

14/10/0019

JOHN WARE LTD

**TEMPORARY CHANGE OF USE OF PART BEER GARDEN TO ERECT
TEMPORARY PRE-FABRICATED UNIT AS PHARMACY ON LAND AT THE BELL
INN, CREECH ST MICHAEL**

Grid Reference: 327187.125723

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Temporary Approval

The proposal is considered not to have a detrimental impact upon visual or residential amenity and is therefore considered acceptable and, accordingly, does not conflict with Taunton Deane Local Plan Policies S1 (General Requirements) and S2 (Design). It is in close proximity to a Grade II Listed Building and a temporary permission is granted on the basis that the proposal does not preserve nor enhance the Listed Building or its setting, and permission is given only on the basis that an additional public facility is to be provided while the doctor's surgery is being constructed, in accordance with PPS5.

RECOMMENDED CONDITION(S) (if applicable)

1. The building hereby permitted shall be removed and the use hereby permitted shall be discontinued and the land restored to its former condition as grassed area on or before 1st May 2012 in accordance with a scheme of work that shall be submitted to and approved by the Local Planning Authority prior to those approved works being carried out.

Reason: The proposal is not seen as preserving nor enhancing the setting of the Listed Building, however an 18 month permission is acceptable having regard to provide public facilities prior to the new doctor's surgery being built, in accordance with PPS5.

Notes for compliance

- . You are advised that a renewal of this permission is unlikely to be acceptable having regard to the reason for the temporary permission.

PROPOSAL

The proposal is to erect a temporary building 3-5 years, for use as a pharmacy at land rear of The Bell Public House. The building would be 5.8m by 12m, with

windows on three sides. The temporary unit is required, according to the agent, in order for a permanent facility to be developed elsewhere. Two people would be employed. The agent has provided additional information in respect of PPS5 justification, stating that the existing skittle alley is rendered concrete block and the outbuilding has rusting metal roof, which do not enhance the Listed Building.

SITE DESCRIPTION AND HISTORY

The Bell Inn is a Grade II Listed Building on the western side of St Michael Road. The site is on a piece of unused grassed area to the rear of outside storage building to the rear/west of the Public House. There is a large car park at the pub, a couple of spaces only would be lost as a result of the proposal.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP - there will be no impact on the car-park; there is potential to see an increase in vehicle movements over and above the existing movements associated with the public house. However it is likely that this proposal will be utilised by the village population, mostly walking.

CREECH ST MICHAEL PARISH COUNCIL - object, concern about the suitability of the position of the prefabricated unit; access onto the highway is considered to be dangerous; steep slope leading to the unit which may cause issues to elderly people; drugs would be kept on site.

CONSERVATION OFFICERS - The proposal is for the erection of a pre-fabricated unit within the curtilage of a Listed Building (The Bell Inn). Such proposals are seldom acceptable, this building would be in close proximity to the main Listed Building, and the stone build storage buildings, and I consider that it fails to preserve the character and appearance of the Listed Building, unless there is considerable public benefit, this proposal does not comply with the guidance set out in Policy HE10 in PPS5. I cannot see sufficient justification in this application to suggest that the public benefit outweighs the harm to the Listed Building setting.

RE additional comments from agent, still retain misgivings, still concerned that this particular building would preserve or enhance the setting of The Bell Inn. Given the current surroundings I do not consider that a building of this nature would cause significant harm provided it is temporary and not a long-term addition. I would therefore not object to a recommendation for approval provided the building is in place for a limited period, not exceeding five years.

Representations

13 letters of objection

- No need as a chemist/dispensary will be attached to the new doctor's surgery;
- Loss of customers from the village shop, the retailing element to the pharmacy will damage the village shop;
- There is already a highly efficient pharmacy incorporated into the surgery;
- The main street in Creech St Michael is used as a rat-run during the day, especially at rush hours; a pharmacy would generate more traffic;
- The income from the existing dispensary helps maintain the existing surgery, there is a risk that the surgery would be lost;

- Public transport is not available to alternative surgeries;
- Do not consider 3-5 years as temporary;
- The applicant has no pharmacy licence;
- The pub carpark is used by parents and carers at school drop-off/pick up time, this could be unsafe to children;
- There is a delay to the construction of the new surgery;
- There is a steep slope up/down to the site which will be dangerous to elderly or people with impaired mobility;
- The unit should be in the medical centre carpark, which is seldom full;
- The erection of this building will result in the new medical centre not being built.

PLANNING POLICIES

PPS 5 - PPS5 Planning for the Historic Environment,
 S&ENPP9 - S&ENP - The Built Historic Environment,
 EN12 - TDBCLP - Landscape Character Areas,

DETERMINING ISSUES AND CONSIDERATIONS

The existing car park is a large size with plenty of provision for car parking for various uses. The County Highway Authority has no objections in terms of traffic generation, parking availability, or access to the site. The access for pedestrians, to the site from the pavement past the public house, is fairly steep, however this is not in itself enough to refuse the application. In terms of competition and/or duplication of services, the provision of an additional pharmacy in the village is not considered to be a planning matter. The matter of this being an alternative to the building of the new surgery and the absence of the relevant licence, again are not planning matters.

The proximity to the Listed Building has been of concern to the Conservation Officer, and whilst the additional justification has overcome some of the concerns, there is still the outstanding issue of the proposal not preserving nor enhancing the setting of the Listed Building, the Conservation Officer has indicated a temporary approval is acceptable. It is considered however that this temporary period should be significantly less than the maximum of the 5 years sought, and that a clear message be sent that temporary buildings are not suitable in such locations close to or adjacent to Listed Buildings and that a temporary period of 18 months only is suggested. In conclusion, the proposal is considered to be acceptable for a temporary period not exceeding 18 months.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1988.

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