
APPLICATION NO.	P07/W1413 and P07/W1436/LB
APPLICATION TYPE	FULL and LISTED BUILDING CONSENT
REGISTERED	17.12.2007
PARISH	DORCHESTER
WARD MEMBER(S)	Mr John Cotton Mr Philip Cross
APPLICANT	Maybourne Properties
SITE	The Chequers PH Bridge End Road Dorchester-on-Thames WALLINGFORD
PROPOSAL	Change of use from Public House to private dwelling and new garage. Demolition of toilets, modern extensions and detached garage. New access.
AMENDMENTS	(As amended by Drawing Nos. 6A, 7B accompanying Agent's letter dated 4 February 2008).
GRID REFERENCE	457856/193933
OFFICER	Mrs S Crawford

1.0 **INTRODUCTION**

- 1.1 The planning application has been referred to the Committee because the recommendation conflicts with the views of the Parish Council. The application for listed building consent has been referred to committee because it is directly linked to the planning application.
- 1.2 The Chequers Public House occupies a prominent corner plot on Bridge End in Dorchester; it has not been used for trading since 2004 and is unoccupied. The pub benefits from a large garden to the rear with a gravelled parking area to the frontage; upon which, stands a double garage constructed in concrete blockwork under a shallow pitched roof. There is a single storey; flat roof extension to the side of the pub that was added in the late 1960's to provide toilets to serve the public house. The property is a grade II listed building and lies opposite the grade II* church of St Birinus; it is also within the Dorchester Conservation Area. Dorchester lies within the Oxford Green Belt.
- 1.3 The site is identified on the Ordnance Survey Extract **attached** at Appendix 1.

2.0 **PROPOSAL**

- 2.1 The application seeks full planning permission for the change of use from public house to private dwelling with the demolition of toilets and modern extensions and detached garage and new access. A new single detached garage is proposed in the garden to the rear. Listed building consent is also sought for the demolition of modern extensions and alterations for conversion to dwelling. Reduced copies of the plans accompanying the application together with the design and access statement are **attached** at Appendix 2.

3.0 **CONSULTATIONS & REPRESENTATIONS**

- 3.1 OCC (Archaeology) No objection.

Conservation Officer	Comments regarding the loss of pub will have a regrettable impact on the vitality of conservation area. No objection to amended details of proposal subject to conditions.
Forestry Officer	No objection to revised location of garage subject to protection of tree during construction.
Ancient Monuments Society	In a scheme which tries to remove unfortunate later changes and additions, why are not the ugly dormers on the front elevation replaced with something more sympathetic.
Countryside Officer	No objection subject to conditions regarding bats
Parish Council	Refuse. The pub provides a service for walkers and tourists. The marketing has been inadequate
Neighbour Objectors (5)	Marketing has been covert and loss of this traditional pub should be resisted, once gone it will be lost for ever. Pub is overpriced. Concerns regarding the earth bank and destabilising neighbouring cottage.
Neighbour supporters (1)	No objection in principle, comments regarding boundary treatment.

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 P07/W0031 - Erection of a pair of semi detached houses & associated garages. Alteration to access. **REFUSED - Appeal - ALLOWED**
- P07/W0030/LB - Demolition of 20th century extensions. Pub use retained car park layout revised & demolition of sectional garage building. **REFUSED - Appeal - ALLOWED** (appeal decision attached at Appendix 3).
- P06/W1008 - Demolition of existing garage building and construction of a new 4 bedroom house - **REFUSED**
- P06/W0116 - Demolition of existing garage and erection of a detached 4 bed house - **Withdrawn**

5.0 **POLICY & GUIDANCE**

5.1 Adopted SOLP Policies

G2 – Protection of District’s resources, G6 – Quality of design and local distinctiveness, GB2 – New buildings within Green Belts, GB4 – Visual amenity in Green Belt, C1 – Landscape character, C8 – Species protection, CON5 – Setting of listed buildings, CON7 – Development within conservation areas, EP6 - Surface water drainage requirements, EP8 – Contaminated land, D1 – Principles of good design, D2 – Parking for vehicles and cycles, D3 – Provision of private amenity areas, D10 – Management of waste, CF1 – protection of community facilities.
South Oxfordshire Design Guide

- PPS1 – Delivering sustainable development
- PPS3 – Housing
- PPS7 – Sustainable Development In Rural Areas
- PPG13 – Transport
- PPG15 – Planning and the Historic Environment

6.0 PLANNING CONSIDERATIONS

6.1 The main issues in this case are:

- Loss of pub
- Impact on listed building
- Impact on conservation area
- Tree issues
- Bat issues
- Neighbour issues
- Parking

6.2 **Loss of public House.** Policy CF1 of the local plan aims to safeguard community facilities and services including recreation facilities. The test is whether the community facility is 'essential' and if it is not regarded as such the criteria of Policy CF1 will not apply.

A community facility or service may be essential, either because it is one of a limited number of that nature in a settlement or area, or is fundamental to the quality and convenience of everyday life in a settlement. There are other pubs in Dorchester, but objectors claim that they tend towards the restaurant and hotel trade such as the Fleur De Lys. Objectors also point out that The Chequers offers something different to this in the form of a more traditional pub. In determining this application it is necessary to weigh up what The Chequers offers in relation to the other pubs and decide whether The Chequers offers an essential community service. There are three other drinking establishments within Dorchester and a service to drinkers would still be provided within the village if The Chequers became a dwelling. It has to be noted that the pub has been closed now for a number of years and it can not be said to contribute to the quality and convenience of everyday life within the village. Whilst the loss of the Chequers is regrettable it can not be regarded as an essential facility in your officer's opinion. The Chequers Public House has been closed for a number of years and has only recently been actively marketed; before the premises closed it was not open regularly in the way that most public houses operate. The Chequers has been marketed by a specialist business agent (Davey and Co) since April 2007 in literature and via the internet. 493 sets of particulars have been sent out with 7 of the interested parties having inspected the premises inside and out. A further 12 parties have inspected the premises externally. No offers have been received as a result of the marketing. The marketing agents have pointed out that there has been a considerable down turn in the licensed business as a result of increased duty on alcohol, rising costs and the smoking ban in pubs. In addition the layout of the building does not lend itself to provide adequate cooking and restaurant facilities.

The existing kitchen facilities within the Chequers do not meet modern standards. If the pub was run as a wet pub only (drinks but no food) then washing facilities for glasses would be required, a separate wash hand basin and a work surface. If food was to be prepared in the kitchen (this include sandwiches) then a double sink, a separate wash hand basin, a ventilation extract for cooking, and a work surface are required as a minimum to meet current Environmental Health legislation. The existing kitchen has only one sink at present and it is difficult to envisage how adequate facilities could be provided without an extension to the building. Any extension would have implications in

terms of impact on the character and appearance of the listed building.

Given the marketing that has been carried out, the practical difficulties of meeting current legislation if the existing use was continued, and the existence of other drinking establishments in the village, your officers have concluded that a change of use to a house, whilst regrettable, is acceptable in this case

- 6.3 **Impact on listed building.** The Chequers Public House is a grade II listed building that is located on the junction of Bridge End and Watling Lane in the Dorchester on Thames Conservation Area. Poorly conceived extensions and inferior quality outbuildings compromise the appearance of the building and its setting at present. There are long views to the building along Bridge End in both directions and across the site. The demolition of the extensions, that were built in the late twentieth century and which do not contribute to the special architectural or historic interest of the building, would restore the structure to a more original appearance and were permitted in the recent appeal decision. The Inspector concluded that the demolitions complied with Policies CON3 and CON5 of the Local Plan and this applies equally to the current proposals. The building was originally two cottages before it became a public house and restoring a residential use takes the building back to its original use. With regard to the alterations to the listed building. On the first floor the bathroom area is shown to be remodelled involving the provision of new windows on the rear and a new bathroom in a former bedroom. These alterations are acceptable in terms of the impact on the character of the listed building and would involve an improvement to the external appearance at the rear. Meeting Building Regulations standards involves upgrading the historic doors but this can be controlled by the addition of a condition in a way that does not diminish the special interest of the building. The works of demolition and reconstruction can similarly be controlled by condition.
- 6.4 **Impact on conservation area.** In the recent appeal for two houses on the site the Inspector commented that the removal of the modern extensions to the building and the detached garage would significantly enhance the current unkempt character and appearance of this part of the conservation area, which is close to the river and the Abbey and thus important in attracting visitors to the village. This statement equally applies to the current proposals. The loss of the pub use is regrettable because of the vitality that such a use can bring to the conservation area, but your officers accept that the change can not be resisted in this particular case.
- 6.5 **Tree issues.** The plans have been amended to site the garage further forward on the site so that no development occurs within the root protection area of a mature sycamore tree that lies on the southern boundary of the site. The new position of the garage is acceptable but a condition is recommended to ensure that the tree is protected throughout the course of construction works on the site.
- 6.6 **Bat issues.** A bat survey was conducted in relation to application P07/W0031. The survey revealed that there was no significant bat activity on the site. As this survey is relatively recent there are unlikely to be any significant changes to the findings. The Bat Survey revealed that the buildings are not used by bats on any regular basis. It is possible that bats may occasionally use the buildings and the survey does not rule this out. Therefore a condition to ensure that if bats are found to be present during the works then work should stop immediately and Natural England should be consulted.
- 6.7 **Neighbour issues.** The change of use of the Public House to a dwelling would involve a reduction in noise and disturbance if the pub had been in normal use. The use as a dwelling would have minimal impact on the amenity of surrounding residents.

6.8 **Parking issues.** The proposal provides adequate standards of parking and manoeuvring for a dwelling.

7.0 **CONCLUSION**

7.1 Officers recommend that planning permission is granted because there are three other drinking establishments within Dorchester and the service provided by the Chequers can not be regarded as an essential facility. Furthermore the existing kitchen facilities do not meet current Environmental Health legislation requirements and it is difficult to see how these requirements can be met without an extension to the building. The establishment has been unoccupied and not open to the public since 2004 and recent marketing of the property for use as a public house has not been successful. The proposal, whilst diminishing the vitality and character of the conservation area, would enhance the appearance of the conservation area and the setting of the listed building, would not be unneighbourly or create problems of parking.

Officers recommend that planning permission is granted for the change of use to a private dwelling on the basis that marketing has been carried out in accordance with the Council's requirements, there are other drinking establishments in the village and there are practical difficulties of meeting current legislation to continue the public house use.

In addition listed building consent is granted for the alterations because, with the amendments secured and the recommended conditions, the works are not harmful to the historic character and fabric of the building. As such the proposals accord with the Development Plan Policies.

8.0 **RECOMMENDATION**

8.1 **That Planning Permission be granted subject to the following conditions**

1. **Commencement 3 years**
2. **All new works and making good to match**
3. **Details of fireproofing of doors**
4. **Sample materials**
5. **New windows to be single glazed**
6. **Cast iron rainwater goods**
7. **Tree protection**
8. **Bat issues**
9. **Bat issues**
10. **Landscaping front boundary treatment**

8.2 That Listed Building Consent be granted subject to the following conditions and written confirmation that the second floor ensuite facility will be removed

- 1. Commencement listed building consent 3 years**
- 2. Measures to secure safety and stability of building during demolition**
- 3. All new works and making good to match**
- 4. Details of fireproofing of doors**
- 5. Sample materials**
- 6. New windows to be single glazed**
- 7. Cast iron rainwater goods**
- 8. Replacement joinery**
- 9. Details of all new openings, vents, service pipes etc to be approved**

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