

Area West Committee – 19th October 2011

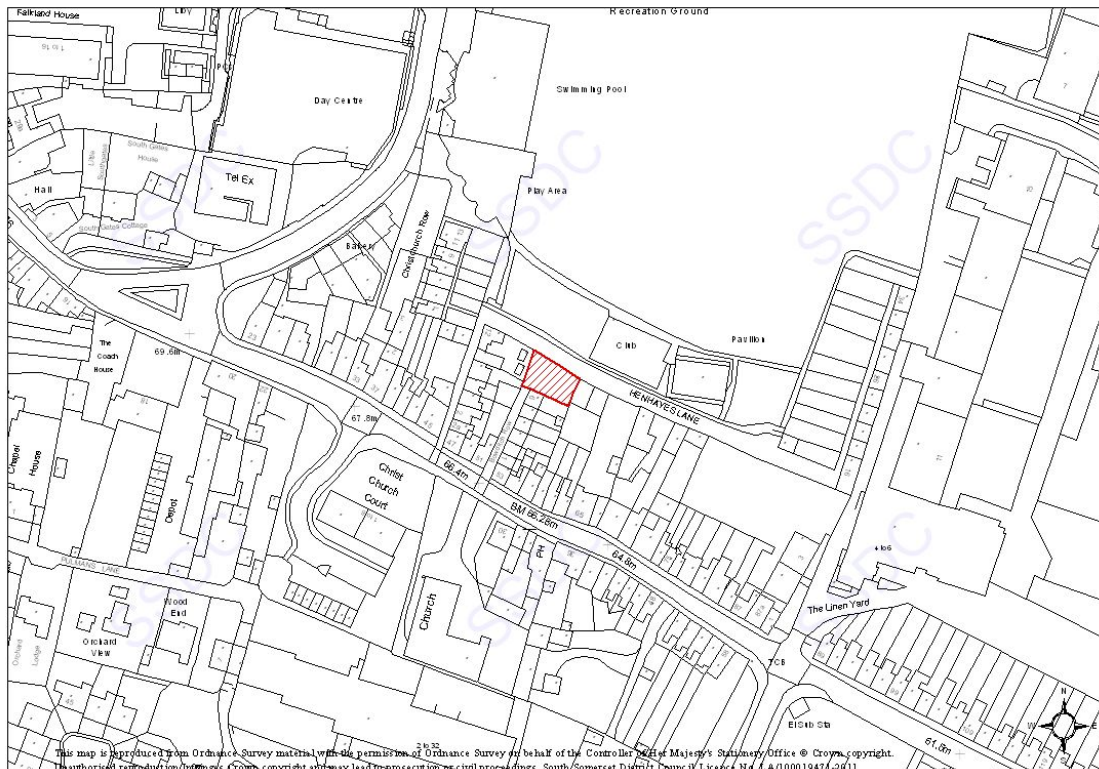
Officer Report on Planning Application: 11/02209/LBC

Proposal:	Application for the demolition of curtilage structures prior to the erection of a pair of semi detached dwellinghouses (GR 344313/109548)
Site Address:	Land Adjoining 6 Bowditch Row South Street
Parish:	Crewkerne
CREWKERNE TOWN Ward (SSDC Member)	Mr M Best (Cllr) Mr J Dyke (Cllr) Mrs A M Singleton (Cllr)
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date:	4th August 2011
Applicant:	Jacobs Partnership Llp
Agent: (no agent if blank)	
Application Type:	Other LBC Alteration

REASONS FOR REFERRAL TO COMMITTEE

The application is to be considered by Area West Committee at the request of the Ward Members, with the agreement of the Area Vice Chair. It is felt that the issues should be given further consideration by members, as a result of objections raised by the Town Council and local residents.

SITE DESCRIPTION AND PROPOSAL



The application relates to an area of land to the side of 6 Bowditch Row, which is one of a terrace of grade II listed cottages off South Street, Crewkerne. It is within the Crewkerne defined development area and is also within the local conservation area. The site formerly

comprised a derelict garage and lean-to shed, which was granted consent for demolition under application 10/04796/LBC and was bounded by natural stone walls alongside the boundary with Henhayes Lane, to the north and stone and brick along the west boundary. The site has previously been used as part of the residential curtilage of 6 Bowditch Row and as such the buildings and boundary walls are considered to be listed in association with the adjoining listed terrace in Bowditch Row.

Previous consents for planning permission (08/03982/FUL) and listed building consent (08/03983/LBC) were also granted for the partial demolition, rebuilding, alterations and extension of the outbuildings to provide a separate individual dwelling.

This application is made to allow the demolition of curtilage structures i.e. boundary wall and outbuildings. These structures have been lawfully demolished in line with the consent granted under 10/04796/LBC. However, that consent requires the developer to reinstate a boundary wall; clearly that would be at odds with the current intention to redevelop the site in line with the approval sought under planning application 11/02224/FUL. Accordingly this application for listed building consent is necessary to agree demolition without the previously agreed replacement boundary.

HISTORY

11/02224/FUL: The erection of a pair of semi-detached houses - Pending consideration.

10/04796/LBC: Listed building consent granted for the demolition of garden shed and garage.

08/03982/FUL and 08/03983/LBC: Planning permission and listed building consent granted for demolition, alterations and extension to convert premises to form one unit of living accommodation.

06/01872/FUL and 06/01873/LBC: Planning permission and listed building consent refused for a barn conversion including part demolition and rebuilding.

05/02215/FUL: Planning permission refused for proposed erection of terrace of 3 no. dwellings.

05/02151/FUL: Planning permission refused for the proposed conversion and extension of existing outbuilding to form 1 no. three bed roomed dwelling.

05/01099/FUL and 05/01095/LBC: Planning permission and listed building consent granted to extend and convert existing outbuilding to form 2 bed dwelling.

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'

PPS 5: Planning for the Historic Environment is applicable. Applicants for listed building consent must be able to justify their proposals. They will need to show why works which would affect the character of a listed building are desirable or necessary. They should provide the local planning authority with full information, to enable them to assess the likely impact of their proposals on the special architectural or historic interest of the building and on its setting.

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, as these policies are in accordance with PPG 15

Relevant Development Plan Documents

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

South Somerset Local Plan 2006:

EH1 - Conservation Areas

EH2 - Demolition of Buildings in Conservation Areas

EH3 - Listed Buildings

EH4 - Demolition of Listed Buildings

EH5 - Development Proposals Affecting the Setting of Listed Buildings

CONSULTATIONS

Town Council

12th September 2011 Recommend REFUSAL on the grounds of:

- A) Overcrowding on the site
- B) Insufficient parking space in a very narrow lane

11th July Recommend REFUSAL on the grounds of

- A) Overcrowding on the site
- B) Insufficient parking space
- C) Out of keeping with other properties in the vicinity and in the Conservation Area

SSDC Technical Services

No comments.

SSDC Conservation Officer

Thank you for your consultation on this application.

You will be aware that the site is within the curtilage of a listed building and in a conservation area.

The main issues are the setting of the listed building and the requirement to have regard to the desirability to preserve and enhance the conservation area (Sections 16 and 72).

You will recall that there have been detailed negotiations with both myself and Adron (Conservation Manager) in relation to the design and a number of options have been discussed. We are now at a point that we are happy with the proposal in relation to the setting of listed building and the conservation area.

Clearly there are a number of matters, which need to be conditioned to ensure a high quality development, and I would be happy to discuss these with you as necessary.

REPRESENTATIONS

The application has been advertised by press and site notice for the requisite period. Between this application and the associated application for planning permission, there have been 8 letters of representation received from local residents. The points raised relate to the planning issues and as such are addressed in consideration of that application. No objections have been raised directly in relation to the works proposed under this application for listed building consent or in regard to the impact of the proposed development on the setting of the adjoining listed terrace.

CONSIDERATIONS

This application is made for listed building consent for the demolition of structures on site prior to the erection of a pair of semi-detached dwellings, currently being considered under planning application 11/02224/FUL. Consent has recently been granted for the demolition of boundary walls and an outbuilding and replacement with a new boundary wall. These works, approved under consent 10/04796/LBC, had been commenced at the time of this application being received and all curtilage structures have now been demolished. A number of objections have been received in regard to the overall scheme of redevelopment. The points raised relate to the planning issues and as such are addressed in consideration of that application.

Saved policy EH2 of the South Somerset Local Plan states "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". Similarly, saved policy EH4 states "there is a general presumption in favour of the retention of listed buildings. Applications for the total or partial demolition of a listed building will not be permitted unless ... consideration has been given to the condition of the building and the cost of repair and maintaining it in relation to its importance and the value derived from its continued use".

In considering the principle of the demolition of the curtilage structures, the wall and buildings were in a dilapidated state and while being historic, had been altered significantly. It was considered that these structures were not of such importance that their loss would be damaging to the listed building. In this respect, it is considered that the loss of the outbuildings and the replacement of the boundary walls were acceptable in principle. The main concern is how the site will be left following demolition and whether this will adversely affect the setting of the adjoining listed building and the surrounding conservation area. The previous consent included the rebuilding of a new wall to contain a grassed area to the side of 6 Bowditch Row. This application is to allow the demolition but with an alternative scheme of redevelopment in line with the concurrently running application for planning permission.

The proposed scheme of redevelopment is considered to be acceptable as it relates to the character of the properties within the locality and has no detrimental impact on the setting and appearance of the conservation area or adjacent listed buildings. As such, there is no objection to the demolition of the curtilage structures. Therefore, the recommendation to Members is to grant planning permission subject to the conditions set out below.

RECOMMENDATION

Grant consent with conditions.

JUSTIFICATION

The proposed works are considered acceptable, do not adversely affect the character and setting or the historic and architectural interests of the Listed Building and both preserve and enhance the character and appearance of the conservation area, in accordance with the aims and objectives of PPS5, policy 9 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies EH1, EH2, EH3, EH4 and EH5 of the South Somerset Local Plan 2006.

SUBJECT TO THE FOLLOWING:

1. Notwithstanding the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 this consent shall be deemed to have been implemented on 21st September 2011 as prescribed by Section 8 of the above Act.

Reason: To comply with section 8 of the above Act.

2. Within 3 months of the date of this decision notice, all material resulting from demolition that is not to be reused in any redevelopment of the site shall be removed in accordance with a scheme, which shall be submitted to and agreed in writing by the Local Planning Authority. In the event that redevelopment does not commence within 6 months of the date of this consent the site shall be secured in accordance with a scheme of works for the making good of boundary treatments that shall have been submitted to and agreed in writing by the Local Planning Authority. Once implemented, such scheme shall be maintained until redevelopment commences unless otherwise agreed in writing by 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 conservation area and nearby listed buildings, in accordance with PPS5 and saved policies EH1, EH3 and EH5 of the South Somerset Local Plan 2006.
