

REPORT TO THE DEVELOPMENT CONTROL COMMITTEE Report No.

Date of Meeting	5th November 2008
Application Number	08/02031/FUL
Site Address	Rose and Crown, Brokenborough, Malmesbury, Wiltshire SN16 0HZ
Proposal	Extension and Alterations to Include Restaurant and Kitchen Extension; Five Bedroom Suites; Two Staff Units with Adjoining Ancillary Accommodation and Retrospective Front Porch
Applicant	Mr Grun
Town/Parish Council	Brokenborough
Grid Ref	391873 189157
Type of application	Full application

Reason for the application being considered by Committee

This application has been submitted to the Committee for decision under the scheme of delegation in force after the 8th April 2002 because Councillors Greenman and Sanderson have requested that the impact of the proposal on the amenities and character of the area and policy in general is assessed.

Summary of Report

This application proposes extensive alterations and extension of a rural public house including the addition of two separate residential units, 5 letting rooms, conference facility, dining area, lounge and various ancillary areas. In addition, retrospective permission is sought for the erection of a porch which was not built in accordance with a previous permission.

There is no framework boundary around Brokenborough. The site lies within an Area of Outstanding Natural Beauty.

Key points for consideration are;

- Design and scale of the development in relation to the existing public house and wider area;
- Justification for development in relation to policy H4;
- Impact of the proposal on the Area of Outstanding Natural Beauty (Policy NE4);
- Impact on the amenity of neighbouring properties;
- Consideration of the unauthorised porch;
- Highways implications; and
- Implications on DC Core Policy C3.

Officer Recommendation

Planning Permission be REFUSED

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Proposal and Site Description

Brokenborough is to the north of Malmesbury. The Rose and Crown lies on the south side of the village within a large site that is very open in character with fields to the front and rear. The pub is set back from the road frontage behind a large grassed area and has parking to both sides.

The original public house is of traditional appearance. To the rear are various modern additions of differing construction which accommodate kitchen, dining facilities and toilets. The original construction is of natural stone and stone tiles.

The proposal is to demolish the single storey additions to the rear to make way for the new buildings. Re-constructed stone tiles, stone, rough-cast render and timber windows and doors are proposed.

A similar application was refused under reference 08.00278.ful. The main difference between the two applications is that the separate dwelling and garden has now been moved to the rear of the site.

Consultations

Town/Parish Council – Brokenborough Parish Council could not come to a combined view on the application. Four councillors were generally in favour but with some reservations, and two were against. The issues raised by the four councillors were;

- Use of appropriate materials important;
- No allowance for a modern Bio unit to prevent the escape of foul water;
- Impact from the front considered acceptable;
- Changes may make pub more viable and new facilities would be useful; and
- Internal changes and layout of garden and car park were good.

Issues raised by two councillors objecting were;

- Omissions from plan were misleading; (note: amendments have now been made)
- Conservatory should be at the rear – require details of materials;
- Plans should state that existing tiles will remain on existing structure;
- Small step down from existing roof section on north east elevation looks unnatural – materials should match;
- Object to parking against Brokenborough Farmhouse;
- Two chimneys should not be removed;
- There are additional residential units, policy H4 allowed only increases for agriculture and forestry;
- Scale is out of keeping with village and surroundings and is not materially different to previous application that was refused;
- Extension lacks sensitivity for existing structure and surroundings;
- Number of rooms and scale seems excessive; and
- The Rose and Crown is an important and key building in Brokenborough. This development will fundamentally change the building to the detriment of the village.

Wiltshire County Council Highways requested provision of visibility splays and plan showing 46 parking spaces. Amended plans have been submitted and comments, when received, will be reported.

Environmental Health has not commented on the application

Planning History		
Application number	Proposal	Decision
08.00278.ful	Extension and Alterations to Accommodate; 1 No. Dwelling, 2 No. Self Contained Flats, 5 No. En-Suite Bedrooms, Conference Room, Dining Area, Lounge, Kitchen and Various Ancillary Functions	Refused
07.01846.ful	Alterations and Extension to Public House, and Alterations to Access and Drive	Permission
06.03237.ful	Fenestration Alterations to Front Elevation, Roof Over Beer Store and Alterations to Access Arrangements	Withdrawn
06.01030.ful	Outline – One Dwelling	Refused
Appealed		Appeal Dismissed

Representations

63 letters of support have been received stating that;

- Extra accommodation is needed to swell the tourist industry;
- The Rose and Crown is trying to adapt to the needs of its customers;
- Small businesses should be supported;
- Diversifying is the only way to continue to be a viable business;
- Proposed plan is in keeping with the character and would enhance the area;
- A number of groups use the Rose and Crown for meetings;
- It will be a benefit to the local community;
- There is a shortage of good quality accommodation and conference rooms in this area;
- The development will provide employment opportunities;
- The Rose and Crown provides excellent food, drink and hospitality; and
- There is ample parking which should not affect the local residents

4 letters of objection have been submitted on the grounds that;

- No changes have been made which address the fundamentals raised in the previous application;
- It is a huge development too large for the existing environment of Brokenborough;
- The proposed changes are not in keeping with the village;
- The house is not permissible;
- There would be a corresponding increase in traffic unsuitable for Brokenborough;
- A septic tank is not adequate;
- Car parking is proposed immediately against listed buildings of Brokenborough Farmhouse;
- Concern about effect of noise and light pollution, and impact on privacy of Brokenborough Farmhouse;
- 5 extra windows would now overlook our property to the north which would be highly intrusive;
- The plans are not sympathetic to the rural public house;
- With the car parking and the rural green frontage eliminated it would be wholly unsympathetic in an Area of Outstanding Natural Beauty; and
- There is no proven requirement for development.

Planning Considerations

Principle of development

The principle of developing the public house has been accepted although it is considered that the development proposed is out of proportion and scale on this site . The previous refusal was for very a

similar development and it is considered the main objections to size and scale have not been addressed in the current submission.

The erection of dwelling units in the countryside is contrary to policy H4 of the local plan.

Policy TM1 is permissive of tourist development in the countryside where it would improve or extend the range of facilities provided that it is of a scale appropriate to its location.

Business Case

The applicant submitted a business case in support of his application which highlighted the general loss of public houses and that diversification would give the greatest chance of long term survival. It is stated that the Rose and Crown is one of the few pubs in North Wiltshire that is totally reliant on attracting its customers from outside its immediate environs, (although there appears to be no evidence basis for this statement), and that Brokenborough is too small to support the Rose and Crown. There are no specific details relating to the Rose and Crown and its current trading.

The business case suggests that 5 letting rooms are ideal. There is little evidence to support the statements made.

The business case states that the local area lacks a conference/meeting room and states that a number of local companies/groups are interested in using such a facility.

It is stated that the extended existing living accommodation would be for a head chef and the additional flat for a chef and housekeeper couple. The justification for this is on various grounds including unsociable hours of work, low pay and need to attract qualified and experienced staff. It is stated that the owners had to move to Shipton Moyne to release the existing flat for a head chef.

The document also gives some information on possible research into renewable technologies and on the external treatment of the grounds.

Officers understand the pressures that exist in terms of rural public houses and understand the desire to improve facilities. However, it is considered that the business case offers very little information specific to the particular circumstances of the Rose and Crown and is insufficient to outweigh the objections on policy grounds.

Impact on amenity

The proposal introduces two bedroom windows facing towards the rear of the neighbouring property 'The Paddocks'. It is considered that both the angle and distance of this relationship (9-11 metres) would harm the residential amenity of the occupiers of The Paddocks.

Impact on Area of Outstanding Natural Beauty

The purpose of designating AONBs is to conserve and enhance natural beauty. It is considered that the scale of development and the increased prominence of the building would harm the open and rural character of this area.

Impact on Listed Building

Brokenborough Farmhouse adjacent to the site, is a listed building. Due to the distance between the proposed extensions and this building it is considered that the development would not harm the special historical of this property.

Design and Scale of Development

The agents assert that the street frontage will be largely unaltered by the development. The majority of the new build is set back and away from the front elevation, however, as the building is in the centre of

an open site it is considered that the development would be very visible and the existing traditional buildings will be dwarfed by the extent of building to the rear.

The development has been designed relatively sympathetically, with low eaves and complementary materials. However, the sheer size and scale of the development is considered to be unsympathetic in this rural location on a site that is open and exposed and is contrary to policy TM1.

Parking

County highways have no objections to the parking and access arrangements. However, parking is proposed at the front and sides of the public house and officers are concerned that this would lead to an urbanising of the frontage of the public house. Whilst parking in these areas would be possible at present, the proposal would lead to an exacerbation of any adverse impact.

Residential Units

Policy H4 of the local plan is permissive of new dwellings in the countryside only when justified in connection with the needs of forestry or agriculture.

It is considered that there are no material considerations to outweigh the application of policy H4. There has been little evidence to justify two additional residential units (staff flat and a separate dwelling) and why a 24-7 operation should require 3 permanently occupied residences.

Porch

Details of the new porch were submitted under application number 07.01846.ful. Discussions were held with the agent over the design of the new porch, which was constrained by the modest proportions of the original building. The plans were approved. What was subsequently constructed was not in accordance with the approved plans. It is considered that the new porch is overly large and bulky is not in keeping with the historic character of the public house. The unauthorised porch has a high ridgeline and is built up to an existing ground floor window so that the gutters overhang this window.

The enforcement team are aware of the porch extension and confirm that they would be minded to take enforcement action should the application be refused.

Conclusion

It is recognised that rural public houses are under considerable pressure and that proposals to improve and even extend facilities are welcomed. However, in this case it is considered that the extent of new building will adversely affect the appearance and character of the building and surrounding area. In addition, the proposal includes 2 separate residential units for which there is little or no justification (planning permission for a dwelling on the site has previously been refused and an appeal dismissed.) Despite considerable discussion and negotiation on this proposal it is still not considered acceptable.

Recommendations and Proposed Conditions/Informatives

Planning Permission be REFUSED for the following reasons:

1. The proposal would be an insensitive addition to this rural public house, out of scale and inappropriate to its rural location which would fail to respect the character of the existing building and would harm residential amenity. The proposal conflicts with policies C3 and TM1 of the North Wiltshire Local Plan 2011.
2. The scale of development proposed is considered to be in conflict with the purposes of including this site within an Area of Outstanding Natural Beauty, and fail to conserve and enhance the natural beauty of the landscape, contrary to policy NE4 of the North Wiltshire Local Plan 2011.
3. The development of new dwellings, included within this proposal, is contrary to the aims of policy H4

of the North Wiltshire District Council Local Plan 2011, which seeks to limit residential development within the countryside to that in connection with the essential needs of agriculture or forestry.

4. The unauthorised porch is considered to be a bulky and incongruous addition not in keeping with the character of this rural public house, contrary to policy C3 of the North Wiltshire Local Plan 2011.

Appendices:	None
Background Documents Used in the Preparation of this Report:	1.20, 2.02, 4.02, 4.04, 5.01, 5.04