

## Area West Committee – 20th April 2011

### Officer Report on Planning Application: 11/00750/CON

<b>Proposal:</b>	Demolition of redundant bus shelter and public conveniences (GR 335893/114688)
<b>Site Address:</b>	Public Conveniences West Street Ilminster
<b>Parish:</b>	Ilminster
<b>ILMINSTER TOWN Ward (SSDC Member)</b>	Mrs C Goodall (Cllr) Mrs K T Turner (Cllr)
<b>Recommending Case Officer:</b>	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
<b>Target date:</b>	19th April 2011
<b>Applicant:</b>	South Somerset District Council
<b>Agent:</b> (no agent if blank)	
<b>Application Type:</b>	Other Conservation Area Consents

#### REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Area West Committee as the District Council is the applicant.

#### SITE DESCRIPTION AND PROPOSAL



The application relates to the disused single storey gentlemen's toilets/bus shelter that sit at the exit of West Street car park just to the north-west of Ilminster town centre. The building is located at the end of a row of terraced properties (two of which are listed) that include shops on the ground floor with flats above. The adjoining property is however a two storey dwelling.

The application proposes the demolition of the existing building.

## **HISTORY**

11/00612/FUL - Demolition of redundant bus shelter and public conveniences and the erection of a dwellinghouse with garden and parking space. Associated application - also on the agenda.

821024 - Regulation 4: The refurbishment of existing ladies and gent's toilets and the provision of disabled persons accommodation on land adjoining the car park. Approved 1982.

38754/1 - Erection of two blocks of public conveniences and construction of a car park. Approved 1959.

38754 - Construction of a car park and public conveniences and the formation of access. Approved 1958.

## **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

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

Policies: -

8 - Outstanding Heritage Settlements

9 - The Built Historic Environment

11 - Areas of High Archaeological Potential

South Somerset Local Plan 2006:

Policies: -

ST5 - General Principles of Development

ST6 - The Quality of Development

EH1 - Conservation Areas

EH12 - Areas of High Archaeological potential

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.

National Guidance

PPS5 Planning for the Historic Environment

South Somerset Sustainable Community Strategy

Goal 7 - Distinctiveness

Goal 8 - Quality Development

## **CONSULTATIONS**

*Ilminster Town Council:*

Recommend refusal.

The Committee accepts the recommendations of Highways but express concern at the clarity of the plans. There is reference to the reconfiguration of parking within the car park but no

mention of whether there is loss of any parking within the car park itself. Members object most strongly to any loss of car parking in recognition of the fact that the town is suffering from a lack of parking spaces in general.'

*Conservation Officer:*

Comments will be reported at the meeting.

*Development Control Archaeologist at Somerset County Council:*

Advises that there are limited or no archaeological implications to the proposal and they therefore have no objections.

*Area Engineer, Technical Services Department:*

No comments.

## **REPRESENTATIONS**

None received.

## **CONSIDERATIONS**

The proposed development of this site is to be considered under planning application 11/00612/R3D (also on the agenda), with only the demolition of the existing building considered under this application for conservation area consent.

Local Plan policy EH2 states that development proposals which involve the demolition of a building, or part of a building, whether listed or not, will not be allowed unless the development preserves or enhances the conservation area. A condition linking demolition to a programme of redevelopment will be imposed where it is considered important to prevent unsightly gaps in the conservation area.

In this case, the building is of 1950's design and has no historic merit, it has been subject to some graffiti due to its disused state. It is not considered to make any positive contribution to the setting or appearance of the conservation area. As a result, it is not considered that its removal will have a significant adverse impact upon the conservation area and would not leave an unsightly gap. As such, the proposed removal of this building will preserve the character and appearance of the conservation area.

## **RECOMMENDATION**

That Conservation Area Consent be granted.

## **JUSTIFICATION**

The removal of this building from the Conservation Area is considered appropriate providing there is a suitable form of redevelopment of the site. This would preserve the character and appearance of the Conservation Area in accordance with the aims and objectives of policy EH2 of the South Somerset Local Plan.

## **SUBJECT TO THE FOLLOWING:**

1. 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.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No.'s 1128/01 received 14 February 2011.

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

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