

45/2002/005

AGENDA ITEM NO. 24

MS E ELLIS (LYMBURN LTD)

ERECTION OF A SINGLE STOREY EXTENSION AND TWO STOREY EXTENSION AT THE RISING SUN PUBLIC HOUSE, WEST BAGBOROUGH.

17050/33430

FULL PERMISSION

PROPOSAL

Following a fire, this property is to be rebuilt and this application seeks planning permission for the erection of a first floor extension and a single storey extension both to the rear of the property. The single storey extension facilitates the enlargement of the relocated kitchen and the first floor extension above the stables allows for habitable accommodation as part of the cottage fronting Stout Lane. The building is not listed but is within a Conservation Area in an Area of Outstanding Natural Beauty.

CONSULTATIONS AND REPRESENTATIONS

RIGHTS OF WAY OFFICER the new works should not restrict the use of the public right away on the western elevation.

PARISH COUNCIL the Rising Sun is an important part of the village and the parish council welcomes the rebuilding and subsequent reopening. Incorporated into the plans is a first floor gallery which it is understood that the owner has stated is to be used for the display of pictures, works of art etc. Residents living opposite trust that this will be so, and that it is not used as an extension of eating or drinking facilities, as with the road being quite narrow, the privacy of owners close by could well be compromised. Car parking in West Bagborough been a problem for more years than anyone can remember. There is a small facility at the rear of the property but which is not large enough to be regarded as a commercial car park. It is also understood that the number of places to be made available in the restaurant will not be more than previously provided in the bar, but it is felt that business will increase following rebuilding and the provision of extra space. The concern of the parish council is the car parking problem in the village which will remain until funds are made available for a suitable remedy to be found.

TWO LETTERS OF CONCERN raising the following issues:- the new proposals for the Rising Sun are very imaginative; we hope the pub will soon be open again but traffic flow and parking will be a major problem; concern about parking was raised in the Village Design Statement (VDS), adopted by Taunton Deane Borough Council in January 2000; it is vital that parking is not further worsened by the present proposals; Taunton Deane Borough Council planning decisions relating to the eastern end of the village have made matters worse; there is now more parking congestion than when the VDS was written; will Taunton Deane Borough Council find a way of tackling parking at the eastern end of this village as the VDS requested?; the Rising Sun is at least two different buildings - the pub and a cottage fronting Stout Lane; the pub was divided into two - the public bar, toilets, kitchen and storerooms on the ground floor, with a first floor

self-contained flat on the second floor which was separately leased; a cottage on Stout Lane was converted to 4 ensuite bed and breakfast rooms where the planning permission required provision of car parking spaces which were built behind the pub and we understand that this restriction still stands; about two years ago, the present owner changed the 4 bed and breakfast rooms back into living accommodation for herself and her family; when they left to live elsewhere, the cottage was leased including the room now being shown as a restaurant; the new proposals show the restored cottage with four bedrooms with kitchen and living room; the last tenants never used the car park and used the public highway; can parking on the highway be controlled?; the proposals show an increase in the area of the pub by the addition of the restaurant -- perhaps a 25% increase; use of this will bring additional traffic into the village; the first floor area over the pub shows 2 ensuite bedrooms, presumably for bed and breakfast, and a gallery; we are particularly concerned that any commercial use of the gallery would constitute an invasion of privacy as the access is via the lounge bar and we feel that it will be used as an overflow for the pub; the present owner says she will not be increasing the total seating capacity from what it was before the fire; can this 'no increase' be a planning condition for the future should the pub change owners so as to prevent increased parking on the road?

POLICY CONTEXT

The West Deane Local Plan (adopted May 1997) is the adopted local plan for this site. The following policies are generally relevant to the consideration of this application - WD/EC/23 (Conservation Areas) where the Local Planning Authority will pay particular attention to the reinstatement of derelict or vacant land, will investigate ways of reducing the volume of vehicular traffic and on-street parking in parts of the Conservation Areas and advise that planning permission will not normally be granted for any development unless it is to a standard of design which preserves and enhances the particular character of the Conservation Area. Policy WD/EC/30 (Area of High Archaeological Potential) seeks appropriate evaluation to determine the archaeological value of the site before any planning applications are determined. In the assessment of this application, the following Taunton Deane Local Plan Revised Deposit (November 2000) policies are taken on board:- S1 (General requirements), S2 (Design), EC10 (Associated settlements/rural centres/villages), where the range of shopping and service facilities serving the associated settlements, rural centres and villages will be maintained and enhanced where proposals to provide new rural services, including shops, public houses and surgeries will be permitted; applications which seek to improve the viability of existing services through refurbishment, conversion or extension will be permitted; proposals which result in the loss of shops or other community services will not be permitted where this would damage the viability of a settlement or increase car travel by local residents as a result of a significant or total loss of such services to the community. Policy EN10 (Area of Outstanding Natural Beauty) gives priority to preserving and enhancing the natural beauty of AONBs. Development, which would adversely affect the landscape, character and appearance of AONBs, will not be permitted. Policy EN24 (Areas of High Archaeological Potential) states that if a proposal affects a site of archaeological interest of Area of High Archaeological Potential, or if it is suspected the development could affect archaeological remains, developers must provide satisfactory evaluation of the archaeological value of the site, and the likely effects on it, before

planning applications are determined. In light of these policies, I consider that the proposal does not adversely affect the appearance or character of the building or the street scene. The extensions are considered to be good design, reinforcing the local character and distinctiveness of the area. The proposal does not harm the residential amenity of neighbouring dwellings or the amenities of the existing property. The form and character of the property are not compromised, as the extensions are subservient to it in scale and design. It can be argued that the proposal preserves and enhances the character and appearance of the Conservation Area. There are no works that might adversely affect any archaeological interest.

ASSESSMENT

There is no doubt that the pub is seen as a vital village facility and its reinstatement is to be welcomed. The policy EC10 in the Taunton Deane Local Plan Revised Deposit November 2000 outlines the Authority's commitment to the provision and enhancement of village facilities. However, other policies are relevant which seek to control the adverse affects that such a development may have on the Conservation Area, Area of Outstanding Natural Beauty and amenity of neighbouring properties. Concerns have been expressed locally about the current car parking situation at this end of the village and the representations received fear that any intensification of the use of the building will only add to the existing unsatisfactory situation. The West Bagborough Village Design Statement does highlight this problem and it recommends that traffic movement through the village, together with parking provision, should be considered as a central issue in protecting the amenity for both residents and visitors. Whilst a small car parking area is provided to the rear of the pub, it cannot be guaranteed that patrons or staff will park in such a facility. The pub use of the building could expand into additional rooms without the requirement for a planning application and the use of the pub before the fire could have been more intense without requiring a planning application or the necessity to provide additional off-street parking facilities. This application cannot be conditioned to prevent the use of additional rooms or the increase in tables etc. It is suggested that a note be put on the application to encourage the maximum use of the car park to the rear of the pub as the development requiring planning permission, i.e. the extensions, are not sufficiently large enough to require that additional parking be provided on the site. Therefore, the proposal is considered to be acceptable.

RECOMMENDATION

Subject to the receipt of no further representations raising new issues by ... the Chief Planning Officer in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of materials as plans. Note re use of the car park.

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

NOTES:

