

24/2008/021

LOADACE LTD

DEMOLITION OF PUBLIC HOUSE AND ERECTION OF A TERRACE COMPRISING 6NO. TWO BEDROOM HOUSES AND 2NO. ONE BEDROOM FLATS WITH 13 PARKING SPACES (AS CLARIFIED BY EMAIL DATED 04/06/08) AT THE WHITE HART INN, KNAPP LANE, NORTH CURRY

331806/125285

FULL

PROPOSAL

The proposed involves the replacement of the recently demolished building with 8 dwellings comprising 6 no. two bedroom houses and 2 no. one bedroom flats contained within a single two-storey terrace. 13 parking spaces are shown provided partially on the existing parking area at the western end of the site which is to be extended towards the southern boundary. Rear access is shown along the south boundary from the gardens of all dwellings to the parking area

The proposal includes the realignment of the southern kerb along Knapp Lane to provide a consistent road width of 5m wide (at present the narrowest point is 4.35m) with a new footway partially provided in the existing carriageway .

This scheme has been revised from application 24/2007/052, which is the subject of a non-determination appeal. The applicant's agents have identified the following revisions with regard to highway concerns:-

- The private parking space for plot 8 has been omitted and further parking has been concentrated at the south eastern side of the site. This creates a single safe access on to the site with both parking and turning facilities located off the highway to comply with Structure Plan Policy 49.
- The scheme still provides a continuous 1.2m wide footway along the site frontage to provide a safer environment for vehicles and pedestrians.
- The new scheme provides 13 new parking spaces for the 8 units which consist of: 5 two bedroom houses with 2 parking spaces each, two bedroom house with 1 parking space, 2 one bedroom flats with parking space each.

Further information in support of the application was received in a copy of a letter dated 2nd June 2008 addressed to the County Highway Authority asserting that the parking standards are met.

Following a meeting with the Conservation Officer the applicant's agents have identified the following revisions with regard to conservation concerns:-

- omitted the standard gable dormers
- added "Somerset" dormers
- repositioned the front entrances to plots 1-6

- removed the door surrounds to plots 2 and 3
- designed the front doors to plots 1 and 2 to align with the first floor windows in a typical Georgian style.

In their recent email the applicant's agents have confirmed that the two 1 bedroom flats to be allocated as the two affordable housing units and that the commuted sum of £43,139.00 for remaining 0.66% as set out by Lesley Webb in the Housing Department will be met .

They have also confirmed a willingness to pay £25,032.00 as indicated by the Leisure Development Team and that this could be within a Section 106 Agreement or be part of a condition of any future planning consent.

CONSULTATIONS AND REPRESENTATIONS

NORTH CURRY PARISH COUNCIL – The Parish Council strongly objects to this application on the following grounds:

1. Jim Doyle (the previous landlord) wrote a letter to TDBC stating that the pub was a good working pub and a viable business. The pub also has the potential to be a larger business ie. Bed and breakfast which had been done by the landlord before Mr Doyle.
2. The pub had excellent facilities of a skittle alley, pool table, darts, television, jukebox and fruit machines which were all well supported and cannot be replicated by the remaining pub in the village which although classified as a pub is in fact 75% to 80% restaurant.
3. The size of the village of North Curry is such that two pubs would be sustainable.
4. The pub gives local employment.
5. The Parish Council feel that the 300 year old building has character and is a landmark of the village and a social focal point especially for the youth of the village who found the White Hart to be of a more affordable price for food and drink.
6. The balance of the village is being upset by the removal of an amenity and the replacement with additional housing.
7. It is an over-development in a small area
8. There is a privacy issue over the proposed development for some of the residents of Town Farm and neighbouring properties.
9. With reference to TDBC policy: the policy is to maintain and enhance the level and diversity of service facilities beyond the town centres of Wellington and Taunton
10. It is felt certain design features of these houses do not meet anything that is currently within the village ie. That you step right out of the houses straight onto the footpath. The design is unimaginative with all four houses in the central terrace being identical. This development does not fit in with the rest of the village and it is overdevelopment of a small site.

COUNTY HIGHWAY AUTHORITY - The proposal will see the demolition of the existing public house and a terrace of six dwellings and associated parking will replace it.

There is no objection in principle but I have the following comments to make. In terms of parking provision the proposal should provide a maximum of two parking spaces per dwelling and one space per flat as per the requirement of the Local Transport Plan. This equates to a total of 14 parking spaces. The proposed plan only shows space for 13 vehicles. As such there is a under provision of parking within the site.

Therefore the Highway Authority would require an amended drawing providing a total of 14 parking spaces and adequate turning.

The proposal provides sufficient space within the car park to allow vehicles to turn and exit the site in forward gear. The site should provide a minimum visibility splays of 2.4m back and 43m in either direction. This is considered to be sufficient visibility for this site.

However due to the under provision of parking I recommend that planning

- The proposed development would be 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 road users at this point.

Revised Comments following Applicants Agents Letter

I am writing to you in connect to the above planning application (ref 24/2008/021) and my comments in my letter dated 20th May 2008.

Although I was satisfied that the majority of issues from the original application had been addressed, there was a concern that there was not sufficient parking within the site to accommodate each dwelling.

However I have since received confirmation via e mail of the break down of the parking for the dwellings. Taking into account the information provided in terms of parking I therefore remove my objection to this proposal. And if planning permission were to be granted I would require the following conditions to be attached:

- The access hereby permitted shall not be brought into use until drop kerbs have been installed at the carriageway edge and a vehicle cross-over constructed across the footway fronting the site for the width of the access.
- Before the dwellings hereby permitted are first occupied a properly consolidated and surfaced access shall be constructed (not loose stone or gravel) details of which shall have been submitted to and approved by the Local Planning Authority.
- 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 by the Local Planning Authority.
- The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

- NOTE: The alteration of the access will involve construction works within the existing highway limits. These works must be agreed in advance with the Highway Services Manager @ Somerset Highways, Burton Place, Taunton (0845 3459155). He will be able to advise upon and issue/provide the relevant licenses, necessary under the Highways Act 1980 (Section 184).

COUNTY ARCHAEOLOGIST - As far as we are aware there are a limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.

PARRETT INTERNAL DRAINAGE BOARD - The site is outside the Board's area of jurisdiction and therefore not adjacent to any Board asset or "viewed rhynes" however potentially the surface water run off from the proposals could discharge into the Board's area. The applicant's agent has indicated within the submitted details that surface water run-off will be disposed of by use of soakaways. The proposed layout limits the area available to locate any soakaways and whilst the Board is unaware of any particular problems at this location the use of soakaways should be established by successful porosity tests results and careful design to locate the soakaways as not to affect the existing or proposed dwellings.

The principal requirements for surface water drainage from developments are set out in PPS 25 annex F and are understood to be '*a material consideration*'. As stated above the Board knows of no known difficulties or flooding issues however the Board would suggest the use of sustainable drainage techniques to mitigate the proposed development's impact on the receiving drainage system or formal a connection to the public sewerage network is made if appropriate which is in line with your Council's policy EN29.

If the relevant committee of the Local Planning Authority were of a mind to approve the application the Board would ask that a drainage condition regarding provision of surface water drainage prior to any works commencing would be included on the decision notice.

The design of the surface water drainage system will need to address the long-term maintenance requirements and I would suggest that a maintenance strategy and regime be required to be approved by the planning authority to ensure the proposals are sustainable and maintainable.

DRAINAGE OFFICER - I note that surface water is to be discharged to soakaways. These should be constructed in accordance with Building Research Digests 365 (September 1991). The porosity tests required should be carried out and results agreed before any work commences on site and this should be made a condition of any planning approval is

HOUSING ENABLING MANAGER - I would be looking for an Affordable Housing contribution to should this scheme proceed. The requirement would be 2No. two bedroom houses for rent through a Registered Social Landlord. There will also be a requirement for a commuted sum contribution of £43,139.20

Views on applicants offer re Affordable Housing

This does not fit the need. One person is requesting a two bed flat and the rest is for 2 and 3 bed houses. I would be looking for, at the very least 1 x 2 bed flat, 1 x 2 bed house plus the commuted sum.

LEISURE DEVELOPMENT TEAM - In accordance with Policy C4 provision for play and active recreation must be made

A contribution of £1023.00 for each dwelling should be made towards the provision of facilities for active outdoor recreation and a contribution of £1795.00 each 2 bed + dwelling should be made towards children's play provision. The contributions should be index linked and would be spent in the vicinity for the benefits of the residents.

CONSERVATION OFFICER - 1. Comment re the historic interest of the existing building as per previous application.

2. Fenestration and detailing improved to previous scheme.

3. Whilst UPVC windows and doors not considered refusable in this location, detailing will be important. Essential that specific details submitted and approved and thereafter maintained (e.g. plots 7 & 8 need to have vertically sliding sash is not top hung).

4. Good to see chimneys incorporated, sad that these are not functional.

5. Palette of materials appropriate -- condition submission of sample Slate (natural) clay tile (double roman), ridge tiles, coping stones and cills.

6. Condition sample panel of render and brickwork to be erected on site for approval.

7. Conditions submission of details re venting of roofs, so as to avoid unsightly modern "mushrooms" etc.

8. Conditions submission of specific details of doorcases to plots 8,(to ensure proportional are appropriate), likewise vouissoirs to Plots 1 & 2.

9. Condition no bell casts formed in render over window heads to plots 7 & 8.

10. Condition windows to be recessed minimum of 900mm from face of wall.

Numerous letters of representations have been received in respect of this proposal, as was the case with the last application (24/2007/052) which is currently the subject of an appeal against non-determination and more continue to arrive. The principal points raised in those letters may be summarised as follows

- the proposal will result in the loss of a valued historic local public house and local facilities associated therewith;
- the other pub in town, The Bird in Hand is more of a restaurant and does not provide the same facilities as the White Hart Inn has done in the past;
- the proposed residential development would result in increased traffic exacerbating problems at the dangerous Queen Street /Knapp Lane junction;
- proposal fails to make adequate provision for car parking to serve the reasonable needs of occupiers;
- development would be higher than the existing property and appearing incongruous;
- the siting of the development reduces the building line
- the relationship of the proposed scheme to neighbouring properties will give rise overlooking and loss of privacy;
- the proposal represents an overdevelopment of the site;

- nature of development will impact on important local trees on site and could result in their loss or destruction;
- with increasing North Curry population there is need for a second Public House;
- existing building should be retained to keep the character of the area
- existing problems of inadequate infrastructure will be exacerbated by increased residential development;
- a variety of appeals decisions have been referred to where loss of public houses have been resisted by the Inspectorate.

POLICY CONTEXT

PPS1, PPS3, PPG13, RPG10 & Emerging RSS

Somerset and Exmoor National Park Joint Structure Plan Review 2011:

STR1 – Sustainable Developments

STR3 - Rural Centres and Villages

Policy 14, - Archaeological Strategies

Policy 33 - Provision for Housing

Policy 35 - Affordable Housing

Policy 39 - Transport and Development

Policy 48 - Access and Parking

Policy 49 - Transport Requirements of New Development

Taunton Deane Borough Council Local Plan : S1, S2, H9, EC15, M4 & C4

ASSESSMENT

The demolished building was a two-storey building at the front with single storey additions to the rear and flanks consisting of a public house on the ground floor areas and residential accommodation at first floor level. The land raises up behind the public house with the rear area being approximately 2m above road level. There are 2 No. TPO on the site comprising mature sycamore trees at the south of the site.

The design now proposed shows Plots 1 & 2 as a pair of semi detached dwellings, Plots 3 to 6 as a terrace slightly set back from the adjacent pair of properties and the flats at Plots 7 & 8 designed to resemble a single dwelling. This new design is considered acceptable to the Conservation Officer subject to a variety of conditions.

With regard to the public concern about the loss of the public house that would result from this application the applicants have stated the following:-

“..... it is our understanding that the current planning policy within the Local Plan seeks to retain one community facility in each village. North Curry has as existing vibrant and viable public house at the Bird In Hand in the centre of the village. As you know the status of North Curry was downgraded from a Rural Centre to a Village during the compilation of the last Local Plan and hence the loss of the White Hart is compliant with the policy. Furthermore, the restricted nature of the site, in both size and levels does not allow for the public house to be extended sufficiently to create a viable enterprise. It could be considered that the loss of the White Hart will help ensure the survival or the other public house in the village.”

Local residents have expressed the view that the existing pub the “Bird in Hand “ is more food orientated and does not fulfil the same local function as the White Hart Inn which was a venue for various local teams. Notwithstanding that concern it is considered that the loss of this one public house, which will still leave another in public house in the village could not be justified as reason for refusal. Consequently refusal is not recommended on that basis.

The existing public house had 4 windows on the front elevation which face north towards the dwelling opposite at 1 Lodwells Orchard. The proposal will introduce a total of 6 bedroom windows and the lounge/dining room/kitchen window of Plot 8 all on the proposed front elevation. Of these the front bedroom windows of Plots 1 to 4, with one in each dwelling, are on approximately the same building line as the existing property, positioned where the existing two storey section of the public house is located. It is therefore considered that the proposal will not give rise to any significant increase in overlooking that has historically been the case.

Parking provision has increase from 8 spaces on the last scheme to 13 on this application. The Highway Authority has indicated on there revised response that they are satisfied with this provision subject to imposition of conditions. No technical objection has been raised to the scheme regarding increase traffic generation or highway safety aspects associated with nature of Knapp Lane or its junction with Queen Square.

As on the last application the applicant’s agent has specifically confirmed the proposal development would pay the commuted sums set out above regarding Affordable Housing and Play provision.

The applicant has also indicated that the two one bedroom flats will be made available as affordable houses. The Housing Enabling Officer has indicated that this does not meet the identified local need.

Without meeting this requirement the proposal could be considered to be contrary to Policy H9. No justification has been submitted as to why in this instance the requirements of this Policy cannot be met without such justification it is considered that permission should be refused.

RECOMMENDATION

Permission be REFUSED for the following reasons.

The application fails to make on-site provision for Affordable Housing appropriate to the identified needs of the Parish. No reasoned justification been advanced as to why, in the case of this site, those provisions should be relaxed or varied. The proposal is therefore contrary to Policy H9 of the Adopted Taunton Local Plan.

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

CONTACT OFFICER: 01823 356454 MR M ROBERTS (PART-TIME)

