



Appeal Decision

Site visit made on 25 October 2012

by Michael J Muston BA(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 2 November 2012

Appeal Ref: APP/R3325/A/12/2179433

Lamb Inn, 9 Vicarage Street, Tintinhull, Somerset BA22 8PY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Hall & Woodhouse Ltd against the decision of South Somerset District Council.
 - The application Ref 12/00510/FUL, dated 14 February 2012, was refused by notice dated 14 May 2012.
 - The development proposed is the refurbishment and change of use of a former public house to a residential dwelling together with the development of four dwellings.
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Decision

1. The appeal is dismissed.

Main issues

2. I consider the main issues in this case to be:-
 - whether the proposal preserves or enhances the character or appearance of the Tintinhull Conservation Area,
 - the effect of the proposal on highway safety.

Reasons

Conservation Area

3. The appeal site is located within the Tintinhull Conservation Area, which covers the historic part of the village. The Conservation Area comprises a loose knit collection of buildings primarily fronting onto a series of roads, which radiate out from a central area located around the Lamb Inn. The distance these buildings are set back from the road varies, but the vast majority are sited parallel to their road frontage and without intervening development between the building and the road.
4. The appellants made me aware of a number of exceptions to this and I was able to see these on my site visit. I noted that nearly all of the sites where buildings exist behind the main building line are characterised by the subservience of those buildings further from the road.
5. The appeal proposal includes the construction of four 2 storey dwellings on land to the rear of the Lamb Inn, which would itself be converted into a residential dwelling. Three of these new houses would be in a terrace, running at right angles to Vicarage Street. A further detached dwelling would be located to the

rear of the site, parallel to the road, and would face across a manoeuvring area to a car-port for 6 cars.

6. The four new dwellings would be of similar height to the Lamb Inn and would be buildings of considerable massing and presence. Some attempts have been made to design the front elevations in particular of these houses to look like barn conversions. However, this cannot hide the fact that the new buildings, by reason of their location and scale, would not appear as subservient to the retained Lamb Inn on the Vicarage Street frontage. In this respect, I consider they would appear as out of keeping with the characteristic layout of buildings within the Conservation Area that I identified above.
7. I also noted on my site visit that the area where the new dwellings would be located is currently part of a swathe of land largely free of built form located behind the buildings on the eastern side of Vicarage Street. In my opinion, the proposed new dwellings in this area would appear as an uncharacteristic projection of built form into this open area. They would be clearly visible from the public footpath to the south of the site. I consider that this aspect of the development would cause harm to the Conservation Area.
8. I conclude that the proposal neither preserves nor enhances the character or appearance of the Tintinhull Conservation Area, contrary to saved Policies EH1 and ST6 of the South Somerset Local Plan 2006.

Highway safety

9. The parking area for all five of the proposed dwellings would be via the existing access to the north of the Lamb Inn. The appellants tell me that part of the appeal site was used as the public house car park and that this was the sole access to it. Using TRICS data, they say that this car park could have generated over 200 vehicle movements per day, whilst the five dwellings would generate in the region of 40 vehicle movements per day. None of this evidence has been challenged by the highway authority.
10. The site appears to have a lawful use as a public house, with ancillary accommodation, car park and garden. I consider that, if brought back into use, it would have the potential to generate more vehicle movements per day than the proposed development.
11. The highway authority argues that the available visibility at the entrance onto Vicarage Street is substandard and that the access is of inadequate width, which might require vehicles entering the site and meeting other vehicles to reverse out onto the highway. However, both of these potential hazards are in my view less likely to occur if the site is developed for five dwellings than if its lawful use were to recommence. In the circumstances, I do not consider that the proposal would cause harm to highway safety.
12. The highway authority also says that the access is of insufficient width to allow access for a fire engine. Manual for Streets states that "*a 3.7 metre carriageway width is required for operating space at the scene of a fire*". It goes on to say that, "*simply to reach a fire, the access route could be reduced to 2.75 metres over short distances, provided the pump appliance can get to within 45 metres of dwelling entrances*". This suggests that a fire appliance would be able to use the access at the appeal site, with a minimum width for a short distance of between 3.5 and 3.7 metres.

13. I accept that the proposed bin store is shown as located some way from Vicarage Street. It is possible that some other location could be found on site for the bins or that some other solution could be found to allow the collection of waste. Were I otherwise minded to allow the appeal, I consider that this matter could probably be dealt with by condition.
14. I conclude that the proposal would not have an adverse effect on highway safety and would comply with saved Policy ST5 of the South Somerset Local Plan 2006 in this respect.

Conclusions

15. I have concluded that the proposal would not have an adverse effect on highway safety. However, I have also concluded that the proposal would neither preserve nor enhance the character or appearance of the Conservation Area. I consider this to be grounds for dismissing the appeal.

Michael J Muston

INSPECTOR