE LOCATION AND DESCRIPTION

Roseys Chippy is located on the ground floor of a two storey building on the corner of Jesu Street and Tip Hill within the built-up area boundary of Ottery St Mary. The property is set within a designated Conservation Area and occupies a prominent position on the edge of the main shopping area of the town. The building has a single storey pitched roof extension and an adjoining flat-roof addition to the rear. The premises is situated at the end of a terrace of properties fronting onto Tip Hill and a further residential property (2 Jesu Street) is situated to the rear.

PROPOSED DEVELOPMENT

The proposal is for the installation of a galvanised steel fryer flue to the rear (east) elevation. The flue would measure 0.3m in diameter and extend from the ground floor up the rear gable end to a point 1 metre above the ridge of the building. The flue would be painted to match the colour of the brickwork in an attempt to lessen its visual impact. The application has been submitted as a consequence of a new fryer having to be installed and the necessity of servicing the flue which is needed to satisfy insurance requirements.

CONSIDERATIONS AND ASSESSMENT

The main issues to consider are the potential impact on the amenity of neighbouring residents and the impact on the designated Conservation Area.

Impact on Residential Amenity

The fryer flue would terminate 1 metre above the ridge of the building and would be sufficiently distanced from any openable windows to satisfy the requirements of the Environmental Health Officer. There would therefore be no significant impact in terms of the smell from the flue and the scale is not large enough to lead to any significant impact on neighbouring amenity.

Impact on Conservation Area

The rear of the property faces away from the busiest part of the town centre and the fryer flue would therefore be partially obscured from this perspective. However, in order to satisfy the requirements of the Environmental Health Officer, the flue would terminate 1 metre above the ridge of the building. This would mean that the flue would be visible for a considerable distance within the Conservation Area due to the prominence of the building. The rear of the building is clearly visible from Jesu Street where the flue would appear as an incongruent addition to the property despite the proposal to use paint to match the colour of the brickwork. The size of the flue at 0.3m in diameter would lend it an overly dominant appearance which would be to the detriment of the designated Conservation Area. It has not been demonstrated that alternative solutions which would appear more sympathetic to the host building and less prominent in the street scene have been explored.

CONCLUSIONS

The fryer flue would detract from the character and appearance of the Conservation Area due to its size and location which would be prominent in the street scene. An alternative ventilation system which would be less prominent and more inkeeping with the area whilst satisfying the insurance requirements would be preferential. Despite the proposal to paint the flue, it would still appear as an incongruent addition to the building due to its size, siting and protrusion above the roof. It would be visible from a number of vantage points within the town centre to the detriment of the designated Conservation Area.

RECOMMENDATION

REFUSE for the following reason:

1. The proposed fryer flue, by reason of its size, appearance and proposed position, would be detrimental to the character and appearance of the surrounding area and designated Conservation Area. The proposal would therefore be contrary to Policy CO6 (Quality of New Development) of the Devon Structure Plan 2011 – 2016 and Policies D1 (Design and Local Distinctiveness) and EN11 (Preservation and Enhancement of Conservation Areas) of the Adopted East Devon Local Plan 1995 – 2011.

List of Background Papers

Application file, consultations and policy documents referred to in the report.