

06/2007/003

MR S M O'REILLY

CONVERSION OF AND ALTERATIONS TO CHAPEL TO FORM PUBLIC HOUSE, RESTAURANT, TAKEAWAY AND MANAGER'S FLAT, INCLUDING PROVISION OF CAR PARKING AREAS, VEHICULAR ACCESS AND ASSOCIATED WORKS, ST LUKES CHAPEL, GRAHAM WAY, COTFORD ST LUKE AS AMENDED BY DRAWING RECEIVED ON 23RD FEBRUARY, 2007 AND

316790/127350

FULL

PROPOSAL

The proposal provides for the conversion and alterations to form the change of use to a public house, restaurant, takeaway and manager's flat, including the provision of new vehicular access, car parking areas and associated ancillary works. It is anticipated that 8 - 10 staff will be employed. Planning permission and listed building consent for a broadly similar form of development (providing a shop in place of the takeaway and two flats in place of one) has been previously granted and are still extant. The former chapel is located adjacent to the general store and adjoins the area designated in the master plan as the village centre, which included a site for a public house as part of the village facilities. The main public areas have been designed as open plan areas arranged on 2 levels around the transepts and apse of the former chapel. At the upper level, the view will penetrate into the space above the manager's accommodation, which is slung box-like within the nave. This will mean that the roof structure here will remain exposed to view, resulting in the essential integrity of the form and volume of the building being retained and preserved. The main bar would be within the apse, taking the form of a horseshoe. Only minimal changes will be made to the fabric of the building. Ventilation to the takeaway will be provided on the flat roof at the western end of the building, comprising equipment which will not protrude above the roof parapet. The boundaries of the site will be marked by a low wall and railings. A Survey for Bats was submitted with the application, which concludes that the chapel does not contain a large bat roost.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objection in principle. A number of detailed points are raised, which have been largely addressed in the amended plans and recommended conditions and notes. WESSEX WATER there is sufficient spare capacity for water supply, foul sewerage flows and surface water drainage to serve the site and the sewage treatment works and terminal pumping station have sufficient capacity to accept the extra flows this development will generate. CHIEF FIRE OFFICER observations re means of escape, access for appliances and water supplies.

LANDSCAPE OFFICER query whether all the car parking is necessary, suggests shared arrangement with the shop car park. Would not wish to see any parking

spaces within the canopy of the protected trees. Care should be taken when erecting posts for railings, so they do not interfere with the roots of the adjoining TPO trees' Happy that the area surrounding the building is to be lawned, but would like to see some young trees planted in the vicinity of the takeaway to act as successors to the existing mature trees. NATURE CONSERVATION OFFICER no evidence of a large bat roost was found by the Bat Survey and the report concludes that there has been little bat activity since the building openings were sealed. However the survey time was outside the optimum time and possible roost sites were identified. Recommends a condition to include requirement for emergence survey and provision of future roosting opportunities based on current report and any future survey results. Although there is evidence that swallows nested in the building when there were accessible openings, however it is considered unreasonable to provide for future nesting opportunities in this case. ENVIRONMENTAL HEALTH OFFICER recommends condition regarding contaminated land, cooking odours and food safety and notes re food safety.

PARISH COUNCIL supports. There should be adequate measures in place to manage potential litter and smell from the takeaway facility. Noise from the venue is a concern for local residents. Also concerned over road safety and feels that the arrangement of the parking for the takeaway could be rearranged to make entry and exit to the facility safer.

COTFORD ST LUKE COMMUNITY ASSOCIATION supports. Believe that the application will lead to the chapel being restored and open to the public, which will be of benefit to the community.

12 LETTERS OF OBJECTION have been received raising the following issues:- inadequacy of car parking in an area which already suffers for a lack of off-road parking; takeaway not necessary as the shop has such a facility and there is a weekly chip van; litter problems, which could include half eaten food scattered around attracting rats; car park entrance will be directly opposite house; parking should be incorporated with the shop car park; railings will spoil the open plan look of the village; no details concerning outside areas - seating, children's area, etc; the takeaway entrance will have a big impact on the houses opposite: question the need for the parking for the takeaway; will dramatically increase the amount of traffic coming into the village: will encourage joy riders from neighbouring villages which will increase noise and fumes; will lose peace and quiet; the takeaway will encourage youngsters to congregate; takeaway will ruin this quiet village; can see nothing but trouble from takeaway; people who run the takeaway must be instructed to ensure that any litter is picked up and properly removed and litter bins provided; hope takeaway is not going to be Macdonald/Burger King; concern at 24 hour opening and loud music and vehicle noise; question whether listed building restrictions will be enforced; there may be a colony of bats in the bell tower or roof - if so should be protected or relocated; no more trees should be felled; cooking smells; noise from extractor fans; patrons of the pub will smoke outside leading to even more noise and litter; need for landscaping and planting; concern at losing any more trees: noise from contractors during conversion work; inappropriate to convert a church building to such a use; will have a huge detrimental impact on the houses nearby: will lead to increase in antisocial behaviour, especially late at night; early morning deliveries would cause noise and disturbance: takeaway will take trade

away from the chip van and the Norton Fitzwarren chip shop; invasion of privacy; totally unsuited to this quiet residential area; pollution from bright lighting; risk of vandalism from people who have had too much to drink; too much car parking being provided.

25 LETTERS OF SUPPORT have been received raising the following:- the village has always developed with the idea that there would be a pub, which is an essential part of the community; there is unlikely to be a great deal of noise in a village pub; most users of the facility will be villagers who will walk to the pub and even if the car park becomes full, there is the shop car park next door; unlikely to cause litter; most of the residents would love a place where they can get to meet each other in comfort; will help to further develop community spirit and support local employment; site is currently an eyesore; there have been plans for a public house on the site for a long time; long overdue; will ensure the structural renovation of a presently deteriorating building in much need of restoration and put to good use for the benefit of the residents of the village; plans are fully in keeping with maintaining the fundamental character of the building and offer a flexible and versatile usage to benefit both the village and the local area.

Some of those supporting the proposal did express certain reservations regarding the proposed takeaway facility.

POLICY CONTEXT

Policy STR1 of the Somerset and Exmoor National Park Joint Structure Plan Review contains criteria for sustainable development, including ones that (a) development should develop a pattern of land use and transport which minimises the length of journeys and the need to travel and maximises the potential for the use of, public transport, cycling and walking; and (b) give priority to the continued use of previously developed land and buildings. Policy S1 of the Taunton Deane Local Plan covers general requirements, including one stating that the accessibility of the development by public transport, cycling and pedestrian networks should be consistent with its likely trip generation and minimising the need to use the car. Policy EC11 of the same plan states that beyond Taunton and Wellington town centres the vitality and Viability of local service provision will be maintained and enhanced and the level and diversity of such facilities improved. One of the ways this is to be achieved is by permitting the provision of local service facilities within or adjacent to the defined limits of a rural centre or village. Policy EN16 of the same plan states that development proposals which would harm a listed building, its setting or any features of special or historic interest which it possesses will not be permitted. Policy EN17 goes on to say that the change of use, alteration, conversion or extension of a listed building will not be permitted unless (a) the internal and external fabric of the building including its architectural and historic features would be preserved, leaving them in situ where possible; (b) the building's internal space would be retained where this is important to its character or historic integrity; (c) no subdivision of a garden or other open space would occur, where this would harm the building's character, setting and historic integrity; (d) the design, materials and building methods used are sympathetic to the age, character and appearance of the building; and (e) any extension is sufficiently limited in scale so as not to dominate the original building or adversely affect its appearance.

ASSESSMENT

The conversion of the building into the proposed uses will be less invasive than a conversion to conventional residential use. It will also secure the future of the building, which has remained empty for many years. The building is in a central location within the village and the proposal will provide further sustainable local facilities for the community. The applicant considers the takeaway element to be an integral part of the overall proposal. Whilst I note that certain concerns have been raised, particularly with regard to the takeaway element of the proposal, I consider that subject to the recommended conditions, the proposal is acceptable.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, landscaping, protection of trees to be retained, works within canopy spread of trees, no felling/lopping, walls/fences, emergence survey for bats, access point, visibility splays, parking, cycle parking, any entrance gates set back, meter boxes, contaminated land, details of extraction equipment to effectively suppress/disperse fumes/smells from cooking and food preparation, noise limitation from air extraction equipment, details of temporary refuse store, details of wall/railings around perimeter, underground services, opening hours of takeaway 0730 to 2130 and submission of a Code of Practice for dealing with litter, details of material for footpaths, car parking, marking out of bays and bollards, details location of permanent refuse store. Notes re disabled access, energy/water conservation, meter boxes, CDM Regulations, listed building consent, public highway, relocation of street lighting column, gully, no surface water discharge onto prospective highway, contaminated land, food safety, fire officer's comments and advice re bat surveys.

REASON(S) FOR RECOMMENDATION:- The proposed development will secure a beneficial future use for this Grade II listed building and will bring additional community facilities to the village in accordance with Taunton Deane Local Plan Policies SI, EC11 and EN17.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

CONTACT OFFICER: 356461 MR J HAMER

NOTES:

