

Area North Committee – 23 October 2013

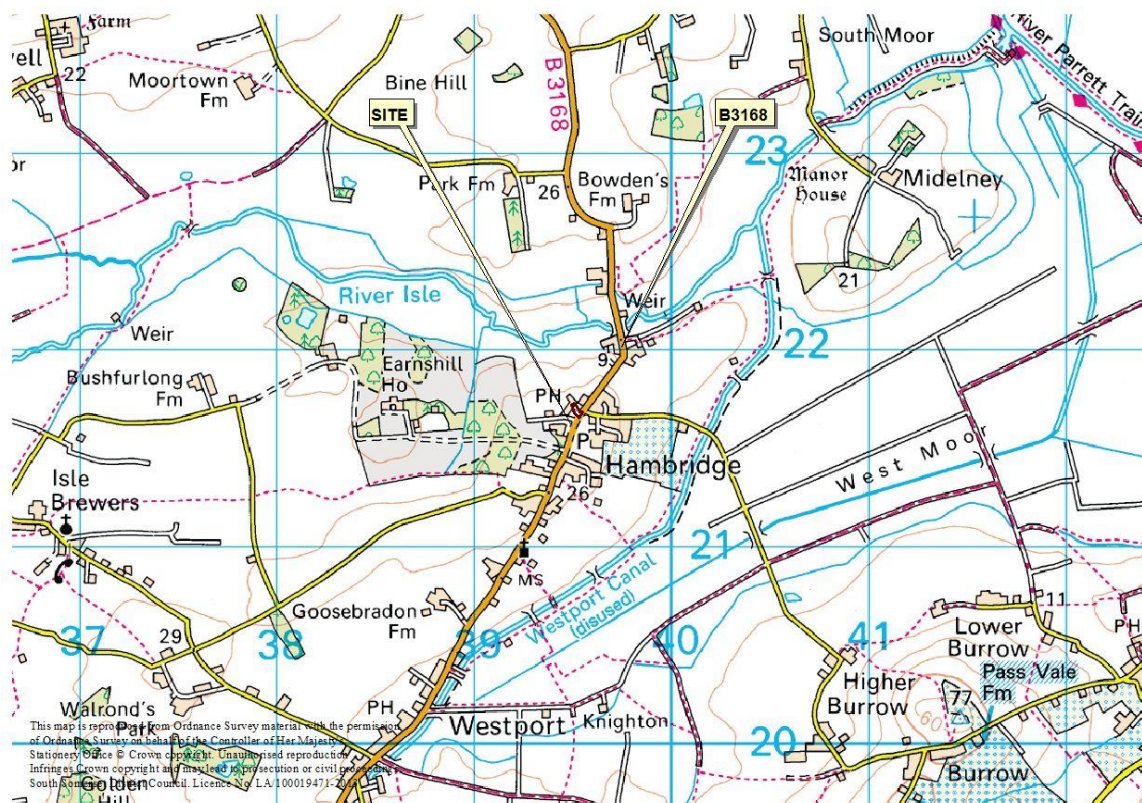
## Officer Report On Planning Application: 13/03472/FUL

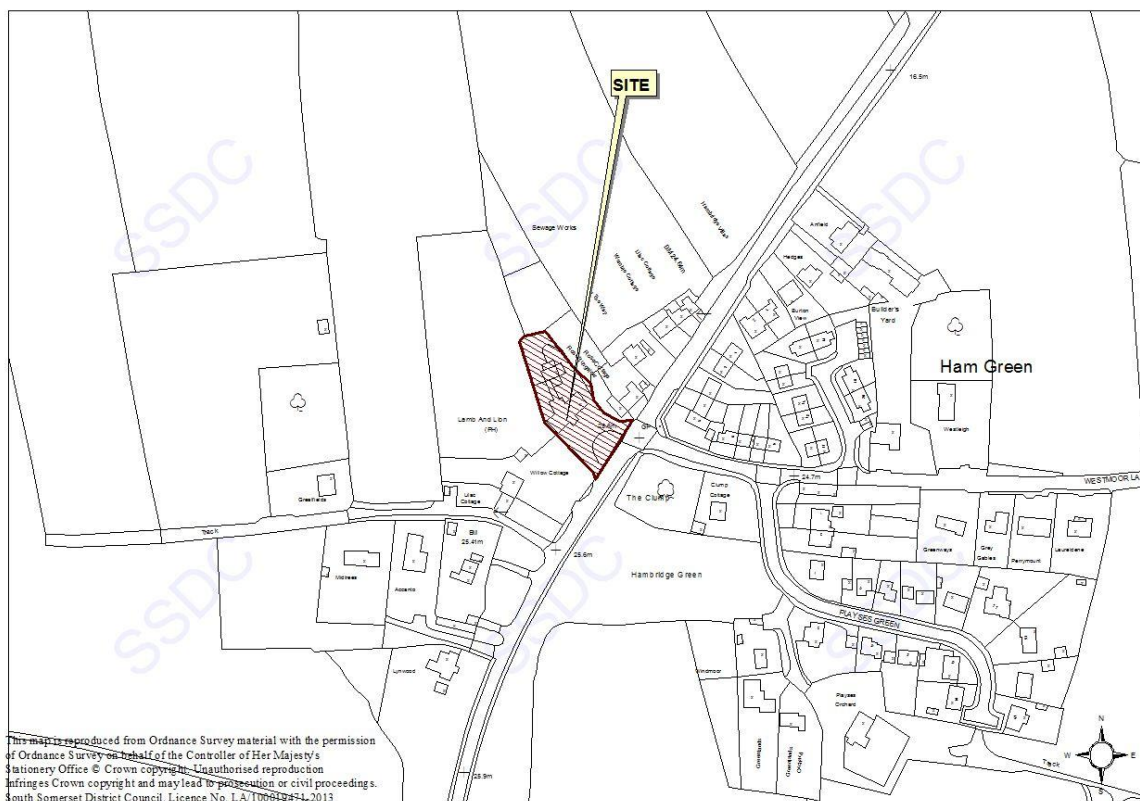
<b>Proposal :</b>	Erection of replacement rear extension to provide new kitchen, WCs, roof terrace and emergency access from 1st floor, together with provision of 37 parking spaces. (GR:339527/121689)
<b>Site Address:</b>	Lamb & Lion Public House, The Green, Hambridge.
<b>Parish:</b>	Hambridge/Westport
<b>ISLEMOOR Ward (SSDC Member)</b>	Cllr Sue Steele
<b>Recommending Case Officer:</b>	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
<b>Target date :</b>	18th October 2013
<b>Applicant :</b>	Mr Christopher Aplin
<b>Agent: (no agent if blank)</b>	Mr Clive Miller, Sanderley Studio, Kennel Lane, Langport TA10 9SB
<b>Application Type :</b>	Minor Other less than 1,000 sq.m or 1ha

### REASON FOR REFERRAL TO COMMITTEE

The application is before the committee at the request of the ward member and with the agreement of the Area Chair to enable the impact on the listed building to be fully debated.

### SITE DESCRIPTION AND PROPOSAL





The proposal seeks permission for the erection of a replacement rear extension to provide a new kitchen, WCs, roof terrace and emergency access from the first floor, together with the provision of 37 parking spaces. The property is a two storey detached building is use as a public house (although currently closed) constructed of natural stone (predominantly painted white), with a clay tiled roof. The property has a variety of extensions to the rear constructed of a variety of materials, some of which will be demolished to make way for the proposed. The building is a Grade II listed building. The property is located close to a variety of residential buildings and open countryside. The building is not within a development area as defined by the local plan.

## HISTORY

13/03473/LBC - Erection of replacement rear extension to provide new kitchen, WCs, roof terrace and emergency access from 1st floor, together with provision of 37 parking spaces - Pending consideration

13/02441/LBC - Proposed internal alterations and repairs - Application permitted with conditions 22/07/2013

96/02311/LBC - Proposed structural opening to extend bar - Application permitted with conditions 15/11/1996

96/01948/LBC - Erection of replacement kitchen and beer cellar, alterations and installation of velux roof lights - Application permitted with conditions 15/10/1996

96/01949/FUL - Erection of replacement kitchen and beer cellar, alterations and installation of velux roof lights - Application permitted with conditions 15/10/1996

93/00929/LBC - The display of five non-illuminated signs/lettering - Reg3 County (SSDC raise no objections) 09/12/1993

93/00930/ADV - The display of five non-illuminated signs/lettering - Reg3 County (SSDC raise no objections) 09/12/1993

93/00927/LBC - The display of externally illuminated lettering and the three non-illuminated wall mounted signs - Reg3 County (SSDC raise objections) 25/08/1993

93/00928/ADV - The display of externally illuminated lettering and three non-illuminated wall mounted signs (advertisement) - Reg 3 County (SSDC raise objections) 25/08/1993

## **POLICY**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the relevant development plan comprises the saved policies of the South Somerset Local Plan.

The policies of most relevance to the proposal are:

### **Saved policies of the South Somerset Local Plan (Adopted April 2006):**

Policy ST5 - General Principles of Development  
 Policy ST6 - The Quality of Development  
 Policy EH3 - Alterations to Listed Buildings  
 Policy EH5 - Setting of Listed Buildings

### **National Planning Policy Framework**

Chapter 7 - Requiring Good Design  
 Chapter 12 - Conserving and Enhancing the Historic Environment

### **South Somerset Sustainable Community Strategy**

Goal 3 - Healthy Environments  
 Goal 4 - Services and Facilities  
 Goal 8 - High Quality Homes

## **CONSULTATIONS**

**County Highway Authority** - Refers to the planning history of the site and the highway authority's previous recommendation of refusal for a dwelling to the rear of the public house. She notes that the current scheme represents only a small increase in floor area for the existing pub use and a formalising of an existing parking area. As such no objection is raised. The highways officer notes that this in no way affects their continued opposition to a new dwelling to the rear of the pub.

**Parish Council** - Fully supports.

**Area Engineer** - No comment

**SSDC Conservation Officer (consulted on concurrent listed building consent application)** - Notes policy context in which decision is to be made, including the NPPF requirement to give great weight to the conservation of a heritage asset. He states that any harm or loss should require clear and convincing justification from the applicant, and should be judged against the public benefit, including securing the optimum viable use. He states that there are no issues regarding the demolition of the existing extensions, although the skittle alley will remain, which is not of any interest and is of a functional design. He states that he has no objection in principle to their replacement. However he has concerns over the sizable flat roofed extension to the rear, which would also serve as an uncovered terrace area for customers to sit out on. He notes that this requires external access and a balustrade, and that it is inevitable that along with seating and tables, large parasols and sunshades would be provided. He considers all this to be the detriment of the listed building. He notes the applicant's argument for the terrace regarding viability and unique selling point, but suggests that this justification is subject to the vagaries of British weather. He states that the proposal would cause harm to the listed building, but such harm has not been justified. He concludes:

*"The applicant argues that some enhancement, in his view, will take place, and therefore the NPPF has been complied with, but I would argue that the design is driven by a desire to have a terrace, and remains a poor design, contrary to the NPPF. The later extensions to the rear are not of great merit, but they would be replaced with a larger, more dominant extension, with stairs up to a seating area, along with the normal paraphernalia found in a pub garden."*

He states that he has no objections to the proposed car park, but states that lighting design must be such so as to not be visible from a distance.

## REPRESENTATIONS

None received

## CONSIDERATIONS

### Visual Amenity

The building is a Grade II listed building. As such the SSDC conservation officer was consulted (on the concurrent listed building consent application) as to the impact on the character of the listed building. He was very clear that he considers that the proposed extension, by reason of the large flat roof, balustrade, and inevitable pub garden clutter would have a negative impact on the character of the listed building.

The applicant has argued that the proposal should be weighed against paragraph 134 of the NPPF which states:

*"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."*

However, it is not considered that the applicant has made a clear and convincing case that any public benefits of the proposal would outweigh the harm to the listed building. Firstly, whilst the harm to the character of the listed building is clearly demonstrable, no evidence has been submitted to support the claims of the applicant that a roof terrace

would make the pub financially viable, or indeed act as a unique selling point. Secondly, even if the case could be made to show the necessity of a roof terrace, there is nothing to show that the particular design applied for is the only, or best, way of achieving the desired result.

The applicant has also argued that the existing extensions to the rear of the pub are inappropriate and that the proposed extension therefore represents an enhancement. It is agreed that the existing extensions are not of high quality, and there would be no harm to the significance of the listed building through their loss. However, the proposed extension is of a poor standard of design, forming a bulky, flat roofed, rendered block, with little fenestration. Furthermore it is proposed to retain the majority of the existing structures to the rear of the pub in any case. As such, there would be no enhancement to the listed building; indeed the proposed extension would be more visually dominant than the existing structures.

It is therefore concluded that the proposed extension would have an adverse impact on the character of this listed building, which is not outweighed by the public benefits of the proposal, contrary to policy EH3 of the South Somerset Local Plan and the aims and objectives of the NPPF.

### **Residential Amenity**

It is not considered that the proposed roof terrace is likely to cause more harm to the residential amenity of adjoining occupiers than the existing situation at the pub, as there will be no direct overlooking and any disturbance would be no worse than could occur in the existing beer garden.

As such, it is not considered that the proposed extensions and alterations would cause demonstrable harm to residential amenity in accordance with policy ST6 of the South Somerset Local Plan.

### **Highways**

The highway authority has raised no objections to the scheme.

### **Conclusion**

Whilst the proposal would not cause demonstrable harm to residential amenity or highway safety, it is considered that it would have an adverse impact on the character of the listed building contrary to policy EH3 of the South Somerset Local Plan and the aims and objectives of the NPPF. As such the application is recommended for refusal.

### **RECOMMENDATION**

Refuse for the following reason:

The proposed extension, by reason of its size, design, and materials would have an adverse impact on the character of the listed building which is not outweighed by any public benefits contrary to policy EH3 of the South Somerset Local Plan and the aims and objectives of the NPPF.