

REFERENCE NO - 16/503782/FULL			
APPLICATION PROPOSAL Refurbishment and conversion of The Tapster Inn from restaurant/residential use into two residential houses			
ADDRESS The Tapster Inn Seed Road Newnham ME9 0NA			
RECOMMENDATION Grant subject to conditions			
SUMMARY OF REASONS FOR RECOMMENDATION Marketing indicates not viable as use for commercial premises, complies with policies within Swale Borough Local Plan 2008.			
REASON FOR REFERRAL TO COMMITTEE Parish Council objection			
WARD East Downs Ward	PARISH/TOWN COUNCIL Newnham	APPLICANT Earthrise Developments Limited AGENT SRC Architecture	
DECISION DUE DATE 25/08/16	PUBLICITY EXPIRY DATE 22/06/16		
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
SW/89/243	Erection of a Vineyard visitors tasting and refreshments area with accommodation over	Approved	14/07/1989
SW/90/487	Erection of a Vineyard visitors tasting and refreshment area, with accommodation over	Approved	12/06/1990
SW/94/477	Variation of condition (ii) of planning permission SW/90/0487 to allow business meetings, wedding receptions, also afternoon teas and coffees	Approved	22/07/1994
SW/99/138	External alterations	Approved	05/04/1999
SW/00860	Non-compliance with conditions to allow consumption of wine, beer, cider and food produced at the premises within normal licensing hours	Approved	13/10/2000

1.0 DESCRIPTION OF SITE

- 1.01 The Tapster Inn is currently authorised for A3 use on the ground floor with residential use above, although it ceased trading approximately six years ago. Although the property is period in its design, it was in fact built in the 1990's from fallen oaks from the 1987 hurricane under planning reference SW/90/0487. This granted planning permission for the construction of the building with use on the ground floor as a wine bar and tea room for the then Syndale Vineyards to showcase their produce.

- 1.02 The building is set outside the village envelope in well established grounds with screening from dense vegetation and trees. It is currently accessed from Seed Road with a single lane track up to the building.
- 1.03 The building has been marketed since 4 March 2015 by a Commercial & Development Consultant online, and within marketing magazines. There has been no commercial interest in the building to date and it is still on the market. The applicants are purchasing the property subject to planning permission.

2.0 PROPOSAL

- 2.01 This application seeks to gain planning permission to convert The Tapster Inn into two 4 bedroom residential units with associated change of use of the ground floor.
- 2.02 The building itself will externally remain largely the same in appearance, with the only external alterations to the property being the insertion of rooflights into the attic level and two new access doors. The existing single glazed leaded light widows would be replaced with double glazed units
- 2.03 The rear garden would be enclosed with a 1.8m high close boarded fence.
- 2.04 A gravel driveway with three designated car parking spaces for each property is proposed with a 0.9m high fence to separate the front garden areas with a mixed hedge also proposed around the site boundaries.
- 2.05 The trees and shrubs around the site would be retained with the exception of a number of large shrubs against the building that may need to be removed to protect the building.
- 2.06 The internal alterations to the property would essentially involve separating the building in two with the insertion of a new party wall rising the full height of the building. The first and second floors would only require refurbishment, however with the kitchens and bathrooms for the commercial premises being located on the ground floor this would require more work internally to bring it up to the desired standard of residential accommodation.
- 2.07 The applicants have explained that the building has been vacant for six years and has been marketed by mailshots, magazines and targeted business networks without attracting a buyer for the existing use. They also confirm that splitting the building into four smaller units has been considered, but that this would require major structural changes potentially adversely affecting its character, and/or require additional windows to be created.

3.0 PLANNING CONSTRAINTS

Area of Outstanding Natural Beauty KENT DOWNS

Area of Outstanding Natural Beauty Maidstone AONB directive

Potential Archaeological Importance

4.0 POLICY AND OTHER CONSIDERATIONS

Development Plan – The Swale Borough Local Plan 2008 saved policies:
E1 (General Development Criteria)

E6 (Countryside)
 E9 (Protecting the Quality and Character of the Borough's Landscape)
 B1 (Supporting and Retaining Existing Employment Land and Businesses)
 H2 (Providing for New Housing)
 C1 (Existing and New Community Services and Facilities)

5.0 LOCAL REPRESENTATIONS

5.01 Newnham Parish Council has made the following comments:

"Whilst Newnham Parish Council supports the conversion of The Tapster Inn into residential units in principle, it does not support this application for two residential houses. The Council would prefer to see a more imaginative conversion into 4 or more units of 1 to 3 bedrooms. We also understand this to be similar to Swale's pre-application advice. Smaller, affordable units are considered to be of greater need within the village.

Concerns were also raised by the parish council over the access road from the stables at the rear of The Tapster Inn, as it is not shown on any of the drawings or mentioned in the application form. This access road runs to the north west of the Tapster Inn. The stable yard behind is currently appealing against an enforcement notice to reinstate the opening made in hedgerow along Seed Road. This was the result of their right of access being denied by the owner of The Tapster Inn."

5.02 The applicants have responded to the Parish Council's comments as follows (summarised);

- Dividing the building into smaller units would require more staircases, fenestration, dividing walls and parking, which might destroy the building and its setting.
- They say they understand the need for smaller units in the village but do not think this would be right here. Demolition and rebuilding might be opposed.
- The proposals will create two units which retain the building's character and allow it to be brought up to modern standards.
- The track to the side of the property will not be affected.

6.0 CONSULTATIONS

6.01 Kent Highways were consulted on this application, however a letter was received stating the proposal did not meet the requirements of the current consultation protocol arrangements.

7.0 BACKGROUND PAPERS AND PLANS

All plans and documentation relating to 16/503782/FULL

8.0 APPRAISAL

8.01 The main policies to consider in this application are E9 relating to the protection of the Area of Outstanding Natural Beauty and B1 that aims to support and retain existing employment land and businesses, and C1 which seeks to retain community facilities.

8.02 The conversion of the Tapster Inn would involve little in the way of external works to the building, other than the insertion of rooflights and two new doors; the majority of the works needed for this proposal would be internal. The building is well screened

from Seed Road as it is set towards the centre of the site and there are a number of mature trees and dense hedgerow screening the building. The proposal would not therefore have a harmful effect on the AONB.

- 8.03 The building has been vacant for six years and a letter from a property consultant has been submitted with the application stating that the building has been marketed since March 2015. The letter states the building has been marketed online and in local magazines since that date, and there has been no commercial interest in the property.
- 8.04 With regard to policies B1 and C1 regarding existing employment land and community facilities, these provide that they will be retained for that use unless there is market evidence that there is insufficient demand to justify retention for employment or community use. As stated above the applicant has provided this information and shown that there is no demand for the authorised use of the ground floor of the building.

9.0 CONCLUSION

- 9.01 Overall there is sufficient evidence to show that there is no demand for the building to carry on in its approved use, therefore complying with policies B1 and C1. There would be no harm caused to the AONB and the proposal would preserve this sensitive setting as set out within policy E9.

10.0 RECOMMENDATION – GRANT Subject to the following conditions:

CONDITIONS

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (2) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity), plant sizes and numbers where appropriate, means of enclosure, hard surfacing materials, and an implementation programme.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity and to ensure that such matters are agreed prior to the commencement of development.

- (3) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (4) Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five

years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (5) The areas shown on the submitted plan as car parking space shall be kept available for such use at all times and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order) or not, shall be carried out on the land so shown or in such a position as to preclude vehicular access thereto; such land and access thereto shall be provided prior to the occupation of the dwellings hereby permitted.

Reason: Development without adequate provision for the parking or garaging of cars is likely to lead to car parking inconvenient to other road users.

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

- Where possible, suggesting solutions to secure a successful outcome.
- As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.