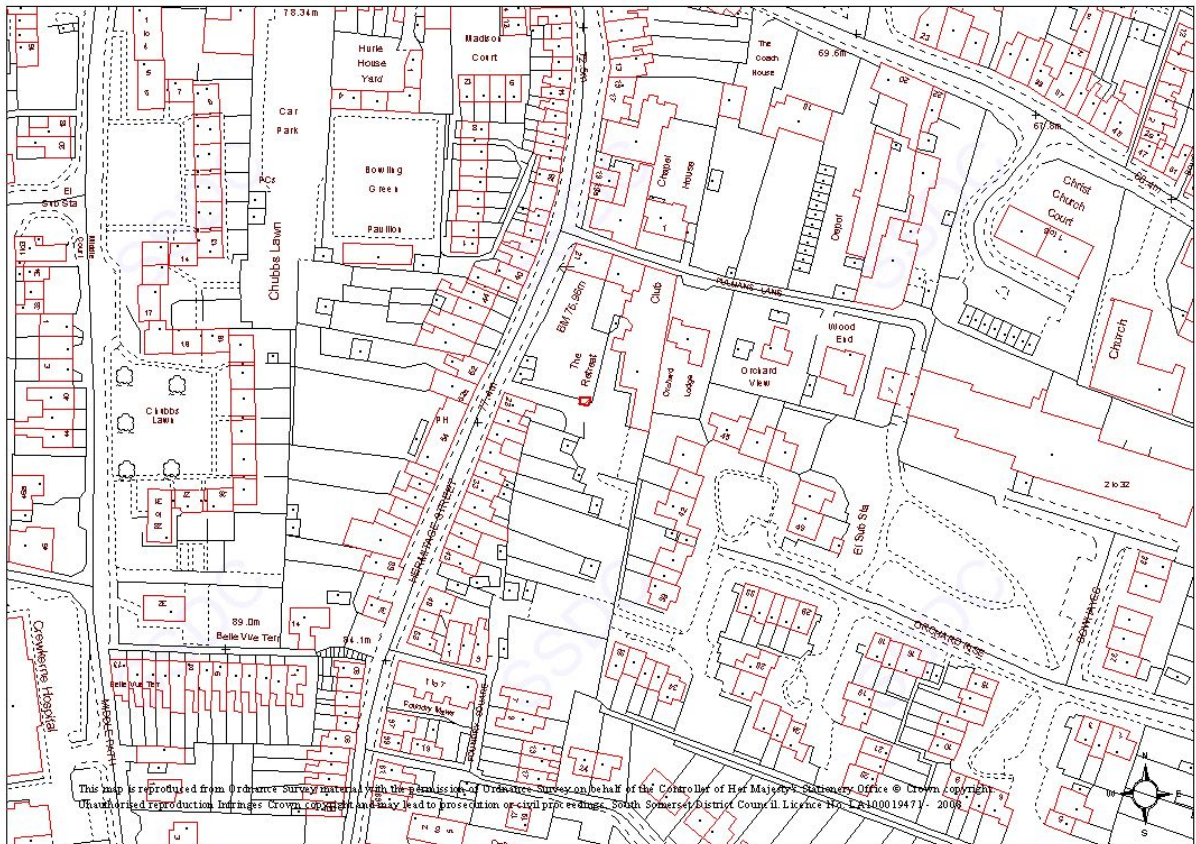


**OFFICER: Linda Hayden 01935 462534 [Item 4]**  
**APPL.NO: 08/01772/LBC APPLICATION TYPE: Listed Building Consent**  
**PARISH: Crewkerne WARD: CREWKERNE TOWN**  
**DESCRIPTION: The provision of double entrance doors/gates to rear garden wall (GR 344114/109498)**  
**LOCATION: The Hermitage Pulmans Lane Crewkerne Somerset TA18 8HA**  
**APPLICANT: G S Clarke**  
**DATE ACCEPTED: 25 July 2008**

**REASON FOR REFERRAL TO COMMITTEE:**

This application is put before the Committee, as the applicant is Councillor Geoff Clarke.

**SITE DESCRIPTION AND PROPOSAL:**



The property is a Grade II listed house situated on a small lane off Hermitage Street. The application relates to the provision of a pedestrian access in the rear garden wall which accesses onto another small lane to the south of the house.

**HISTORY:**

- 01/00048/LBC - Fixing of a commemorative plaque. Approved April 2001.
- 00/01024/LBC - Fixing of a street light to front elevation of property. Approved June 2006.
- 96/01033/LBC - Carrying out of minor alterations to west elevation. Approved July 1996.
- 90/00806/LBC - Demolition and rebuilding of part of front elevation and replacement of wooden doors with metal roller doors. Approved November 1990.

## POLICY:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decisions must be made in accordance with relevant Development Plan documents unless material considerations indicate otherwise.

### Relevant Development Plan Documents

Regional Spatial Strategy September 2001:

VIS1 Expressing the Vision

VIS2 Principles for Future Development

Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011:

Policies:-

STR1 - Sustainable Development

STR6 - Development outside towns, rural centres and villages

South Somerset Local Plan (Adopted April 2006):

Policies:-

ST2 - Development Areas

ST5 - General Principles of Development

ST6 - The Quality of Development

EH1 - Conservation Areas

EH3 - Changes of use of Listed Buildings and Alterations to Listed Buildings

The starting point for the exercise of listed building control is the statutory requirement on local planning authorities to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses' (section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990).

Sections 16 and 66 of the Act require authorities considering applications for planning permission or listed building consent for works that affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building. The setting is often an essential part of the building's character, especially if a garden or grounds have been laid out to complement its design or function.

Section 72 of the Listed Buildings Act requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. This requirement extends to all powers under the Planning Acts, not only those that relate directly to historic buildings. The desirability of preserving or enhancing the area should also, in the Secretary of State's view, be a material consideration in the planning authority's handling of development proposals that are outside the conservation area but would affect its setting, or views into or out of the area.

Also relevant are the requirements of PPG15 Historic Environment 1994.

## CONSULTATIONS:

Area Engineer, Technical Services Department has no comments.

The Conservation Officer has no objection to the proposal subject to the imposition of a number of conditions.

Crewkerne Town Council comments will be reported at the meeting.

## REPRESENTATIONS:

None received.

## CONSIDERATIONS:

The application proposes a minimal opening (2.1 metres) within the existing wall to allow for pedestrian and wheel chair access to the rear garden. The access would be provided by a pair of timber gates, with hamstone pillars to each side.

It is considered that the opening will have limited impact upon the listed wall, the proposed materials for the entrance are appropriate and as such the development will both preserve and enhance the character and appearance of the conservation area and have no adverse impact upon the historic fabric or setting of the listed building.

In terms of neighbouring amenity the insertion of a pedestrian access is unlikely to result in any substantive disturbance to surrounding properties.

## RECOMMENDATION:

That Listed Building Consent be granted.

## JUSTIFICATION:

The proposed entrance is considered to be of an appropriate scale, design and materials that will preserve and enhance the character and appearance of the conservation area and have no adverse impact upon the historic fabric or setting of the listed building. This is in accordance with Policies EH1 and EH3 of the South Somerset Local Plan 2006.

### **Application Permitted with Conditions**

1. The works hereby granted consent shall be begun before the expiration of three years from the date of this consent.

**Reason:** As required by Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The works hereby granted consent shall be completed in all respects within 6 months of the commencement of the works hereby approved, unless otherwise agreed in writing. Written notice of the date of the commencement of the approved works shall be given to the Local Planning Authority.

**Reason:** To ensure that the works hereby approved are completed and/or not left in a partially completed state for a protracted period detracting from the character and appearance of the listed building.

3. No work shall be carried out on site unless particulars of the materials (including the provision of samples where appropriate) to be used for external walls/pillars have been submitted to and approved in writing by the Local Planning Authority. Such particulars will include the detailed finish (rough sawn, hand tooled, etc.)

**Reason:** In the interests of the special architectural and historic interests of the listed building

4. No work shall be carried out on site unless details of the design, materials and external finish for all new doors have been submitted to and approved in writing by the Local Planning Authority. This will include detailed drawings including sections of at least 1:5. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

**Reason:** To safeguard the character of the listed building in accordance with policy EH3 of the South Somerset Local Plan (Adopted April 2006).

5. The doors comprised in the development hereby permitted shall be recessed in accordance with details to be submitted to and approved in writing with the Local Planning Authority before any work on the development hereby permitted is commenced.

**Reason:** To safeguard the character of the listed building in accordance with policy EH3 of the South Somerset Local Plan (Adopted April 2006).

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