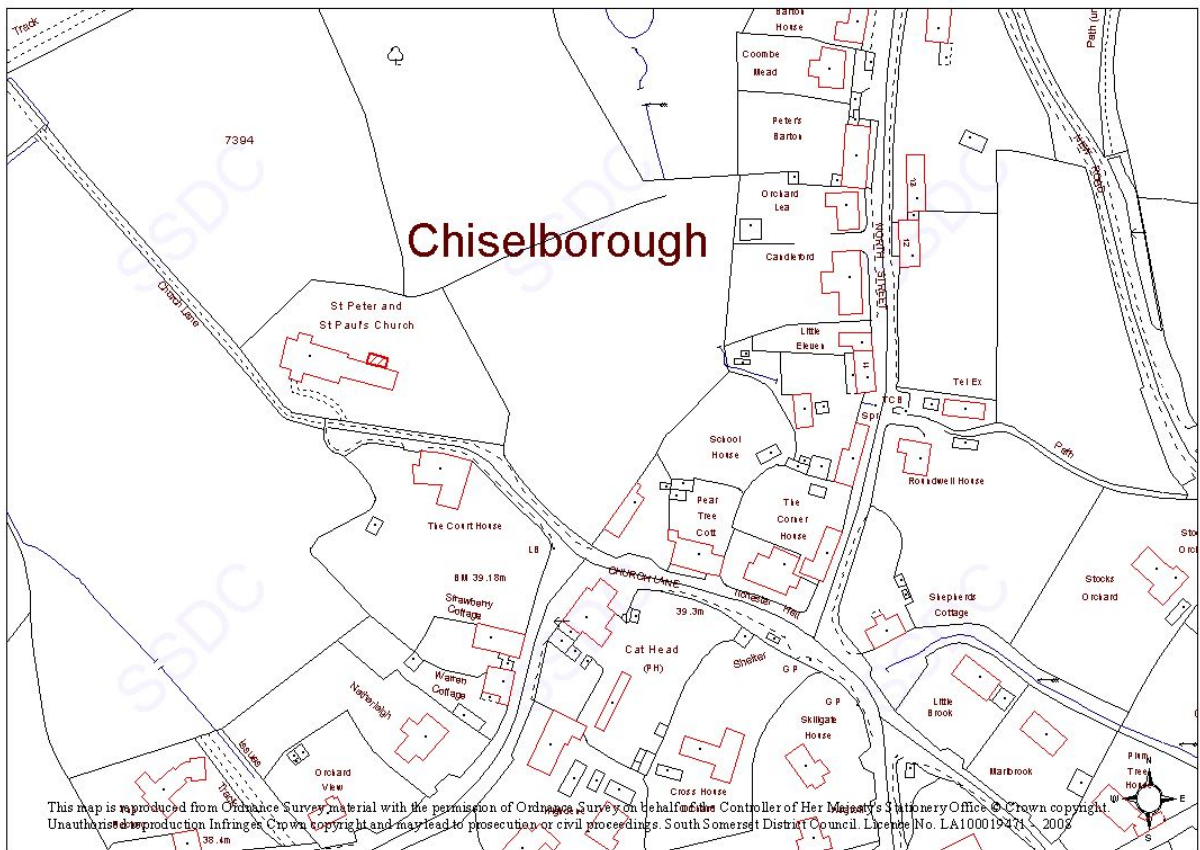


OFFICER: Andrew Gunn (01935) 462192 [Item 2]
APPL.NO: 08/01424/FUL APPLICATION TYPE: Full Application
PARISH: Chiselborough WARD: PARRETT
DESCRIPTION: The erection of a store extension (GR 346750/114873)
LOCATION: St Peter and St Paul's Church Chiselborough Stoke Sub Hamdon Somerset TA14 6TR
APPLICANT: Chiselborough PCC
AGENT: Mr D Cantrell John Stark & Crickmay Partnership 13/14 Princes Street Dorchester Dorset DT1 1TW
DATE ACCEPTED: 7 April 2008

REASON FOR REFERRAL TO COMMITTEE:

The Council for British Archaeology are a statutory consultee and have objected to this application, The recommendation is to approve and therefore under the scheme of delegation has to be referred to committee.

SITE DESCRIPTION AND PROPOSAL:



The Church of St Peter and St Paul is located on the western side of Chiselborough and on the northern side of Church Lane. The church is surrounded by a grassed churchyard with a number of headstones. There is a timber and wire fence on the north, east and west boundary with a stone wall on the southern boundary.

The church is Listed Grade 2* and set within the Conservation Area. It has its origins in the 12th century, the chancel is 17th Century and the nave was rebuilt in 1842.

The proposal seeks the erection of a building to be used for the storage of a ladder and gardening equipment, including a lawn mower. The store building will be constructed of oak timber boarding with a natural slate roof, and will be located on the northern wall of the Chancel. It will measure 5m x 2m with a height of 7.5m.

HISTORY:

08/01433/LBC - New Storage building (current).

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 decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

Relevant Development Plan Documents

Regional Spatial Strategy:

VIS 1

VIS 2

Somerset and Exmoor National Park Joint Structure Plan

Policy 9 - The built historic environment.

Policy 11 - Areas of High Archaeological Potential.

South Somerset Local Plan.

EH1 - Conservation Areas

EH5 - Development proposals affecting the setting of a listed building.

EH12 - Areas of High Archaeological Potential and Other Areas of Archaeological Interest.

CONSULTATIONS:

Parish Council:

No objections to this application. We discussed it at length and realise that the position chosen for this store is probably the least obtrusive and very necessary.

English Heritage:

Whilst we accept that the parish have a need for storage we strongly believe that this should be accommodated away from the church and it could be better screened on the edge of the churchyard. This would avoid compromising the appearance of this important medieval church. We would urge you to address the above issues, and recommend that this application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Council for British Archaeology:

The justification given for the store is " it is required in order to contain bulky items that are only used on occasion and which would be unsightly if kept within the church. Such items include a ladder and garden equipment (including large/messy equipment such as the lawn mower). Whilst appreciating the need for storage and the necessity of not damaging the open views of the graveyard, we feel that the proposal would be unnecessarily damaging to the Grade 2* Church and highly visible from the public footpaths across adjoining orchards. One suggestion is whether it would be possible to build a low detached store surrounded by a yew hedge also to the north of the church. Finally, we note that there is no archaeological assessment of the proposed site, either above or below ground.

Conservation Manager:

At a pre-app site meeting with a representative of the PCC I concluded that, in view of the open character of the churchyard and its distinctive relationship with the surrounding fields and orchards, a detached, free standing building would be unacceptably intrusive and

prominent anywhere in the churchyard. The proposal to site a lean-to against the north wall, partly screened by the yew tree seems to me to be the best solution, given the evident need for such a storage building.

The proposal is a discrete timber structure that can have minimal foundations leaving the archaeology largely unaffected and be lightly attached to the church so to have little long-term impact upon the structure. No objections.

The materials, roof details, foundation design and the physical attachment(s) to the church wall should be controlled by conditions.

County Archaeologist:

The proposal is within the churchyard of a Grade 2* Listed building and falls partly within the jurisdiction of the Diocesan Advisory Committee under the Ecclesiastical Exemption (Listed Buildings and Conservation Areas) Order 1994 and requires planning permission from the LPA. The proposed structure is intended to be used to store gardening equipment including a lawn mower and other objects unsuitable for storage in the church itself. This requirement is understandable but we do not believe the structure proposed is required. In this case, there is no problem with a normal garden shed being situated in the corner of the churchyard. This would not require planning permission and could be covered by a faculty under Ecclesiastical exemption. There is no need to construct a permanent building attached to the church, which would require foundations. At present the church reflects a symmetrical character but the proposed structure would create an uneven aspect, which in our opinion would be detrimental to the appearance and character of the church.

As this proposal is located in a churchyard which has acted as a cemetery from at least the 13th Century it has the potential to impact on human burials. Due to this impact potential this office would recommend a pre-determination evaluation to locate any burials or other remains. The results of which may require that excavation of burials or other remains takes place if they are to be impacted, or an engineering solution be designed to ensure preservation in-situ. Therefore, the proposal represents both over development for a need that can be accommodated in a much more modest temporary, yet secure structure, and is a potential threat to human burials and archaeological remains. Therefore, it is this office's advice that this application be refused on the grounds that it will have a detrimental effect on the church and require archaeological intervention where no need has been established.

Highway Authority:

No objection.

REPRESENTATIONS:

No comments received.

CONSIDERATIONS:

The main considerations in relation to this application are the impact of the storage building on the character and setting of the listed building and impact on archaeological remains. For information, the Diocesan Advisory Committee under the Ecclesiastical Exemption (Listed Buildings and Conservation Areas) Order 1994 has endorsed the scheme and listed building consent granted. Planning permission is still required.

In terms of the impact on the character and setting of the listed building, there is a difference of opinion between the Council's Conservation Manager and English Heritage and the Council for British Archaeology. The view of the Conservation Manager is that the open nature of the churchyard would be significantly harmed by the introduction of a free standing, visually prominent and intrusive building within the church yard. English Heritage considers that a building should be located and screened on the edge of the churchyard. However, the

advice and view of the Conservation Manager is that a building against the church would be much less intrusive and prominent than a free standing structure.

The Council for British Archaeology are concerned that the development would unacceptably damage the church. However, it is considered that if the building is only lightly attached to the church and any consent is conditioned to agree the precise method of attachment, there would be little long-term impact upon the structure of the church.

The County Archaeologist has raised concerns both in terms of the impact on the character and appearance of the church and impact on archaeological remains. It is important to note that the Ecclesiastical Exemption (Listed Buildings and Conservation Areas) Order 1994, only provides an exemption for listed building consent. Planning permission would still be required for a free standing building.

For the reasons given above, it is not considered that the proposal would have an adverse impact on the church. In terms of impact on archaeological remains, a building control officer has advised that the building as proposed would not necessarily require any foundations. Thus, the development could proceed allowing preservation of any remains in-situ. In the absence of foundations, it is not considered that archaeological remains would be disturbed or harmed. Again, a condition would be attached to any consent to ensure that the precise details of the building works are agreed. In particular, if any digging is required, an archaeological condition will be imposed to ensure an archaeologist can view and monitor any digging works that are undertaken.

SECTION 106 PLANNING OBLIGATION:

Not applicable.

RECOMMENDATION:

Grant Permission.

JUSTIFICATION:

The proposal by reason of its size, scale, design, materials and position is considered to respect the historic and architectural interests of the building and is in accordance with policy 9 of the Joint Structure Plan Review, EH3 of the South Somerset Local Plan, and the provisions of PPG 15.

Application Permitted with Conditions

1. No work shall be carried out on site unless particulars of the materials, to include a sample of the timber cladding and colour finish to be used for the external walls and a slate sample has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building in accordance with Policy EH3 of the South Somerset Local Plan.

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

3. No work shall be carried out on site unless details of the method of the physical attachment of the building to the church have been provided to and approved in writing by the Local Planning Authority. Details shall include the finish and materials to be used for the attachment.

Reason: In the interests of the special architectural and historic interests of the listed building in accordance with Policy EH3 of the South Somerset Local Plan.

4. No work shall be carried out on site unless details of the foundation design have been provided to and approved in writing by the Local Planning Authority. Once agreed, there shall be no variation to those approved works unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building and to protect archaeological remains in accordance with Policy EH3 and EH12 of the South Somerset Local Plan.

5. No digging shall be undertaken unless under the supervision of an archaeologist nominated by the Local Planning Authority, and he/her shall be allowed to observe the excavations and record items of interest and finds.

Reason: To ensure that adequate opportunity is afforded for investigation of archaeological or other items of interest.
