
East Peckham East Peckham And Golden Green	566766 148625	04.05.2006	TM/06/01233/FL
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Proposal:	Demolition of existing and construction of new pub including bed and breakfast, restaurant, conference rooms, owners accommodation, offices and parking
Location:	The Merry Boys 2 Pound Road East Peckham Tonbridge Kent TN12 5BE
Applicant:	Mr R Bearman

1. Description:

- 1.1 The main part of the proposed building would be 2 and a half storeys, measuring 10m in height. The smaller wing at the north east end of the building would be 2 storeys, measuring 7 m in height to ridge line. The main part of the proposed building would be 'L' shaped and would front on to both The Freehold and Old Road.
- 1.2 The proposed building would contain a restaurant, bar, kitchen, garden room (conservatory), office, W.Cs and 6 bedrooms at ground floor level, 6 bedrooms, 2 offices, a conference room and a pool (snooker) room at first floor level. A 3-bedroom manager's flat would be located at second floor level. An 18 space car park would be located at the north east side of the site in a similar position to the existing car park serving the Merryboys public house.

2. The Site:

- 2.1 The site is located in the centre of East Peckham village in a prominent position at the cross roads where Old Road meets The Freehold, Snoll Hatch Road and Pound Road. The site lies within a Rural Local Centre as designated within the Local Plan under policy P6/20. Whilst the site lies within the centre of the village, many residential properties are located close to the site. The site also lies within an area of flood risk

3. Planning History (most relevant):

- 3.1 TM/05/04149/FL Refused 09.03.2006
Demolition of existing and construction of new pub including bed and breakfast, restaurant, conferences rooms, owner's accommodation, offices and parking.

4. Consultees:

- 4.1 PC: No objection.

4.2 KCC (Highways):

Parking

The following is based on the maximum requirements of KCCVPS.

12 x 1 bed accommodation	= 12 spaces
Landlords flat	= 2 spaces
Offices	= 3 spaces
Bar	= 15 spaces
Restaurant	= <u>13</u> spaces
Total	45

There is also a conference room. If this is to be offered for hire by outside parties then there will be additional parking required. The submitted plan shows the provision of 18 spaces. It is therefore clear that there is an under provision of off street parking to serve this development.

Traffic generation

With the pub element remaining along with a restaurant that is assumed to be open to the public along with the other additional elements there is likely, in my view, to be an increase in traffic generation from the site. No existing floor layouts have been provided and a comparison of traffic generation has not therefore been possible.

Based on the submitted information I would not support this application.

4.3 DHH:

Pollution Control:

The applicant shall submit details to the Local Planning Authority of a ventilation system for the removal and treatment of cooking odours. The details shall include full spectrum octave analysis for the proposed ventilation equipment, demonstrating that the noise from the equipment shall not exceed NR35 at the nearest noise sensitive premises/site boundary.

Details of any external lighting of the site shall be submitted to and approved by the Local Planning Authority.

Details of any proposed music or public address system should be submitted for approval by the Local Planning Authority.

In view of the closeness of residential properties, the hours of operation for the restaurant and bar should be restricted.

4.4 EA: Based on the information submitted to the Agency, the proposal appears to be a resubmission of TM/05/04149/FL to which we have previously withdrawn our objection. Given this, we have no further comments to add, but would stress that the construction must relate to the details submitted in the application to be acceptable, e.g. finished ground floor levels and flood storage provision.

4.5 Private Reps (Including Art 8 Site Notice):39/0X/46S/4R. 40 of the supporting letters are a circular letter. The letters supporting the application do so for the following reasons:

- East Peckham will benefit from such an imaginative concept.
- It will enhance the village and improve our aspect, as a replacement for the existing building, which we regard as an eyesore.
- The proposed building is very handsome, a massive improvement on the current dilapidated ugly building.
- The presence of bed and breakfast accommodation is welcomed.
- The development is much needed.

The letters objecting to the proposal do so for the following reasons:

- The height, scale and bulk of the proposed building are out of keeping with anything else in the area.
- The scale of the proposed building is such that it would dominate the street scene in this small rural centre.
- The provision of 18 car parking spaces, which given the level of facilities offered by this development seems totally insufficient. Parking in the village centre is already at a premium, particularly at peak times.
- The principle of the proposed hotel development is unacceptable in this location.
- The proposal would result in a loss of light and privacy to a neighbouring residential property.
- The proposal would cause noise and smell disturbance to a neighbouring residential property.
- The design of the building is uninteresting and no landscaping is proposed and as such would be detrimental to the visual amenities of the locality.

5. Determining Issues:

- 5.1 Regarding the principle of the development, the site is located within a rural local centre to which local plan policy P6/20 applies. This states that within such areas, changes of use at ground floor level to a use which does not require a shopping centre location or does not provide an appropriate service for the day to day needs of the local community will not be permitted. In this instance the existing public house would be replaced by a bar and a restaurant at ground floor level, as well as 6 guest bedrooms. Whilst the bedrooms do not meet the day to day needs of the local community, arguably, the bar and restaurant would. In light of this and given that the proposal would not result in the loss of a retail unit within this site, I consider that the proposed development complies with local plan policy P6/20.
- 5.2 I note the comments submitted on behalf of local residents that the proposal is contrary to policies P5/24, P6/23-25 of the Local Plan. Whilst these policies relate to the provision of tourist accommodation, these are not particularly relevant to the proposal at hand. Policy P5/24 relates to the provision of tourist accommodation in specific parts of the urban area of the Borough (and Leybourne Grange). This policy does not presume against allowing tourist related development elsewhere. Policy P6/23 relates to the provision of a tourist related use on the Castle Lake site in Leybourne, which has now been developed. Policy P6/24 relates specifically to the provision of a woodland interpretation centre in Mereworth Woods. Policy P6/25 relates to the provision of tourist related development within the Beltring Hop Farm. Reference is also made to policy P6/12 of the Local Plan and the proposal being contrary to this policy. However, this particular policy relates to tourist related development in the countryside whereas the application site is located within the centre of East Peckham; a rural local centre. Consequently, I do not consider that policy P6/12 is particularly relevant to this proposal. Current Government advice contained within PPS 7 and PPG 21 is perhaps more relevant in discussing whether the application site is acceptable in principle for accommodating tourist accommodation. Para. 35 of PPS 7 states:
- “The provision of essential facilities for tourist visitors is vital for the development of the tourism industry in rural areas. Local planning authorities should:*
- (i) plan for and support the provision of general tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres. Where new or additional facilities are required, **these should normally be provided in, or close to service centres or villages**” (My emphasis).*
- 5.3 PPG 21 (Tourism) discusses in paragraphs 5.12 -5.13 the location requirements of tourist related development. It states clearly that most needs for tourist accommodation can be met outside sensitive areas (AONB, CAs, SSSIs, National Parks for example). The inference is that outside such areas, in towns or other settlement confines, tourist accommodation could be provided.

- 5.4 In light of the above, I consider that the use of this site for tourist accommodation is acceptable in principle.
- 5.5 Policy QL 1 of the Kent and Medway Structure Plan requires development to be well designed and be of high quality. Developments should appropriately reflect the scale, layout pattern and character of their surroundings. It also states that development that would be detrimental to the built environment, amenity, functioning and character of settlements will not be permitted. TMBLP policy P4/11 is a criteria based policy that broadly echoes these objectives.
- 5.6 The site is located in a visually prominent position within the centre of the village. The existing public house is a well known local landmark. Any re-development of this site needs to reflect its prominent position within the village. The buildings surrounding the site are of a mixed character in terms of their age, form and design, but are quite modest in terms of their size and scale, in relation to the existing Merry Boys public house. The buildings are single and two storeys and have a limited bulk when viewed from the street. The existing Merryboys public house does appear as a large building in the locality, due to its 2 ½ storey height, broad frontage and elevated position above the road. The proposed building, however, would be considerably larger than the existing public house; it would wrap around the majority of the double frontage of this site, as well as extending well back into the site with both single and two storey elements to the building. Whilst the height of the building steps down to two conventional storeys in The Freehold, the proposal would, nonetheless, introduce a very large building into this very prominent site that would, by reason of its scale, bulk and size be out of keeping with the prevailing character of development in the locality. The proposed development has quite an urban form, scale, and character that simply do not respect the rural village centre location of the application site. The lack of any soft landscaping serves only to reinforce the scale and bulk of the proposed building. I therefore consider that this proposal would be contrary to the planning policies referred to in para 5.5 of this report.
- 5.7 I note the concerns of the local residents concerning loss of light and privacy to their house and garden. The proposed development does contain windows that look towards the rear garden of 18 Pound Road, but these would be high level and as such would not cause an unacceptable loss of privacy to this dwelling. In terms of loss of light, application BRE criteria reveals that the proposed building would overshadow parts of the rear garden of 18 Pound Road in the morning. When considering this in conjunction with the overshadowing of the garden that currently takes place in the afternoon, the proposed development would, in my opinion be detrimental to the residential amenity of this neighbouring property. In terms of light to the dwelling itself, only windows serving bathrooms/W.C and a study are located on the southern elevation of this property, which are not considered to be habitable rooms. The windows serving living rooms, bedrooms and the kitchen would not be overshadowed by this proposal.

- 5.8 In addition to the specific impacts upon the residential amenity of the neighbouring property, I believe that it is likely to cause a more generalised detriment to the amenity of neighbouring residential properties. This is due to the size of the proposed development and the amount of accommodation it would provide in terms of bedrooms, conference facilities, restaurant, bar and garden room. The general disruption that this could cause to neighbouring properties would arise from noise disturbance when customers enter and leave the premises, the many car movements to and from the site and noise emanating from the building itself. Such disturbance is likely to be compounded by the lack of off road parking provided in connection with this development and the conflicts this is likely to generate when people compete for the small number of car parking spaces within this site and the likelihood of customers having to resort to parking on the adjacent roads (including additional vehicular movements whilst drivers “hunt” for any available space).
- 5.9 I note the concerns of the local resident regarding smells emanating from the kitchen of the proposed development that would be adjacent to their property. However, the DHH is satisfied with this proposal provided that suitable extraction equipment is installed to deal with smells and other pollution emanating from the kitchen.
- 5.10 With regard to the issue of highway safety, Kent Highways considers that the proposal (not including the conference room) would generate a requirement of 45 car parking spaces. The development would incorporate the provision of 18 spaces. If the conference facility is to be offered for hire by parties not staying within the premises, there would be an additional requirement for off street car parking. Kent Highways, therefore, considers the proposed parking provision to be inadequate. The applicant has referred to the public car park located close by in the centre of the village. This can accommodate a maximum 20 cars and anecdotal evidence from local objectors indicates that it is well used, particularly at peak times. Given that the applicant has no control over the adjacent public car park, I do not consider that the availability of the adjacent small car park would be adequate to provide for overspill parking in connection with the proposed development. The site lies on a bus route between Tonbridge and Maidstone and a railway station is located at Beltring, some distance outside the village of East Peckham itself. Despite the presence of the public transport in the local area, I believe it is likely that the proposed development would generate/attract a high proportion of car traffic, parking provision for which could not be satisfactorily accommodated within the application site. As such, I concur with Kent Highways that the development is likely to cause detriment to the safe and free flow of traffic in the locality.
- 5.11 Whilst the site is located within flood risk zone 3, having considered the Flood Risk Assessment submitted by the applicants, the EA has not objected to the proposal.

5.12 I note the comments of the local residents supporting the application. Whilst the proposal would provide additional facilities for both local residents and tourists alike (and indeed the associated economic benefits associated with them), in light of my comments in the preceding paragraphs of this report, I consider that the negative aspects of this development substantially outweigh the benefits of providing additional tourist facilities in the centre of East Peckham. I believe it would be possible to replace the existing public house with a pub/restaurant that would respect the scale, form and size of development in the locality, but I do not consider that the current proposal achieves this.

5.13 In light of the above, I recommend that planning permission be refused.

6. Recommendation:

6.1 **Refuse Planning Permission** as detailed in letter dated 10.05.2006, flood risk assessment date stamped 13.04.2006 and plan nos. 05-20-03B, 04B, for the reasons given:

- 1 The proposed development, by reason of its scale, size, bulk, form and design would be out of keeping with the character of development in the locality and as such would detract from the visual amenity of the locality and as such would be contrary to policy QL 1 of the Kent and Medway Structure Plan and P4/11 of the Tonbridge and Malling Borough Local Plan 1998.
- 2 The proposal by virtue of its size, the nature of activities that would take place within the building and its location would cause detriment to the amenities of neighbouring residential properties by reason of noise and general disturbance arising from customers entering and leaving the premises and the lack of off road car parking associated with the development and would, therefore, be contrary to policy QL1 of the Kent and Medway Structure Plan.
- 3 The absence of adequate parking facilities due to an insufficient number of spaces and/or inadequate manoeuvring space would be likely to create additional hazards to traffic and as such would be contrary to policy P7/18 of the Tonbridge and Malling Borough Local Plan 1998.
- 4 The proposal would intensify traffic flow through the adjoining residential area, which would be detrimental to residential amenity and be likely to lead to deterioration in road safety and as such would be contrary to policy QL1 of the Kent and Medway Structure Plan.
- 5 The proposed development by virtue of its size and position within this site would have an overbearing impact upon the outlook of the neighbouring residential property and would also overshadow the rear garden of this property to its detriment and as such is contrary to policies QL 1 of the Kent and Medway Structure Plan and P4/11 of the Tonbridge and Malling Borough Local Plan 1998.

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