

HAM PARISH COUNCIL

MINUTES OF A PLANNING MEETING

A planning meeting of Ham Parish Council took place on Thursday 7 September 2017 in Ham Village Hall.

Present: Mr R. Buchanan-Dunlop (Chairman), Mr C. Dean (Vice Chairman), Mr N. Jones, Mr J. Marriage and 42 members of the public including Cllr S. Wheeler

Apologies: Lady Walker, and a number of parishioners

Declarations of Interest: The Chairman said that he could see the front of the Crown and Anchor from his house, 70m away, but did not believe that this constituted a significant conflict of interest.

Application 17/07353/FUL

Crown and Anchor, Ham

Applicant: The Ham Pubco Limited

Proposal: Erection of building for 8 letting rooms (C1), with associated parking, turning and landscaping; refurbishment of existing public house, including internal/external alterations and new paved terrace and seating area; removal of existing garden sheds and relocation of existing oil tank.

1. Background

The Chairman reminded the meeting that the Crown and Anchor had been registered as an Asset of Community Value in 2014 and that this had an important bearing on the discussion of the planning application. The pub had been closed in Spring 2016 and put up for sale by the previous owners. Later that summer the pub had been purchased by two parishioners and registered under the title of The Ham Pubco Limited. On 24 May 2017 the new owners had held a consultation meeting in Ham at which they unveiled draft plans for the renovation of the pub and the building of bed-and-breakfast accommodation for eight bedrooms at the rear of the pub car park. This was based on the premise that the pub needed to have bed-and-breakfast accommodation to be viable, and that eight bedrooms were required to attract shooting parties. The consultation process had drawn a number of responses, including objections from some, but not all, of those who owned properties in the immediate vicinity of the pub. The application being considered now was the result of that process. The Parish Council was aware that a considerable number of letters had been written to Wiltshire Council either supporting or opposing the application. Due to an apparent IT glitch in the Planning Department only 20 letters, approximately half the number the Council was aware of, had so far been posted on the Wiltshire Council website.

The Chairman went on to say that the planning application was a complex matter and to avoid repetition he proposed to deal with it in three phases: the pub, the bed-and-breakfast accommodation, and finally the car park,

2. Existing Pub Premises

The Chairman said that the pub was not listed and therefore the Parish Council had no technical planning interest in the renovation of its interior, however he noted that a new private dining room was to be added on the ground floor, and that the five bedrooms on the first floor were to be converted into two self-contained apartments for staff, one of two bedrooms and one of one bedroom.

He also noted that on the exterior of the pub it was planned to build a new door and window at the rear and to stop up two windows on the side of the pub adjacent to 2 Porch Cottages. It was also planned to improve the sitting-out area in front of the pub. However, the owners commented that the submitted plans were only indicative at this stage. There was some doubt as to who actually owned the area immediately in front of the pub and a notice had been served on Wiltshire Council to resolve the matter. Improvements might involve levelling the pavement. The Chairman remarked that it was important that the new sitting-out area fitted into the 'street scene' of the Conservation Area.

The owner of Brook House commented that there was capacity within the footprint of the pub to accommodate some of the bedrooms that were planned for the proposed bed-and-breakfast building at the rear of the car park.

3. Bed-and-Breakfast Accommodation

The Chairman said that in scale the proposed new building was much the same as had been shown at the consultation, except that it had now been dug down 500mm. The height above the slab was given as 7.6m, and to help the meeting understand how it would look he mentioned that the height of Porch Cottages on one side of the pub was 6.9m, the height of Rose Cottage on the other side was 7.25m, the two houses opposite the pub were 7.85m high, and the pub itself was 8m high. The land rose up slightly from the pub towards the rear of the car park.

The gutter line on the new building was half a metre above the fence between the car park and 2 Porch Cottages, and that meant the dormer windows facing towards the pub would be seen by the adjacent houses on that side. However, the dormer windows opened from the top of stairwells and not from bedrooms. On the other side, looking east towards the Brook House tennis court, the two upper floor dormer windows looked out from bedrooms. At either gable end there was a single upper floor bathroom window.

The Chairman then said that a key issue was how the proposed building was perceived to sit within the Conservation Area. The Ham Conservation Area Statement 2005 was supplementary planning guidance for Wiltshire Council, and as such it had particular importance because any planning matter within the Conservation Area had to be reviewed against that statement. The main thrust of the statement was that no new housing development should take place within the Conservation Area. However, it was guidance and not tablets of stone. As events had shown in the past, the village could not be preserved in aspic. In discussing the application with the assigned

planning officer, it had been made clear to the Chairman that the key to Wiltshire Council's assessment of the application would be the Conservation Area aspect, and to what extent the proposed new building would enhance or detract from the Conservation Area in terms of design and scale.

Discussion then ranged round two main topics: the need for eight bed-and-breakfast bedrooms and why the accommodation building needed to be sited at the rear of the car park.

The owners said that a tiny village needed a bigger draw by offering such accommodation and the number of eight was based on a shooting party and on advice they had received. Ideally they would have liked ten bedrooms but appreciated that this would not be acceptable. A member of the public commented that there were seven or eight pubs locally that operated without depending on bedroom accommodation. Other comments from the floor disputed this figure and suggested that a rural pub needed to be able to offer accommodation to survive. Asked what would happen if Wiltshire Council did not approve the planning application, the owners said they would be forced to apply for change of use to residential accommodation.

Responding to various questions Mr M. Fowler, the architect for Ham Pubco, explained that building at the back of the pub was in keeping with the existing pattern of the village where several other houses were built back from the road. He went on to say that building closer to the pub was not an option as there would be problems with the north and south windows and accessing the car park. It was also later remarked that building at the back of the pub would bring it into conflict with Porch Cottages and the relevant planning factors attached to that. Mr Fowler continued that building single-storey accommodation was also not possible as it would mean either surrendering some of the bedrooms or surrendering some of the car parking space, neither of which was a viable option. The question was then raised as to why the first floor staff accommodation in the pub could not be used for bed-and-breakfast bedrooms. The owners replied that from professional advice it was vital to be able to offer staff accommodation on the premises. They went on to say that they had looked at dropping the building further than 500mm but were stymied by the tree report which stated that this would injure the roots of trees in adjacent gardens.

The owner of Brook House, supported by another member of the public, said that the proposal to build at the back of the pub was unreasonable. The proposed building was more akin to a five-bedroom house. It was very close to the boundaries on either side and at 1800 sq ft added 50 per cent to the size of the pub. He felt that it was quite possible for the owners to come up with an alternative scheme. The windows at the rear of the pub looked straight onto his tennis court and terrace where they sat out, and the prospect was upsetting for him and his wife, especially when the leaves were off the trees. The proposed building could be clearly seen from the village green and breached both the Conservation Area Statement and the AONB. It would also create an unwelcome precedent for future applications for infilling. He added that his neighbour, the owner of the Old Malthouse who could not be present, had asked him to say that she very strongly objected to the proposed new building which would cast a shadow over her garden and would be oppressive to look at.

In taking up some of his points, the Chairman said that while the proposed building would indeed be seen from the village green, that was only at the high point on the green, some 70m from the building, but if you walked down to the bench on the green it would not be seen at all, and the next opportunity to see it clearly would be looking up the entrance to the car park once past the pub. He had considerable sympathy with the impact which the new building would have on the amenities of Brook House, but had to point out the planning factors that Wiltshire Council would apply. The yardstick they would use was a radius of 21m between the new building and existing buildings. Anything outside that radius would not be considered critical. Cllr S. Wheeler who was present confirmed this guideline. The Chairman went on to say that none of the houses immediately adjacent to the proposed building came within this radius, and although the Parish Council was not hidebound by that guideline, it obviously made sense for the Council to take note of it. A parishioner recalled that when the farmyard on the village green was replaced by three new houses at that particular site, there had been controversy over the juxtaposition of Sunningdale, the rearmost of the three new houses, and Ham Cross, the neighbouring house. However, once the dust had settled, Sunningdale had swiftly become an accepted feature of the village architecture.

Car Park and Lighting

Discussion moved on to car parking. The owner of Candlemas Cottage said that the car parking provision was clearly in breach of Wiltshire Council's guidelines. She had spoken to the assigned planning officer who had told her that the pub came under the A3 category which required one car park space per 5 sq m of gross floor area. The Chairman said he was surprised at this as the Wiltshire Council Car Parking Strategy 2011-2026 made no mention of a minimum requirement but instead set down a maximum allowance of one car park space per 25 sq m. Cllr S. Wheeler echoed this understanding. The Chairman went on to say that he too had discussed car parking with the assigned planning officer and that he understood that the Highways Department would be advising the Planning Department on the car parking requirements. He suggested that in the absence of definitive guidance it made sense to look at the car parking requirements in proportionate terms. The application made provision for 15 car park spaces. If the bed-and-breakfast accommodation were completely full that would take up eight places, and staff accommodation would take up two further places, leaving five places for other visitors. This was tight given that a number of adjacent houses had no off-road parking facility. At the same time, when the pub had previously operated, it had been a rare occurrence for as many as five cars to use the car park even on busy evenings. This drew a comment that if in future the pub proved to be a success, this would lead to more usage of the car park. After further discussion it was agreed that this issue was best left to Wiltshire Council to determine.

It was noted that the fences around the car park belonged to the owners of the adjacent houses. The electricity pole at the far end of the car park would be moved but that would not affect the existing line of the cabling. The gas tank had been removed and would not be replaced.

Lighting in the car park and the proposed bed-and-breakfast accommodation was then discussed. It was proposed that lighting should be kept to an absolute minimum and

that lighting in bedrooms and staircases should be controlled and limited by the use of time switches or movement sensors. Outside only the entrances to the bed-and-breakfast accommodation and the rear entrance to the pub should be lit, and lighting should be below gutter level and similarly controlled. The owners agreed to this in principle, and Mr M. Fowler said it was possible to have directionally controlled lighting to avoid unnecessary spillage.

Summing Up

After some further comments the Chairman closed the discussion and summed up. He reminded the meeting that the owners had said that if planning approval were not granted they would have to seek alternative use of the pub as a residential dwelling. He said that he had been impressed by the fact that a large section of the village desperately wanted the pub back in operation. This had come through not only that evening from the majority of those present, but also in letters written to Wiltshire Council and in discussion within the village community. The pub was wanted not just as a convenient 'watering hole' but because it had previously been the social hub of the village and part of its soul. This was a compelling argument which the Parish Council had a duty to consider. But that should not blind the Parish Council to the fact that it also had a duty to represent all members of the village, including those who had objected, and not just the majority. It was entirely understandable that a number of house owners in close proximity to the proposed building had objected. It was natural that house owners wished to protect their privacy and the environment of their properties. However, the Parish Council had to balance those objections with the normal planning factors which were relevant, particularly Wiltshire Council's guideline of a critical 21m gap between the new development and existing houses. As a result he did not consider that those objections were the hinge element in this application. The hinge element was the Conservation Area, and he repeated the advice he had received from the assigned planning officer, which was that Wiltshire Council would assess this aspect in terms of whether the design and scale of the proposed building enhanced or detracted from the Conservation Area. There had been no criticism of the design, and therefore it was a matter of scale. Those who had objected had argued strongly that the scale was excessive, but if one stood back from other issues he considered that it was difficult to say that the proposed building would dominate the centre of the village unacceptably. He acknowledged the argument that if approved the application might set a precedent, but he doubted whether a rash of applications for infilling would follow, and in any case any future application would have to be scrutinised on its own merits.

The other members of the Parish Council then individually expressed their views. Those attending the meeting were thanked for the good-natured way they had taken part in the discussion. The Councillors recognised that there were genuine concerns over aspects of the application but on balance they supported the application subject to conditions.

Decision: The Parish Council supported the planning application, subject to:

- a. The design of the sitting-out area in front of the pub being satisfactorily finalised in harmony with the Conservation Area street scene.

- b. A lighting plan being devised which would minimise the lighting in the proposed bed-and-breakfast accommodation and in the car park.

The meeting closed at 8.32pm