

Officer Report on Planning Application: 09/04280/LBC

Proposal:	Demolition of a single storey lean-to extension and staircase and alterations and extension to premises to provide a community building for worship, business and social use (GR 341878/126738)
Site Address:	Old Custom House Inn Bow Street Langport
Parish:	Langport
LANGPORT AND HUISH Ward (SSDC Member)	Mr Roy Mills (Cllr)
Recommending Case Officer:	Claire Alers-Hankey Tel: 01935 462295 Email: claire.alers-hankey@southsomerset.gov.uk
Target date:	1st January 2010
Applicant:	Huish Episcopi & Langport Education And Resources Trust
Agent:	Mr C Wells Beech Tyldesley Old Deanery Court, Cathedral Green, Wells BA5 2UQ
Application Type:	Other LBC Alteration

REASON FOR REFERRAL TO COMMITTEE

This application accompanies a planning application that has been referred to Area North Committee for determination. This proposal overall has proved to be a controversial application and the Town Council have raised an objection to the proposal. Therefore the Ward Member and Chair of Area North wish for the application to be discussed by the Committee.

SITE DESCRIPTION AND PROPOSAL



The site is located within the town centre of Langport. The site is within the local conservation area and is a Grade II listed building. The site is currently empty, but was last used as a public house, and is therefore classified as having an A4 use. The pub is currently in a poor state of repair, with various internal alterations that have not had listed building consent. The current layout is as following:

Ground Floor:

Bar area
Bar lounge
Back room
Kitchen
Ladies and Gents WC
Bar store
Old stables
Access and outside areas

First Floor:

Two bedrooms
Bathroom
WC
Function room

Second Floor:

Three further bedrooms

This application seeks planning permission for:

- The erection of a two-storey extension to the east elevation of the property, to be constructed from glass panels on a brickwork plinth
- The conversion of the stables to a youth club
- Internal re-organisation/refurbishment at ground floor level to change:
 1. Existing bar store and gents WCs into youth worker office and team office
 2. Existing ladies WC and kitchen into bookshop and lettable shop
 3. Existing back room into WCs and wheel chair accessible lift
 4. Existing lounge and bar area into café and bar area
 5. Conversion of bar store and gents WCs to offices
 6. Refurbishment of rooms at first floor level to change to meeting rooms
 7. Refurbishment of function room and formation of kitchen at first floor level
 8. Refurbishment of bedrooms at second floor level to offices
 9. Various external alterations, including relocation of fire exit staircase from east elevation to south elevation and alterations to existing windows

The proposed material for the new internal walling is plasterboard, and for the external wall alterations is plastered masonry and studwork and plasterboard.

An amended Design and Access Statement and amended plan have been received following consultation with the Conservation Officers at SSDC, which have made the proposed two-storey glass extension much lighter in structure and more transparent so that the existing building can easily be seen through the proposed extension.

HISTORY

01/01011/LBC: Redecoration of frontage. Granted conditional approval on 13/06/2001.

98/01491/FUL: Proposed retail store to include car parking and alteration to existing vehicular access. Refused permission on 02/06/1999. Subsequent appeal withdrawn on 25/05/1999.

98/02031/LBC: Demolition of outbuilding, demolition of part boundary walls, construction of new cross walls to match existing, construction of new gates and erection of retail store. Refused permission on 12/01/1999.

89/01142/FUL and 89/01146/LBC: Alterations and single storey extension to public house. Granted conditional approval on 29/01/1990.

A8194: Display of two internally illuminated signs. Refused permission on 29/12/1971.

A8194: Display of an externally illuminated sign. Refused permission on 10/06/1969.

45862: Alterations to public house. Approved on 01/10/1959.

POLICY

Section 16 of the Listed Building and Conservation Areas Act is the starting point for the exercise of listed building control. This places a statutory requirement on local planning authorities to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

PPG15 - Planning and the Historic Environment

Regional Spatial Strategy:

Policy VIS 1 - Expressing the Vision

Policy VIS 2 - Principles for Future Development

Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011:

Policy STR1 - Sustainable Development

Policy 9 - Built Historic Environment

South Somerset Local Plan (Adopted April 2006) Policies:

ST5 - General Principles of Development

ST6 - The Quality of Development

EH3 - Alterations to Listed Buildings

EH5 - Development Proposals Affecting the Setting of Listed Buildings

CONSULTATIONS

AREA ENGINEER - No comment

TOWN COUNCIL - It is the opinion of Langport Town Council that this application should be refused for the following reasons:

- The modern extension proposed in this development is neither appropriate for, nor sympathetic to the existing listed building.
- The proposed external corridor extends beyond the area scheduled to be demolished. It is our understanding from recent meetings with the Environment Agency and Development Control that, as a result of the classification of the centre of Langport as a Class 3A flood zone, any development within the centre of Langport is restricted to replacement of existing buildings within the same

footprint as the area to be demolished. There is also a requirement to ensure that any rebuilding meets the standards appropriate for Class 3A Flood Zone.

- The application implies that, even with the proposed change of use, the premises will continue to operate as a Public House. However, there are concerns that the proposals do not include any provision for a bar storage area and we do not see how the stated objective can be effectively achieved without the inclusion of this facility.
- The Town Council is concerned that the introduction of a new café area will have a detrimental affect on the three existing cafes within the Bow Street area of the town.
- The design statement mentions the intention to maintain the public access between Bow Street and the car park to the south. To the best of the Town Council's knowledge there is no public right of access from Bow Street to the Cocklemoor car park via the Custom House. As we understand is any public right of access would depend on permissions being obtained from the owners of the land to the rear of the premises in Bow Street and there is no indication that these permissions have been granted.
- The proposals as presented would result in the loss of a valuable community facility in the town.

Further concerns were raised at the Town Council meeting, which you may like to take into account when the Area North committee considers this application.

- The Huish Episcopi and Langport Education and Resources Trust maintain that the proposed changes are to protect a building that is falling into disrepair because it is not economically viable for it to be operated as a Public House. However, in response to a question at the Town Council meeting about how the long-term future development would be funded, the Churchwarden of the Parish of St Mary's cum Langport responded that the majority of the funding would come from the proceeds of the Public House operation. This seems to contradict their belief that the building is uneconomic as a public house and raises questions about the long-term viability of the project.
- One of the reasons for this development is said to be the need to provide an after school facility of the youth of Langport. Questions were raised from the floor as to why the Trust has not approached the Langport Youth Centre to determine ways in which the existing facilities at the Ridgeway Hall could be developed for this purpose.
- The question of how segregation between the youth activities area and the public house area was going to be maintained was raised but the representatives of the applicant present were unable to provide an answer which gave some cause for concern.
- As a result of these proposals, the pre-school facility at St Mary's Church Hall was closed. If the Trust is truly concerned about the welfare of the young people of Langport and the surrounding area it is hard to understand why this was allowed to happen and why there is no apparent replacement provision included within the plans.

It is the view of the Town Council that because of the strength of feeling within the town, this application should be referred to the full committee for consideration and not determined by the Planning Officer under delegated powers. FOLLOWING RECEIPT OF AMENDED PLANS: The amendments to this application do not change the views previously conveyed to you. The minor modifications to the glazed corridor do not mean that it is any more in keeping with the listed building than it was on the original application. We cannot see that there is any significant difference between this application and that for the United Reform Church, which was refused because the

proposals were not in keeping with the surrounding buildings. I am also asked to inform you that the Town Council consider that the proposals constitute a full and not a partial change of use, given that the area specifically designated for licensed use (A4) is being reduced from 409m² to 166m² (-59.4%). This reduction in size, coupled with the failure to provide the necessary beer storage and back of house facilities, give the impression that the retention of the licensed area is simply there to maintain the appearance, rather than the practicality of a public house. It is felt that this reduction in area would seriously impact on any potential further marketing of the premises and could result in a future application to have the A4 usage removed completely. The Town Council consider that the designation of 137m² as D1 (non residential institutions) may not be an appropriate classification. If the purpose of this area of the development is for the operation of a youth club and for the development of religious education activities, it may be that a more appropriate classification would be D2 (assembly and leisure). We remind you that, in light of the level of public interest in this matter, it is the view of the Town Council that this application be determined by the full Area North Committee and not passed under delegated powers.

ENGLISH HERITAGE - The Old Custom House Inn is an C18 coaching inn, which survives in a substantially recognisable form. The principle architectural significance of the building lies in the front block facing the street, which was used as the main pub area with accommodation above. The block presents a three-storey façade to the street with carriage opening and pub front on the ground floor, with twelve pane sash windows to the two upper storeys. Enhancing this significance is the survival of the ancillary buildings to the rear and the long, narrow burgage plot, the type of which is common in Langport. Viewed as a whole, the Old Custom House Inn is an important survival in Langport. The proposals for the building include the refurbishment of the interiors as well as a new extension and various alterations to the fabric of the buildings in order to make them suitable for use as a community and youth centre run by the Church with spaces available for worship as well as social and business uses. Previous discussions regarding the proposals have involved discourse regarding the removal of the principle staircase in the building in order to facilitate disabled access to the upper floors. We are pleased to note the retention of this staircase in the revised plans, which now proposed removing a subsidiary staircase in the ancillary wing. On balance, the loss of this staircase is acceptable given its lesser significance and the community benefits of the proposed use. We would like to express some concerns however, with some other aspects of the proposed alterations. While we do not object to the removal of the external stair, we feel that its replacement on the southern elevation with a metal alternative is not entirely suitable in the context of the building and the stair should be reconsidered, perhaps in timber. In addition to this, we have some concern regarding the number of new openings and enlarged openings on the east elevation and suggest that these may be considered excessive. Individually they may not seem too harmful, but cumulatively their impact may be considerable. Finally, the proposed extension to provide a corridor between the front and rear sections of the building seems somewhat overwhelming in its design. While we recognise the need for such an extension and certain height requirements in order to give suitable access, we would suggest that the design as it stands is rather dominant over the rest of the building and should perhaps be reconsidered in order to be more in context with the existing buildings.

CONSERVATION OFFICER - This proposal relates to a community reuse of this public house. This is a listed building in a Conservation Area. The issue of disabled access is a major part of this proposal. PPG15 states, 'It is important in principle that disabled people should have dignified easy access to and within historic buildings. If it is treated as part of an integrated review of access requirements for all visitors or users, and a flexible and pragmatic approach is taken, it should normally be possible to plan suitable access for disabled people without compromising a buildings special interest. Alternative

routes or re-organising the use of spaces may achieve the desired result without the need for damaging alterations. The applicant has considered the need for disabled access and their desire to be inclusive to all. The internal layout of the building has proved challenging due to the many different floor levels on the first floor. The solution that they have come to is to provide access outside the building, which leaves the historic internal floor levels and staircase intact. Their approach has been to provide a lightweight structure that is a clear addition in a modern glass form, which allows the old building to be seen through, and clearly read. Indeed it will be clear within this addition that you are outside the old building, with the external wall and roof being left exposed. This is an acceptable contemporary solution to the problem for the continued use of this building in public use. On the matter of the fire escape, for me it is not so much about the material as the design. I understand the new windows on the upper floor to the rear are reopening previous openings and I have no objections, subject to detail.

REPRESENTATIONS

None received

CONSIDERATIONS

The main part of the proposal relates to the erection of a two-storey extension on the east elevation. This extension has been incorporated into the proposal to allow access for wheelchair users at first floor level. The existing first floor level has many split-levels within itself, and ramping the first floor would not have allowed the required level of access, without significant damage to the listed building. Therefore an external extension has been proposed to allow wheelchair to gain access to the first floor via the wheelchair lift and use the extension as a corridor to access the meeting rooms at the other end of the building, which is something that is supported by PPG15. In terms of alteration to the listed building, this option is considered as more favourable to the alternative option of removing the staircase from the existing bar to accommodate a lift and changing the levels of the first floor, which would remove a lot of the historic interest from that part of the building. As can be seen from the comments of the Conservation Officer, the design of the proposed extension, which uses a lot of glazing, allows the existing building to be read through the extension, and no other external alterations are proposed to the part of the elevation that would become enclosed within the extension. The Conservation Officer describes the proposed extension as an acceptable contemporary solution to the problem for the continued use of this building in public use. English Heritage raised concerns over the use of metal in the original plans that were submitted with the application of the extension, however they have not made any further comments since the design of the extension has been amended to be a much lighter structure.

Other alterations to the building include changes to fenestration on the east elevation. Two window recesses are to be reopened into windows at first floor level. At ground floor level a vent and small window are to be enlarged to form two larger windows, and a doorway is to be changed into a window. While English Heritage see this as a large amount of alteration, considering that the first floor windows are making use of previous openings, the Conservation Officer has not raised an objection to this. Furthermore the Conservation Officer in relation to the design of the replacement fire escape stairway has raised no objection, which is to be constructed from metal on the south elevation.

Various internal alteration and refurbishment is included within the application to accommodate the proposed uses and dividing walls. No objection has been raised by the Conservation Officer or by English Heritage to the internal alterations proposed. The proposal keeps the building fully intact, which is important in preserving the historic and architectural character and interest the building possesses.

This application proposes to provide a community facility in a town centre location that is easily accessible and will contribute to the continued vitality and viability of the town centre. With regard to access the proposals have tried to be as inclusive as possible, with the inclusion of a wheelchair lift and glass extension to form an outdoor corridor at first floor level. The alterations are considered to preserve the character of the Grade II listed building by keeping the historic and architectural interest intact as much as possible.

RECOMMENDATION

Permission be granted

01. It is considered that the proposal is in line with PPG15, Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policy EH3 of the South Somerset Local Plan in respect of proposals relating to listed buildings.

SUBJECT TO THE FOLLOWING:

01. The works for which consent is hereby granted shall be begun not later than the expiration of three years from the date of this consent.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by S51(4) Planning and Compulsory Purchase Act 2004).

02. The works hereby granted consent shall be completed in all respects within 18 months of the commencement of the works hereby approved, unless otherwise agreed in writing. Written notice of the date of the commencement of the approved works shall be given to the Local Planning Authority.

Reason: To ensure that the works hereby approved are completed and/or not left in a partially completed state for a protracted period detracting from the character and appearance of the listed building, in accordance with Policy EH3 of the South Somerset Local Plan.

03. No work shall be carried out on site unless particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Such particulars will include the detailed finish.

Reason: In the interests of the special architectural and historic interests of the listed building, in accordance with Policy EH3 of the South Somerset Local Plan.

04. No work shall be carried out on site unless details of any external render to be used have been provided to and approved in writing by the Local Planning Authority. Details shall include the finish, materials and colour of the render, and shall be supported by a sample panel, which shall remain available on site for the duration of the works.

Reason: In the interests of the special architectural and historic interests of the listed building, in accordance with Policy EH3 of the South Somerset Local Plan.

05. No work shall be carried out on site unless full details the new walls, including the materials, coursing, bonding, mortar profile, colour, and texture along with a written

detail of the mortar mix, have been provided in writing; this shall be supported with a sample panel to be made available on site and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the agreed details, and the sample panel shall remain available for inspection throughout the duration of the work.

Reason: In the interests of the special architectural and historic interests of the listed building, in accordance with Policy EH3 of the South Somerset Local Plan.

06. No works shall be undertaken on site unless the following details have been submitted and a sample panel provided on site for inspection and written approval of the Local Planning Authority:
- a) Full details, including elevational drawings, to indicate the areas to be repointed.
 - b) Details of the method of removal of existing pointing. In this regard mechanical tools shall not be used,
 - c) Details of the mortar mix, and
 - d) A sample panel of new pointing that shall be carried out in the agreed mortar.

Reason: In the interests of the special architectural and historic interests of the listed building, in accordance with Policy EH3 of the South Somerset Local Plan.

07. No work shall be carried out on site unless details of the design, materials and external finish for all new doors, windows, boarding and openings have been submitted to and approved in writing by the Local Planning Authority. This will include detailed drawings including sections of at least 1:5. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the character of the listed building in accordance with Policy EH3 of the South Somerset Local Plan.

08. The windows hereby permitted shall be recessed in the wall to match the form of existing windows and shall be permanently retained and maintained as such.

Reason: To safeguard the character of the listed building in accordance with Policy EH3 of the South Somerset Local Plan

09. No work shall be carried out on site unless design details of all roof eaves, verges and abutments, including detail drawings at a scale of 1:5, and all new cast metal guttering, down pipes, other rainwater goods, and external plumbing shall be submitted to and approved in writing by the Local Planning Authority. Such details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building, in accordance with Policy EH3 of the South Somerset Local Plan.

10. The areas of rebuilding shall be restricted to that defined on the approved plans and shall not be enlarged without the prior express grant of Listed Building Consent. In the event that completion strictly in accordance with such approved plans shall become impracticable for whatever reason, work shall thereupon cease and only be re-commenced if and when consent has been obtained in regard to an amended scheme of works which renders completion of the scheme practicable.

Reason: In the interests of the special architectural and historic interests of the listed building, in accordance with Policy EH3 of the South Somerset Local Plan.

11. No work shall be carried out on site unless details of the method of the blocking of all doorways and windows shown on the approved plans are to be submitted to and approved in writing by the Local Planning Authority. This will include materials and finish; pointing and coursing; any doors and architraves to be left in situ; and any reveal. Such approved details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building, in accordance with Policy EH3 of the South Somerset Local Plan.

12. No work shall be carried out on site unless the method and detail of the blocking up of existing internal openings has been submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building, in accordance with Policy EH3 of the South Somerset Local Plan.

13. No works are to be undertaken to any structural timbers until details of any alteration have been submitted to and approved in writing by the Local Planning Authority. The works will only be undertaken in accordance with the agreed details, and if found to be impracticable will cease until an alternative has been agreed. Any intervention into historic fabric will be minimal with the introduction of additional timber or steel to the structure always being preferred to the replacement of timber.

Reason: In the interests of the special architectural and historic interests of the listed building, in accordance with Policy EH3 of the South Somerset Local Plan.

14. No work shall be carried out on site unless details of all new services to all bathrooms, kitchens etc, including details of routes of foul water and any ventilation or extraction have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building, in accordance with Policy EH3 of the South Somerset Local Plan.

15. No work shall be carried out on site unless details of all new and replacement plasters, renders, floor surfaces, ceilings etc, including any making good of any existing structure abutting any of those to be demolished, have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building, in accordance with Policy EH3 of the South Somerset Local Plan.

16. No work shall be carried out on site unless details of the new external staircase, including detailed design, materials and finish are to be submitted to and approved in writing by the Local Planning Authority. This will include detailed drawings including sections of at least 1:5. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building, in accordance with Policy EH3 of the South Somerset Local Plan.

17. No work shall be carried out on site unless a door schedule has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include a survey of all existing doors, an estimate of age and significance, which doors to be retained in situ and doors to be resited and to what location. Any alterations to the doors must be specified.

Reason: In the interests of the special architectural and historic interests of the listed building, in accordance with Policy EH3 of the South Somerset Local Plan.

18. No work shall be carried out on site unless full construction details of the new partitions and finishes have been submitted to and agreed in writing by the Local Planning Authority. Such details shall show new partitions scribed around, not cut into the existing cornices, skirting or other features.

Reason: In the interests of the special architectural and historic interests of the listed building, in accordance with Policy EH3 of the South Somerset Local Plan.

19. No work shall be carried out on site unless full details of any alterations to fireplaces have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building, in accordance with Policy EH3 of the South Somerset Local Plan.

20. No work shall be carried out on site unless details of upgrading to existing floors and walls to improve acoustic and fire separation between the units has been submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building, in accordance with Policy EH3 of the South Somerset Local Plan.

21. No work shall be carried out on site until details of the glass screen, including method of attachment, floor surfaces, colour finish, etc, have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building, in accordance with Policy EH3 of the South Somerset Local Plan.

22. No work shall be carried out on site until details of any alteration to the existing roof to be covered by the glass screen, e.g. how the glass will be attached, have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building, in accordance with Policy EH3 of the South Somerset Local Plan.

23. The scheme hereby granted consent shall not be carried out otherwise than in complete accordance with the submitted plans and specifications and revised scheme detailed at the end of this condition. In the event that the work is not completed strictly in accordance with such approved plans and specifications, or shall become impracticable for whatever reason, work shall thereupon cease and only be recommenced if and when Listed Building Consent shall have been

obtained in regard to a further amended scheme of works which renders completion of the scheme practicable. The application was amended by plans nos. 3977-07-F, 3977-08-F, 3977-09-F, 3977-10-G, 3977-11-H, and amended Design and Access Statement dated 14/12/2009.

Reason: For the avoidance of doubt over the approved plans.
