

Area West Committee – 16th January 2013

Officer Report On Planning Application: 12/04259/FUL

Proposal:	Alterations and the change of use of public house (Use Class A4) to residential to form 2 No. dwellings (revised application of 12/02930/FUL (GR 344739/109307)
Site Address:	Railway Tavern South Street Crewkerne
Parish:	Crewkerne
CREWKERNE TOWN Ward (SSDC Member)	Cllr J Dyke Cllr M Best Cllr A M Singleton
Recommending Case Officer:	Tel: (01935) 462344 Email: lousa.brown@southsomerset.gov.uk
Target date:	19th December 2012
Applicant:	Mr A Whitehouse
Agent: (no agent if blank)	Robbie Roskell Architectural And Building Consultants Ltd Unit 3, Whitehart Yard Beaminster Dorset DT8 3AE
Application Type:	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application is referred to the Committee as the recommendation for approval is contrary to the views of the Highway Authority and the site is located where the safety issues relate to a Class A road. Objections have also been received from the Town Council and local residents.

SITE DESCRIPTION AND PROPOSAL



This is an application seeking full planning consent for alterations and the change of use of public house (use class A4) to residential to form 2 no. dwellings. It is proposed to have 1 no. one bedroom unit and 1 no. two bedroom unit.

The public house is located on the northern side of South Street in Crewkerne within the Conservation Area. It is a detached two-storey property linked by an archway to the neighbouring property to the east. To the rear of the public house are some flat roof single storey extensions and a skittle alley, storage areas and yard area. The property has been empty for some time but was previously used as a public house on the ground floor with residential living accommodation on the first floor.

Properties on the northern side of South Street are made up of two-storey terraced dwellings and to the south of the highway it is characterised by detached and semi-detached dwellings set back from the highway that are of various design and age. To the north of the site is an industrial factory.

HISTORY

12/02930/FUL: Alterations and the change of use of public house to residential to form 3 no. dwellings - withdrawn

01/01572/FUL: Extension to beer cellar - approved 25/07/01

870308: The carrying out of alterations and extension to provide toilets, cellar and domestic kitchen - approved 10/04/87

840752: The carrying out of alterations and the erection of extensions - approved 19/06/84

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,

Relevant Development Plan Documents:

National Planning Policy Framework:

Chapter 7: Requiring Good Design

Chapter 12: Conserving and Enhancing the Historic Environment

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

Saved Policy STR1 - Sustainable Development

Saved policy 9 - The Built Historic Environment

Saved Policy 48 - Access and Parking

Saved Policy 49 - Transport Requirements of New Development

South Somerset Local Plan (Adopted April 2006):

Saved Policy ST3 - Development Area

Saved Policy ST5 - General Principles of Development

Saved Policy ST6 - The Quality of Development

Saved Policy TP7 - Residential Parking Provision

Saved Policy EH1 - Conservation Area

CONSULTATIONS

Crewkerne Town Council:

"Recommend refusal on the grounds of poor vehicular access to the rear of the property and limited parking provision."

Highways:

"The proposal relates to the change of use of the public house to form two dwellings.

In terms of vehicle movements it is likely that the proposed residential use would see a significant increase in vehicle movements over the existing public house.

From the details provided within the revised Design and Access Statement it is apparent that the applicant has tried to address the previous concerns raised by the Highway Authority. As a consequence this has seen the removal of a dwelling and also the parking area located to the rear of the public house. As a consequence vehicles would no longer be required to gain access to the site via the existing archway, which is considered to be sub-standard as it does not provide sufficient width for two-way vehicle flow or suitable visibility in either direction.

The applicant has indicated that the proposal will utilise on road parking. This is not acceptable to the Highway Authority as the parking of vehicles on the adopted highway would interrupt the free flow of traffic on South Street and cause obstruction to other road users. The applicant's comments, over vehicle movements, are noted however the trip patterns for the existing use and the proposed use are different in particular a dwelling can potentially generate vehicle movements 24 hours a day seven days a week. Whereas the existing use would only have vehicles parked on the highway for limited periods of time and mostly in the evening.

Therefore based on the above information I raise objection to this proposal for the following reasons.

- Due to the constrained nature of the site the proposed development would likely to encourage the parking of vehicles on the public highway, which would interrupt the free flow of traffic and thereby add to the hazards of highway users at this point. The proposal is therefore contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted April 2000)."

Area Engineer:

"No comment".

Environmental Protection unit:

"No observations".

Economic Development Officer:

"A robust marketing exercise for the licensed premises was undertaken by Humbert Chesterton over a sustained period between 2011 and 2012 during which time there were two sale price reductions representing good value to the market. Unsurprisingly, there had been little or no interest in continuing the current use of the premises and only the real interests were in development opportunity.

The premises had been closed for some time and whilst I have not had sight of the accounts for the business whilst in was in operation, it is unlikely that a reasonable level of trade could have been sustained for a number of reasons. Size of customer area within the pub and the lack of kitchen would have been the main constraints to trade.

Bringing the premises back into current use would have required considerable investment with little capacity for expansion. Maintaining the current usage (even with considerable investment) would have been unlikely to have offered a viable business case. Small, unimproved public houses are currently suffering in a harsh trading climate and there are many similar premises locally that have been taken to market in recent years.

From an economic perspective I have no objection to this application."

REPRESENTATIONS

Twenty-two neighbours were notified and a site notice displayed. There has been one letter of support received stating that the proposal would breathe new life into the building. There have been four letters of objection, the concerns raised are;

- The public house is a vital part of the community.
- The owner should tidy up the properties appearance.
- Additional houses are not required on South Street.

CONSIDERATIONS

The site is located within the defined development area and as such is acceptable. The NPPF seeks to have a presumption in favour of sustainable development.

There have been objections to the proposal; the issues to assess are change of use, highway safety and parking, visual amenity and residential amenity.

Change of Use:

The Design and Access statement and accompanying letter from the estate Agents indicate how the property has been marketed for some time for commercial use. The property was on the market for 24 months before, after the third price drop, it was purchased.

The Economic Development Officer supports the application and agrees that every attempt to attract commercial use has been undertaken.

A number of neighbours have objected to the loss of the public house; however it has been closed for nearly 3 years. It is considered that through the marketing of the property an attempt to secure suitable business or local community re-use has been made in line with saved policy MS1 of the south Somerset Local Plan. The site is within the development area and is considered to be a sustainable development and appropriate re-use of the building is encouraged.

Highway Safety:

The Highway Authority has stated that the two dwellings would result in a greater number of traffic movements than the public house would generate and recommend refusal on the following grounds, due to vehicles parking on the public highway;

- Due to the constrained nature of the site the proposed development would likely to encourage the parking of vehicles on the public highway, which would interrupt the free flow of traffic and thereby add to the hazards of highway users at this point. The proposal is therefore contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted April 2000).

The Town Council has objected on grounds of poor vehicular access to the rear of the property and limited parking provision.

A previous application was submitted and subsequently withdrawn, to change the use of the public house to three dwellings with parking to the rear, however there were objections from County Highways due to the poor access and limited space for cars within the site. This application relates to two dwellings and seeks to have no vehicle access to the rear and no off road parking.

Whilst it is acknowledged that the new dwellings should have a certain level of off road parking spaces provided, it is worth noting that if still operating as a public house all vehicles in connection with that use and the residential flat above would have to currently park on the public highway. The current A4 use can change to the following uses without the need for planning permission:

Use Class A3 - Restaurant/café

Use Class A2 - Financial and professional uses, e.g. banks, estate agents and betting offices

Use Class A1 - Retail shops, hairdressers, undertakers, travel agents, internet cafes etc.

The Highway Authority state that "a dwelling can potentially generate vehicle movements 24 hours a day seven days a week. Whereas the existing use would only have vehicles parked on the highway for limited periods of time and mostly in the evening." However there is already a flat above the public house that can create the potential vehicle movements for a dwelling and the public house could be open on a 24 hour license or change its use to certain classes without the need for planning permission, these other uses may well generate even more traffic movements than two dwellings.

On balance it is considered that the proposal should be assessed as a whole in relation to the other uses that could be allowed without the need for formal consent and the fact that there will always be an issue with this site in regard to meeting both requirements of highways i.e. in regard to off road parking and appropriate access, of which both are not going to be achievable within the land ownership. As such it is considered on balance that in order to bring this building back to life, as it has been unoccupied for nearly three years, the need for off road parking should not be insisted upon.

If parking were able to be provided within the site then there would still be a highway objection in regard to the access which they consider to be sub-standard as it does not provide sufficient width for two-way vehicle flow or suitable visibility in either direction.

Visual Amenity:

The site is within a Conservation Area. It is proposed to alter the property into two dwellings. The front aspect of the property will be altered to accommodate the change and will include the replacement of one ground floor window with a front door serving access to the one bedroom property, and an additional chimney. No other changes to the front elevation will be made.

To the rear of the property the single storey flat roof extension will be removed to create a shared courtyard area and the skittle alley and storage rooms will have roof lights added and some new opening made to be used as an ancillary outbuilding to each dwelling. Each property will have its owned fenced off garden area with bin and cycle store.

The rear elevation of the public house will have the existing windows and doors replaced, no new openings are proposed. Where the existing extensions are to be removed it is proposed to render the rear elevation of the 2 bedroom property, the rest will remain as exposed natural stone.

All the alterations will be carried out in materials to match the existing property, except for the render on part of the rear elevation. The skittle alley and storage rooms' roof will be replaced with Cambrian slates in place of the profiled steel sheet.

It is considered that the proposed alterations will not adversely affect the visual amenity and preserve the character of the Conservation Area, especially by retaining the iron fence to the front of the property and using materials that match existing.

Residential Amenity:

A previous application was withdrawn due to objections from the Environmental Protection Team as an additional unit was proposed in the skittle alley and it was considered that there would be a noise nuisance from the factory to the rear of the site. This proposal has overcome those objections by using the skittle alley and storage rooms for outbuildings instead.

There are no new windows proposed in the property and none result in any direct overlooking.

It is considered that the alterations and change of use will not result in any adverse impact on residential amenity.

Conclusion:

It is considered that the proposed alterations and change of use is acceptable in this location and do not adversely affect visual or residential amenity and preserve the character of the Conservation Area. Furthermore it is considered that on balance given the current use of the property as a Public House with residential flat above, with no off road parking, it is acceptable to allow this development with no parking to ensure that the property is reused and not left to deteriorate, in a prominent roadside position. Any future use of this property would have issues in achieving off road parking with an acceptable vehicle access and as such any use would be likely to be with no designated off road parking provided.

RECOMMENDATION

Approve with conditions.

01. The proposal, for a residential development with no off road parking, has been marketed for commercial re-use, is located within defined settlement limits where the principle of new housing is considered acceptable, would not have a detrimental impact upon visual or residential amenity and preserves the character of the Conservation Area in accordance with the aims and objectives of saved policies ST3, ST5, ST6, EH1 and MS1 of the South Somerset Local Plan (adopted April 2006), saved policy STR1 and 9 of the Somerset and Exmoor National Park Joint Structure Plan (adopted 2000), and the NPPF Chapter 7: Requiring Good Design.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing no. 12/071/01 revision B received 24 October 2012
Drawing no. 12/071/06 revision A received 24 October 2012
Drawing no. 12/071/07 revision A received 24 October 2012
Drawing no. 12/071/08 revision A received 24 October 2012
Drawing no. 12/071/09 revision A received 24 October 2012

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

03. The external surfaces of the development hereby permitted shall be of materials as indicated in the application form and no other materials shall be used without the written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and the character of the conservation area and to accord with saved policy ST6 and EH1 of the South Somerset Local Plan (adopted April 2006).

04. No meter/utility boxes shall be installed on the front elevation of the units hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and the character of the conservation area and to accord with saved policy ST6 and EH1 of the South Somerset Local Plan (adopted April 2006).
