

MR I BRYANT &amp; MRS J SADLER

**EXTENSIONS, INTERNAL AND EXTERNAL ALTERATIONS, NEW GARAGE AND CHANGE OF USE FROM EXISTING PUBLIC HOUSE TO TWO RESIDENTIAL UNITS AT THE KINGFISHER INN, TAUNTON ROAD, BISHOPS LYDEARD.**

17967/28143

FULL PERMISSION

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**PROPOSAL**

In September 2001 Bishops Lydeard Parish Council granted planning permission for the erection of extensions to this inn/restaurant/bed and breakfast. This application is for the change of use from the existing use and owners accommodation to two dwellings. The business was put up for sale as a going concern in May, 2002 and due to a lack of interest the price was reduced in August, 2002. The price was further reduced during October, 2002 and trading ceased at the end of October, 2002. The proposal to extend the property is substantially the same as a scheme previously submitted and given approval by Bishops Lydeard Parish Council, apart from some minor alterations to window and door positions. The proposed phase two works of the previous permission have been omitted from the new application. This involved an extension to the front elevation extending towards the road. Access and curtilage arrangements remain as at present.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY views awaited. WESSEX WATER the proposal is not located within a Wessex Water sewerage area. Your Council should be satisfied with any arrangement for the disposal of foul and surface water flows generated by the development. There is a water main in the vicinity of the proposal. The developer should agree a point of connection onto the system for the satisfactory supply of water for the proposal. This can be agreed at the detail design stage. It is recommended that the developer should agree with Wessex Water prior to the commencement of any works on-site.

DRAINAGE OFFICER I note a new septic tank is to be installed. The Environment Agency should be contacted regarding consent to discharge agreement.

**POLICY CONTEXT**

The West Deane Local Plan (adopted May, 1997) is the adopted local plan for this site. WD/SP/4 (Conversion of buildings outside settlement limits to residential uses) only permits the conversion of buildings to residential use where the criteria of policy WD/SP/3 are met and where it would not harm the rural character of the area and the

historic or architectural qualities of the building. In the assessment of this application, the following Taunton Deane Local Plan Revised Deposit (November 2000) policies are relevant:- S1 (General requirements), S2 (Design), S3 (Energy conservation), H9 (Conversion of rural buildings). Under H9, the conversion of buildings to residential use will not be permitted unless the building to be converted is of permanent and substantial construction and is in keeping with its surroundings, has a size and structure suitable for conversion without major rebuilding or significant extension and alteration, is unlikely to attract a suitable business re-use, is sited near a public road with convenient access by foot, cycle, or public transport to a settlement, will not harm the architectural or historic qualities of the building, does not involve the creation of a residential curtilage which would harm the rural character of the area, and will not lead to a dispersal of activity on such a scale as to prejudice town and village vitality. Policy EC10 (Associated settlements/rural centres/villages) which seeks to retain village facilities is not relevant in this instance as the Kingfisher Inn does not service a particular settlement.

## **ASSESSMENT**

As the Kingfisher Inn is not within reasonable walking distance (400 m) of Cotford St Luke or Bishops Lydeard, it is not afforded the protection of Policy EC10 of the Taunton Deane Local Plan. Hence, the application is viewed in the light of policies for the conversion of a building to a residential use in the open countryside. The building does not require significant alteration over and above what has recently been granted planning permission. It can be argued that the use of the premises as two dwellings is less intense compared to its current use. Whilst the access is substandard onto this Class I road, it can also be argued that it will be used less often than the current use. The residential amenity area offered to both properties does not require any change of use of land and is within the existing curtilage of the property. Hence, it is considered that the impact of the proposed development does not exceed and is arguably less than what has already been granted planning permission and its current use. To date no objections have been received to the loss of the pub. It is not considered that the pub has served an important role as a community facility, nor does it appear to have provide a significant tourist facility.

## **RECOMMENDATION**

Subject to the receipt of satisfactory trading information indicating an unlikely business re-use and no further representations raising new issues by 31 January, 2003 the Chief Planning Officer in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to the conditions of time limit, materials as plan, parking plans required, turning space required, services underground, percolation tests, boundary treatment, remove Permitted Development Rights of extensions, fire escape for emergency use only. Notes re in accordance with the approved plans, energy and water conservation, meter boxes, Lifetime Homes, access for the disabled, licence from the Environment Agency, contact Wessex Water.

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

**CONTACT OFFICER: 356462 MRS J HIGGINBOTTOM**

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