

## Area West Committee – 18th August 2010

### Officer Report On Planning Application: 10/00455/LBC

<b>Proposal:</b>	Conversion and extension of existing garage/workshop into one dwelling (GR 332201/108611)
<b>Site Address:</b>	The Phoenix Hotel 15 Fore Street Chard
<b>Parish:</b>	Chard
<b>COMBE (CHARD) Ward</b>	Mr M Wale (Cllr)
<b>Recommending Case Officer:</b>	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
<b>Target date :</b>	14th April 2010
<b>Applicant :</b>	JAK Rentals Ltd
<b>Agent: (no agent if blank)</b>	Mr Nick Manning Rose Cottage School Lane South Chard Chard Somerset TA20 2SA
<b>Application Type:</b>	Other LBC Alteration

#### REASON FOR REFERRAL TO COMMITTEE

This application is put before the Committee as the applicant is the husband of a Ward Member.

#### SITE DESCRIPTION AND PROPOSAL



The site comprises an area of disused land along with a garage workshop building that forms part of line of buildings situated at the rear of The Phoenix Hotel. The building is listed in association with the Grade II listed hotel. The area is characterised by long burgage plots running from north to south with the majority being retail on the frontage with residential gardens at the rear.

This is a listed building application proposing the conversion and extension of the garage/workshop element of the larger building to provide a three-bedroom dwelling. A small garden would also be provided along with allocation of existing parking spaces.

The site is within both the development area and conservation area of Chard.

## **HISTORY**

10/00454/FUL Conversion and extension of existing garage/workshop into one dwelling. Associated planning application. Pending consideration.

09/02931/FUL Conversion and extension of existing garage/workshop into four flats. Withdrawn 20/10/2009

09/02932/LBC Conversion and extension of existing garage/workshop into four flats. Withdrawn 20/10/2009

02/01703/LBC Internal alterations and amended fenestration to existing conservatory. Approved 2002.

02/00547/FUL Proposed erection of 3-bedroom house (manager's accommodation). Withdrawn 2002.

99/01405/LBC Alterations to existing signage. Approved 1999.

99/01008/LBC Internal alterations. Approved 1999.

930228 Erection of foodstore, petrol filling station and additional shop units with associated parking and service areas, 17 residential units and replacement youth club and library. Refused 1994.

910801 Alterations, conversion of existing buildings into 13 shop units and bar with 3 flats, staff accommodation over and the erection of a multiuse building and provision of parking facilities. Approved 1991.

910800 Alterations, conversion of existing buildings into 13 shop units and bar with 3 flats, staff accommodation over and the erection of a multiuse building and provision of parking facilities. Withdrawn 1992.

901286 and 901287 (LBC) Alterations, conversion of existing buildings into 13 shop units and bar with 3 flats, staff accommodation over and the erection of a multiuse building for either offices, library or civic. Refused 1991.

871847 Conversion of outbuildings to 6 shop units. Refused 1987. Associated Listed Building application 871932 withdrawn.

860708 and 860834(LBC) Alterations and the erection of an extension. Approved 1986.

842239 The use of storeroom at The George Hotel, Fore Street, Chard as a pottery workshop and for the sale of pottery items manufactured on the premises. Approved 1985.

782082 The use of store rooms at the rear of The George Hotel, Fore Street for the sale of second hand furniture. Refused 1979.

## **POLICY**

Section 16 of the Listed Building and Conservation Areas Act is the starting point for the exercise of listed building control. This places a 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'

PPS5: Planning for the Historic Environment is applicable. This advises that 'there should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be. Once lost, heritage assets cannot be replaced and their loss has a cultural, environmental, economic and social impact. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Loss affecting any designated heritage asset should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, including scheduled monuments, 14 protected wreck sites, battlefields, grade I and II\* listed buildings and grade I and II\* registered parks and gardens, World Heritage Sites, should be wholly exceptional.

Whilst Section 38(6) of the 2004 Planning Act is not relevant to this listed building application, the following policies should be considered in the context of the application:

Somerset and Exmoor National Park Joint Structure Plan  
Policy 9 - Historic Environment

South Somerset Local Plan (Adopted April 2006)  
EH1 - Conservation Areas  
EH3 - Changes of use of Listed Buildings and Alterations to Listed Buildings  
EH12 - Areas of High Archaeological potential

## **CONSULTATIONS**

*Chard Town Council* - 'The Committee could not make a recommendation on this application as three of the five members declared a personal and prejudicial interest and the meeting was therefore inquorate.'

*Conservation Officer* - Verbally confirmed no objection subject to the imposition of appropriate conditions.

*Area Engineer* - No comments.

## **REPRESENTATIONS**

3 representations were received in response to the original plans: one in support with two responses objecting to the development. The supporting response makes the following comments:

- 1) Delighted to see such investment being proposed and would hope proposals are approved.
- 2) Consider the ground floor layout odd but probably no reason to refuse.

The objectors make the following comments:

- 1) Concerned about lack of notification (Officer note: This has been corrected)
- 2) Same comments apply as on previous application
- 3) Concern that the window on the north elevation will result in overlooking of adjoining properties
- 4) The development opposite has no windows in east elevation in order to protect neighbouring amenity.

A further letter of objection has been received in response to the amended plans repeating their earlier concerns about loss of outlook and privacy.

## **CONSIDERATIONS**

The plans have been amended in line with the advice of the Conservation Officer. The proposed addition has been redesigned as a longer and thinner addition that better relates to the existing building. The new addition will be constructed in matching materials and incorporates design features such as brick quoins and brick detailing around the windows that reflect details in the existing building. The alterations to the existing building are considered to be relatively minor and are in the form of additional windows that again have been designed to reflect the existing windows and openings. Therefore, subject to the imposition of appropriate conditions, it is now considered that the proposal both respects the Grade II listed building and also preserves the character and appearance of the conservation area.

## **RECOMMENDATION**

That Listed Building Consent be granted.

## **JUSTIFICATION**

The proposal by reason of its limited/informed intervention into the historic fabric of this listed building is considered to respect the historic and architectural interests of the building and will preserve the character and appearance of the conservation area. The proposal therefore accords with the policies EH1 and EH3 of the South Somerset Local Plan 2006 and the provisions of PPS 5.

## **SUBJECT TO THE FOLLOWING:**

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. 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 and roofs 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.) Slate hooks shall not be used.

**Reason:** In the interests of the special architectural and historic interests of the listed building and in accordance with policy EH3 of the South Somerset Local Plan 2006.

3. Before the development hereby approved is commenced, a sample panel of the local natural stonework, indicating colour, texture, coursing and bonding, shall be provided on site for inspection and agreed in writing by the Local Planning Authority.

**Reason:** To safeguard the character and appearance of the area and to accord with policies ST5 and ST6 of the South Somerset Local Plan 2006.

4. No work shall be carried out on site unless details of the design, materials and external finish for all new doors, windows, rooflights, boarding and openings 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 2006.

5. No work shall be carried out on site unless design details of all roof eaves, verges and abutments, including detail drawings at a scale of 1:5, and details of all new cast metal guttering, down pipes, other rainwater goods, and external plumbing have been submitted to and approved in writing by the Local Planning Authority. Such details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

**Reason:** In the interests of the special architectural and historic interests of the listed building and in accordance with policy EH3 of the South Somerset Local Plan 2006.

6. No work shall be carried out on site unless details of the method of the blocking of all doorways and windows shown on the approved plans have been submitted to and approved in writing by the Local Planning Authority. This will include materials and finish: pointing and coursing; any doors and architraves to be left in situ; and any reveal; Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

**Reason:** In the interests of the special architectural and historic interests of the listed building and in accordance with policy EH3 of the South Somerset Local Plan 2006.

7. All electrical and telephone services to the development shall be run underground. All service intakes to the dwelling(s) shall be run internally and not visible on the exterior. All meter cupboards and gas boxes shall be positioned on the dwelling(s) in accordance with details, which shall have been previously submitted to and approved in writing by the local planning authority and thereafter retained in such form. On (all) buildings satellite dishes shall be of dark coloured mesh unless fixed to a light coloured, rendered wall, in which case a white dish should be used. Satellite dishes shall not be fixed to the street elevations of the buildings or to roofs. All soil and waste plumbing shall be run internally and shall not be visible on the exterior unless otherwise agreed in writing by the local planning authority.

**Reason:** In order to ensure that the development accords with the character of the area in accordance with Policy ST6, EH1 and EH5 of the South Somerset Local Plan as 2006.

8. The development hereby permitted shall be carried out in accordance with the following approved plans: location plan and site plan stamped 10/00455/LBC received 08/02/2010 and; drawing numbers GC/P01/G, GC/P02/G, GC/P03/G, GC/P04/G, GC/P05/G and GC/P06/G received 18/06/2010.

**Reason:** For the avoidance of doubt and in the interests of proper planning.

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