

Area North Committee – 27 November 2013

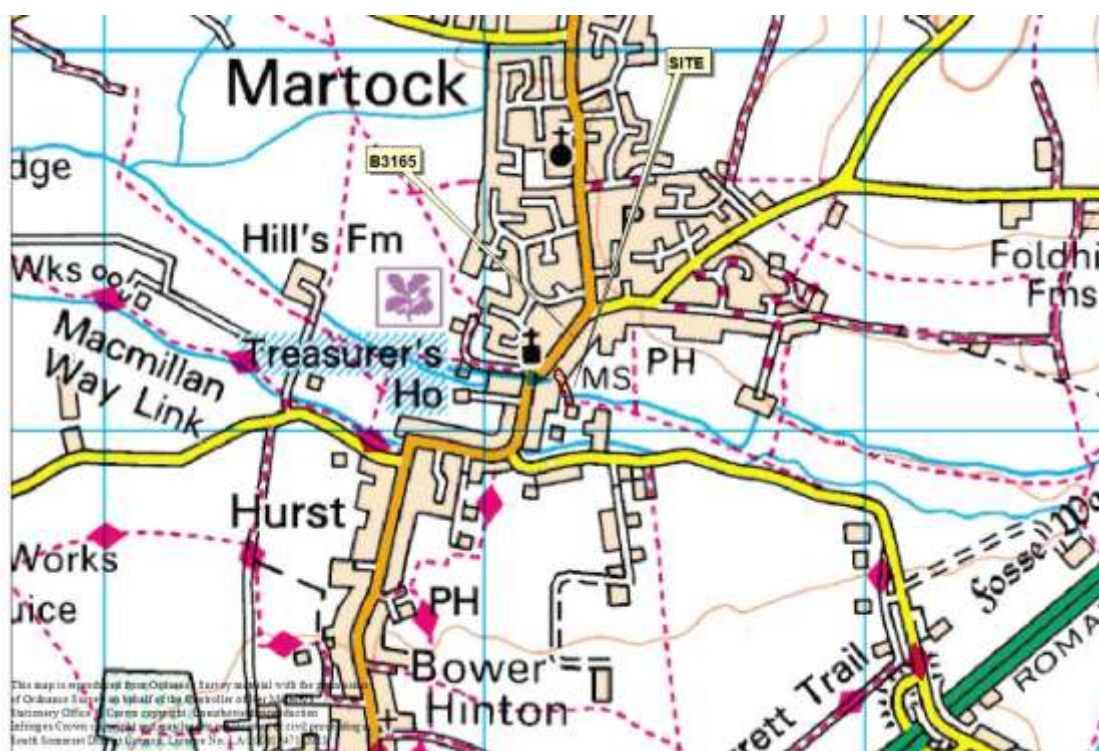
Officer Report On Planning Application: 13/02638/FUL

Proposal :	Change of use from Use Class A4 (Public House) with associated landlords accommodation (C3) at first floor to cafe (A3) on the ground floor and function room/ community meeting rooms (D1) on the first floor (partially retrospective). External alterations to include 2 no. new windows to rear of front range, Fence to north-west boundary at rear, and associated new gate (GR 346203/119147)
Site Address:	George Inn, Church Street, Martock.
Parish:	Martock
MARTOCK Ward (SSDC Members)	Cllr Graham Middleton Cllr Patrick Palmer
Recommending Case Officer:	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
Target date :	4th September 2013
Applicant :	Mrs Angela Brett
Agent: (no agent if blank)	Emma Green Benjamin + Beauchamp Architects The Borough Studios, The Borough, Wedmore, Somerset BS28 4PA
Application Type :	Minor Other less than 1,000 sq.m or 1ha

REASON FOR REFERRAL TO COMMITTEE

This application is referred to the committee at the request of the ward members with the agreement of the Area Chairman to enable the comments of the neighbours to be fully debated.

SITE DESCRIPTION AND PROPOSAL





The application site is located within development limits on the south side of Church Street opposite a grade I listed church, with the Treasure's House also grade I nearby, and a grade II* listed building north of the application site.

The George, a grade II Listed Building - formerly a public house having a mixed use with residential above has Ham stone elevations with ashlar dressings with a central door to the three main bays, having a low metal canopy hood reportedly dating to 1930- 1950. A pitched roof of welsh slates between stepped coped gables fronts the highway. A two storey rear range perpendicular to the main roadside building has a higher ridge line with elevations of Ham stone under a clay tile roof. This building is attached to other outbuildings that stretch back into the site and includes the former skittle alley. Parking is provided to the rear of the site.

The proposal seeks a change of use from mixed use public house with residential over within the main roadside building, to a mixed café (A3) on the ground floor that includes all ground floor areas, and function/ meeting rooms (D1) at first floor.

The external alterations include general tidying up of the elevations to remove accretions that include vents and flues added over time, the repair of stone work and signage, and the replacement of plastic with cast iron rain water goods; and alterations to replace an existing window in the rear elevation of the front-range to fit a 3 light casement. The hanging sign is to be retained and rehung and new external lighting is proposed to illumination the roadside façade. The wrought iron canopy over the centrally placed front door is proposed to be retained.

The application is supported by a Design and Access Statement, Flood Risk Assessment, and Sequential and Exception test Report. There is an accompanying application for Listed Building Consent (ref: 13/02639/LBC).

The proposal has been amended by plans submitted 7 October 2013 to address concerns raised by the public consultation process.

RELEVANT HISTORY:

- 13/02639/LBC Internal and external alterations, pending.
- 12/00683/CON Demolition of non-original single storey extensions and skittle alley and partial demolition of later rear extension in connection with application 12/00419/FUL, withdrawn.
- 12/00419/FUL Alterations and extensions in connection with the change of use of public house with landlord's accommodation to café and non-residential institution, withdrawn.
- 12/00420/LBC Demolition of non-original single storey extensions and skittle alley, and partial demolition of later rear extension. Internal alterations, repairs and refurbishment, and extension. All in connection with a change of use, withdrawn.
- 11/02507/TCA Notification of intent to remove various hedges and trees within the conservation area, permitted.
- 00/01567/FUL Carry out alterations and rebuilding of skittle alley. Approved.
- 00/01568/LBC Carry out alterations and rebuilding of skittle alley. Consent Granted.
- 00/01226/LBC Mounting of blue plaque. Consent Granted.

The George Inn was entered into the statutory list as a grade II Listed Building on 28 April 1987.

- 830840 Carrying out of alterations and the erection of an extension to the lounge bar, approved 15.06.1983.
- 91403/A Extension to existing car park approved 22.06.1973.
- 91403 Demolition of outbuildings and the extension of a car park, approved 23.05.1972.
- 740980 Alterations and extension, approved 03.01.1975

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.

Sections 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990 require authorities considering applications for planning permission or listed building consent for works that affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building.

For the purposes of determining current applications the local planning authority accords significant weight to the saved policies of the South Somerset Local Plan. The policies of most relevance to the proposal are:

Policy ST2 Towns
 Policy ST5 General Principles of Development
 Policy ST6 the Quality of Development
 Policy EH3 Listed Buildings
 Policy EH5 Setting of Listed Buildings
 Policy EH1 Conservation Areas

Regard shall also be had to the National Planning Policy Framework (March 2012):

Chapter 1 - Building a strong competitive economy
 Chapter 3 Supporting a Prosperous Rural Economy
 Chapter 4 - Promoting sustainable transport
 Chapter 7 - Requiring Good Design
 Chapter 11 - Conserving and enhancing the natural environment
 Chapter 12 - Conserving and enhancing the historic environment.

Other Relevant Documents:

Somerset County Council Parking Standards.
 PPS5: Planning for the Historic Environment Practice Guide

CONSULTATIONS

Martock Parish Council - Approve.

Conservation Officer - This application is far more complete than many listed building applications we deal with, although there is more information required for certain elements. I would normally suggest a condition for a full specification of works, but I felt that this would not be useful to the client here as I feel this project is likely to go forward as a multi contractor/volunteer project rather than one overseen by one contractor. We do need to minimise conditions, but a balance has to be struck. I would suggest that we condition in a broader sense, but making it clear to the applicant that this could be looked at on a room by room basis. What complicates conditions is the level of detail submitted varies, and whilst I am happy with what has been submitted is acceptable, in other examples that level of detail may be missing. Therefore the intention of the condition is to control what is not submitted, not to refuse what has been submitted.

Area Engineer - No comment.

Highway Authority - whilst similar in some respects to the previous application it is on a smaller scale and the change of use from A3 to A4 is understood to be possible in any case under permitted development rights. Having regard to the previous concerns, it is understood that the means of access now no longer includes part of the adjacent doctors surgery site and the proposed D1 and A3 uses result in a total requirement of approximately twenty one spaces (eight for the D1 use and thirteen for the A3 use) with thirty spaces being available on site to accommodate this demand. As such and in light of the above, I consider that that would be unreasonable to raise an objection, subject to conditions. NOTE: conditions are proposed to be attached to any permission.

REPRESENTATIONS:

14 letters of support have been received concerned with:

- This is a great use for a former pub. The George will still be a meeting place for residents.
- There is demand for more meeting spaces for community use.
- The changes will be in keeping with the building.
- I have watched it begin to fall apart and over the years have less and less customers to support it. Surely all the opposition is too little too late.
- A real positive difference not only to the building that had been badly neglected over the years but also to the community.

There have been 45 objections received concerned with:

- Change of use is unwarranted as the site already has a viable use as a public house.
- The proposed change of use will be of very limited appeal to the majority of the village.
- The loss of the public house will be permanent and irreversible
- Loss of residential
- Why do we need another café in Martock
- Presence of LED uplighters on the façade and loss of its old world charm
- Lighting would add a garish high street retail character to the historic building
- Loss of front door wrought iron metal canopy is very much part of the character of the building with no good reason for replacing this charming feature
- The metal fence when seen with a metal barred gate appears to be out of character.
- Proposed insertion of new window on rear of the front range would be out of character.
- These premises are far from ideal for the applicant's needs
- General dumbing down of its individual character
- Previous works undertaken without permission.

CONSIDERATIONS:**Principle of Development:**

The applicant enjoys a fall-back position in that they can re-open the closed pub (A4) as a café (A3) as part of the premise's Permitted Development Rights. That this element is a part of the current proposal arises from the fact that in making an application everything is 'captured'. Clearly in considering a proposal those elements of a scheme that might be undertaken without planning permission, referred to as a fall-back position, will often attract significant weight in supporting a proposal. We have to acknowledge that the loss of the public house to café enjoys such rights, while the extent of the floor space (all ground floor areas) included within the A3 use (restaurants/ cafes) seeks only to regularise the uses on site that avoids a multitude of possible alternative uses being left over.

In considering the meeting rooms (D1 use) that includes the existing function room such facilities would not have been an alien use had the public house remained open and a decision was taken to convert the residential quarters. A town centre location is supportive of such a use. The site enjoys sufficient parking to the rear of the site and the established vehicular access continues to provide the same access. The proposed works seek to bring the buildings back into some order giving them a new lease of life. Thus there is support in principle for the development. Accordingly the main considerations must be the effect of the external works to the listed building and the settings of others, the character and appearance of the conservation area, highway safety and neighbour

amenity.

Character and Settings:

Works to listed buildings are required to respect the character and appearance of the heritage asset - maintaining or enhancing the appearance and condition of the building.

The external works involve an element of tidying to remove accretions to the building and the replacement of plastic rain water goods by metal, and the insertion of replacement windows considered as an improvement. Amended drawings include the retention of the wrought iron canopy over the front door that is repositioned. Its retention continues a certain charm and individuality that contributes to the building's character.

The building is a prominent feature in the townscape. The proposal includes illumination of the façade. English Heritage guidance is generally supportive at showing off landmark buildings and with controls to ensure lighting is turned off once the building is not in use its illumination is considered favourably.

Contrary to some of the objections the works include the retention of flagstones once the damp proofing requirements have been undertaken, with the retention of first floor elements beneath a levelled false floor enabling safer use to be had; the front door canopy is retained to preserve character, although re-adjusted, while the planning history indicates that the extension of the lounge bar and loss of external stair case took place under a 1983 permission which pre-dates the building's listing in 1987. The removal of the internal rear wall and erection of new pier and steelwork within the bar area was carried out shortly afterwards (1988) but without consent, however the current proposal puts back in place a physical division and recreates the internal floor spaces and this is welcome. Certain work already undertaken by the applicant and covered by the current application if approved would become lawful.

Advice from the conservation officer regarding this application was sought and received. He raised no objections to the scheme subject to conditions to control suitable detailing. As the opinion of the conservation officer is considered to hold considerable weight in applications of this nature, the proposal is not considered to have a negative impact on the character or setting of the listed building, or the surrounding conservation area. It is therefore considered that the proposal respects the character of the listed building in accordance with the NPPF, and policy EH3 of the South Somerset Local Plan. As such the proposal should be recommended for approval.

Highway Safety:

The area of parking provided to the rear of the site is considered acceptable, as is the use of the access point with the highways. The Highways Authority do not raise objection to the proposed use.

Neighbour Amenity:

It is considered that the proposal would not unacceptably harm the residential amenity of occupiers of adjacent properties by disturbing, interfering with or overlooking such properties.

Neighbour concerns:

The concerns raised are generally considered within the relevant sub-headings of the officer report. Much concern is based on the anticipated future development, that stems from the withdrawn applications but this does not form part of the current application.

In terms of the number of other cafes in Martock this must be a case for the market rather than a planning matter. Likewise, the loss of residential at first floor needs be seen

as part of the mixed public house use, while remarks to the effect that the loss of the public house will be permanent and irreversible ignores the fall-back position enjoyed by the applicant, although the current proposal if undertaken brings life back to the building. The necessary investment also enables alternative future potential uses to be considered.

The fencing previously found on site appears to have been chain link. The current proposal seeks similar, albeit a differing design. This is removed from the more sensitive listed building locations and the Conservation Officer is supportive of its introduction. The agent reports that it is intended that its colour seeks to blend in with the adjacent foliage.

Various unlawful works are reportedly to have occurred to the buildings. Those undertaken by the applicant are included in their application as are others, such as the internal opening within the bar area to be re-enclosed, which if supported will mean that these works become lawful. Other work described as being undertaken such as the removal of the external staircase never required Listed Building Consent as the work pre-dates the building's listing.

Conclusion:

Notwithstanding that the application process 'captures' all aspects of the proposed changes the loss of the public house to a cafe can be undertaken without planning permission and thereby the loss attracts very limited weight against the proposal, while the additional meeting rooms in this central location with good parking and access is considered acceptable. The planning officer has considered all aspects of the proposal but the addition of meeting rooms is the primary matter. The physical works are limited in their scope, with support from the conservation officer. The external works tidies up the building's appearance with the retention of the wrought iron canopy over the entrance door that supports the building's individual character.

RECOMMENDATION

Approve.

SUBJECT TO THE FOLLOWING:

01. No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: In the interests of recording anything of importance further to policy EH12 of the South Somerset Local Plan.

02. No further work shall be carried out on site unless particulars of the materials (including the provision of samples where appropriate) to be used works to external walls have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of character of the listed building further to policy EH3 of the South Somerset Local Plan and the NPPF.

03. The area allocated for parking and turning on the submitted plan, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan and the NPPF.

04. No building shall be occupied or otherwise used for any purpose until provision has been made within the site for the loading and unloading of goods vehicles for which details shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan and the NPPF.

05. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before commencement and thereafter maintained at all times.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan and the NPPF.

06. 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 (Adopted April 2006) and the NPPF.

07. No works for the following shall commence before details have been submitted to and agreed in writing by the Local Planning Authority and such details as agreed shall be undertaken as part of the development hereby permitted:
- Details of the new LED lighting system for the front of the property including colour and hours of operation are to be
 - Details of the colour grey to be used for the external doors and signage
 - Detail of the new position of the front canopy
 - Details of the new ventilation to the front wall for the fire
 - Details of the new CCTV camera including design and cable runs
 - Existing timber and stone work to be lightly sanded, not sand or shot blasted.
 - Details of the new lobby/porch to include the manifestations detail and finish not currently submitted

Reason: In the interests of character of the listed building further to policy EH3 of the South Somerset Local Plan and the NPPF.

08. The development hereby permitted shall be carried out in accordance with the following approved plans: 0373.P.01, P.05 C, P. 20 A, 21 A, 22, 23 B, 24, 30, 31, 32, 33 B, 34, 35 A, 36 B, 37 A, 50 A, SK4, SK5 received 1 July 2013, and P.10 L, 11 M, 12 H, 13 F, 38 A, 39 B, received 4 October 2013,

Reason: For the avoidance of doubt and in the interests of proper planning.