



Appeal Decision

Site visit made on 10 December 2015

by Jacqueline Wilkinson Reg. Architect IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 December 2015

Appeal Ref: APP/V3310/W/15/3134165

The Hope Inn, 80-82 Taunton Road, Bridgwater, Somerset TA6 6AF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Land Promotions Limited against the decision of Sedgemoor District Council.
 - The application Ref 08/15/00068, dated 13 April 2015, was refused by notice dated 24 July 2015.
 - The development proposed is the demolition of a public house (A5) with ancillary dwelling (C3) and erection of a block of 22 (C3) apartments comprising 15 no. 2 bedroom apartments, 7 no. 1 bedroom 2 person apartments, with parking and amenity space.
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Decision

1. The appeal is dismissed.

Main Issue

2. The building was registered as an Asset of Community Value (ACV). However, no purchasers have come forward and in the light of the marketing and viability report, the Council does not resist its demolition.
3. The appellants have submitted an amended site layout plan 06 rev E with the appeal. As no third parties would be disadvantaged, I have assessed this appeal on the basis of this revision. This addresses the highway reason for refusal and the Highway Authority has withdrawn their objection. The requirements of Core Strategy policy D9 (*Sustainable transport and movement*) have therefore been satisfied.
4. The **main issue** is therefore the effect of the proposal on the character and appearance of the area.

Reasons

Character and appearance

5. The Council specifically cites in its reasons for refusal the effect of the proposed design in terms of its architectural style and details. It considers the dormer windows to be excessive, the flat roofs to be out of character with the area and the corner mono-pitch roof to be bulky and discordant when seen with the other elevations and the area.

6. The appellants' Architect sets out the design approach, which he states has been conceived as a contemporary response to the existing building and the surrounding suburban architecture. He points out that the design sought to capture some of the nautical references in the existing Hope Inn, particularly the corner blade column and pitched roof.
7. I appreciate from the responses sent in that many people were fond of the existing building. Indeed it is a splendid 1930's mock Tudor building, which turns the corner with admirable panache. Its now half demolished mock Tudor gables and deep roof profile are still a landmark feature along this busy road. I also saw that some of the terraces along this stretch of main road were of very high quality and that there was a remarkable unity of materials, especially the brickwork and the roof tiles. Many different versions of inventive decorative façades can be seen, especially with the use of high quality brickwork, distinctive gabled dormers and decorated door hoods. Building lines are uniform, with consistent groups of terraces having either small low-walled forecourts or being set hard on the back edge of pavements. The odd exception to this does not have a damaging effect. Whilst this area is not a conservation area, it nonetheless has a distinctive character.
8. The proposed building would be L shaped, with two storeys and a third set in a 40° "mansard" roofslope with dormers. There would be a corner block of three full storeys with a monopitch roof, and the return flank would have a mixture of mansarded and flat roofs.
9. Whilst the design has attempted to reflect the vertical emphasis of the surrounding terraces, some of which have very distinctive, almost Gothick, gabled dormers, this is negated by the heavy appearance of the dormers. These dormers would be on the same line as the wall below and would be wider than windows below, reflecting the requirement of the brief for three full floors of accommodation. There is no strong tradition of dormers in the locality; although some poor quality ones can be seen here and there. The area is consistently two or two and a half (into gables) domestic floors in scale, with strong patterns of pitched roofs, broken by gable features in certain terraces. The incorporation of dormers in a faux-mansard would be particularly at odds with the character of the area and is not a truly contemporary or innovative approach in its own right.
10. The design seeks to emphasise the corner of the L shaped block, by articulating it as separate element, a full three floors in height, with a monopitch roof. This monopitch roof would be significantly at odds with the almost consistently double pitched roof forms in the area. Turning corners is difficult architecturally, but the monopitch roof would create an alien feature in the street scene. At a full three floors it would be unduly prominent and I am not persuaded by the nautical reference.
11. Some respondents are disappointed with the lack of detail, and they cite the existence of attractive brickwork and details on relatively humble buildings nearby. However, imitation can result in pastiche. Good quality contemporary design can still be rich in terms of its detailing and use of materials and there is a role for some artistic elements. For example, the proposed grey powder-coated aluminium windows would have an elegant simplicity of their own.
12. A key determinant of quality is the use of good quality materials. The use of local bricks and roofing tiles would help tie the building into the street scene.

However, I have reservations about the suggested use of simulated boarding, which I saw used elsewhere nearby. This type of simulated material negates the reason for using timber, (for its natural weathering and its sustainability) and it does not convince the eye as a natural product. However, high quality materials could be justifiably required by the Council when discharging a condition.

13. The lack of cross sections is of concern, particularly with reference to the effect on the immediately adjacent property at 88 Taunton Road. Although the Council has not raised this issue, it became apparent at the site visit that No 88 is a constituent part of the construction of the pub, as can be seen from the continuous brickwork and roof line. It is proposed to demolish the existing pub structure up to the side of 88, leaving this small terraced house projecting forward of the new building line by approximately 1.7m as measured on the proposed plans. It is already forward of the adjacent terrace to the south. Without a cross section, the plans are unclear as to the relationship of the existing and proposed roof pitches, but they appear to be different on perspective sheet 3. The unresolved junctions with this property and its partly exposed flank wall would be awkward and unsightly, and this would be highly visible. The profile of the flat top of the proposed building would be seen, along with the large areas of unbroken render of the upper walls of the monopitched element. This discordant composition would be unattractive and over dominant in the street scene.
14. The road frontage would have two setbacks, one enclosed by a small wall, the other left open in order to provide an adequate vision splay. The existing building follows the pavement line, along with 88, in a consistent and attractive way on this slightly concave bend in the road. The proposed staggered building line would be out of keeping with street scene and the unenclosed, area of forecourt would be at odds with the character of forecourts in this location and represents a poor layout in terms of defensible space.
15. The main forecourt would also be unenclosed and would be dominated by parked cars, all but for one small area of planting, part of which would have to be maintained at a low height for the vision splay. This is an indication that there is a requirement for too many cars on the site. Whilst the pub car park was a large area of tarmac, this does not justify a poor quality setting for the proposed building.
16. I therefore conclude that the proposed design, because of its over dominant dormers, three storey element on the corner, monopitch roof and staggered building line, poor relationship with the adjacent property at 88, and over dominant car parking, would be at odds with the character of the area. It would fail to represent high quality design, or be responsive to local identity.
17. It would therefore be contrary to the aims of Sedgemoor District Core Strategy 2011 (Core Strategy) policy P1 (*Bridgwater Urban Area*) and policy D2 (*Promoting high quality and inclusive design*). These policies both broadly require that development has high quality sustainable design which responds positively to and reflects the particular local characteristics. Policy D5 (*Housing*) requires housing to be of high quality sustainable design, compatible with the scale, accessibility needs and character of its location.
18. These policies reflect the broad aims of the National Planning Policy Framework (the Framework) where in Section 7 (*Requiring good design*), paragraph 58, it

states that developments should respond to local character and history and reflect the identity of local surroundings and materials, whilst not preventing or discouraging appropriate innovation. The Framework warns, in paragraph 60, that decisions should not attempt to impose architectural styles or particular tastes, but that it is proper to reinforce local identity.

19. I note that the Grade 2 listed Toll House is opposite the site. Given its context in a largely developed setting of later terraces, I conclude that the proposed development would not harm the setting of this building or its significance.

Other matters

20. A Unilateral Undertaking (UU) has been signed by the appellants, whereby they undertake to make the appropriate contribution towards affordable housing on site, with a residual payment towards its provision elsewhere in the town. They also undertake to provide a Travel Plan for the site. I am satisfied that this UU complies with the tests set out in paragraph 204 of the Framework and the Community Infrastructure Regulations, and that the contributions are necessary to contribute towards a mixed and balanced community and to promote sustainable travel in the area.
21. The appeal site is within Flood Zone 3. The submitted Flood risk assessment sets out the risks of flooding and points out the impact of the Bridgwater tidal barrage on reducing these risks. I am satisfied that the proposals meet the sequential tests required by the Framework and that the proposal would meet the requirements of the exceptions test, in that it would be as safe as possible (subject to a condition requiring on site flood mitigation measures) without increasing risk elsewhere.

Conclusions

22. There can be no "in principle" objection to a contemporary approach to the design of a new building on this site. The Framework wisely requires that planning authorities avoid requiring certain styles and this would avoid the very real drawbacks of pastiche architecture. However, it does require that development responds positively to and reflects the particular local characteristics. I note that the proposal was recommended for approval by officers. However, for the reasons I have set out above I have found that the proposal would not represent a design which responds to the distinctive character of the area, in a contemporary manner. It would therefore harm the character and appearance of that area.
23. I acknowledge that the proposal would provide much needed single occupancy and small family accommodation in a sustainable location within walking and cycling distance to shops, employment and services. However, this could be provided in a different design approach, so this would not outweigh the harm caused to the character and appearance of the area.
24. For the reasons given above I conclude that the appeal should be dismissed.

Jacqueline Wilkinson

INSPECTOR