

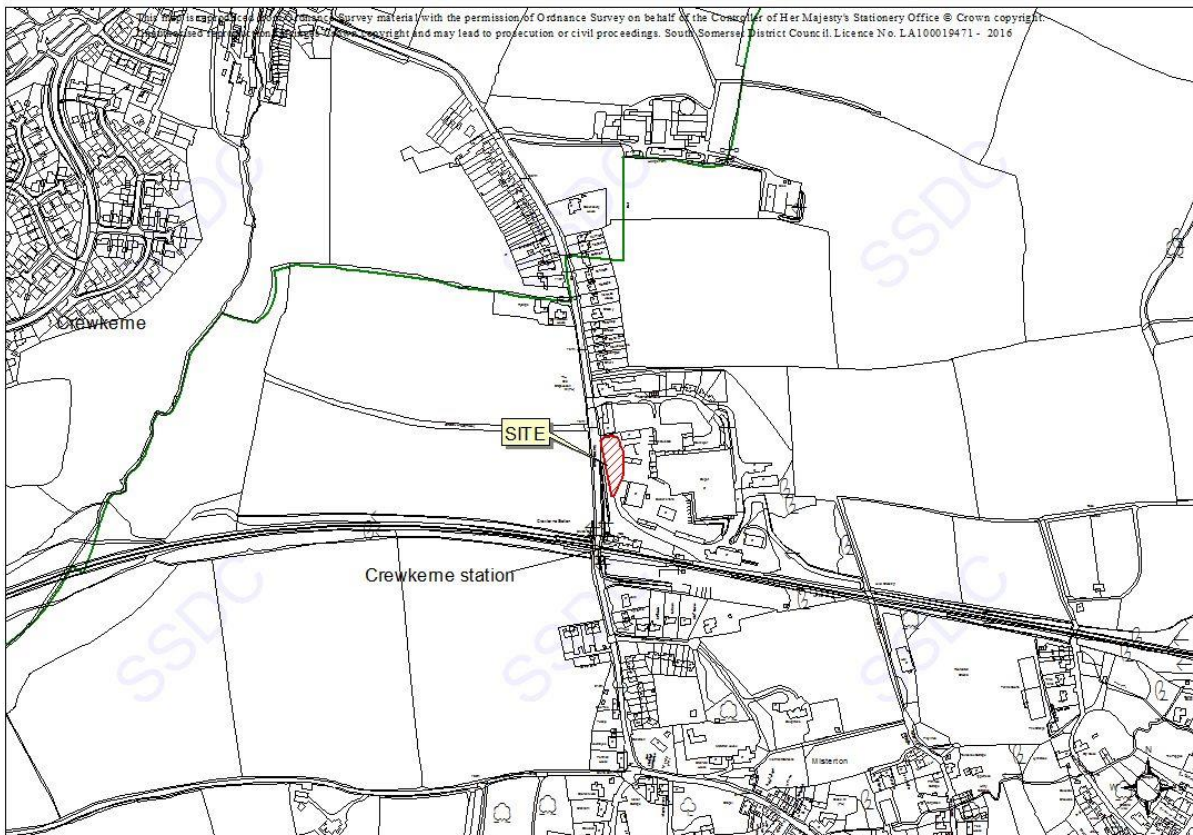
## Officer Report on Planning Application: 16/02400/FUL

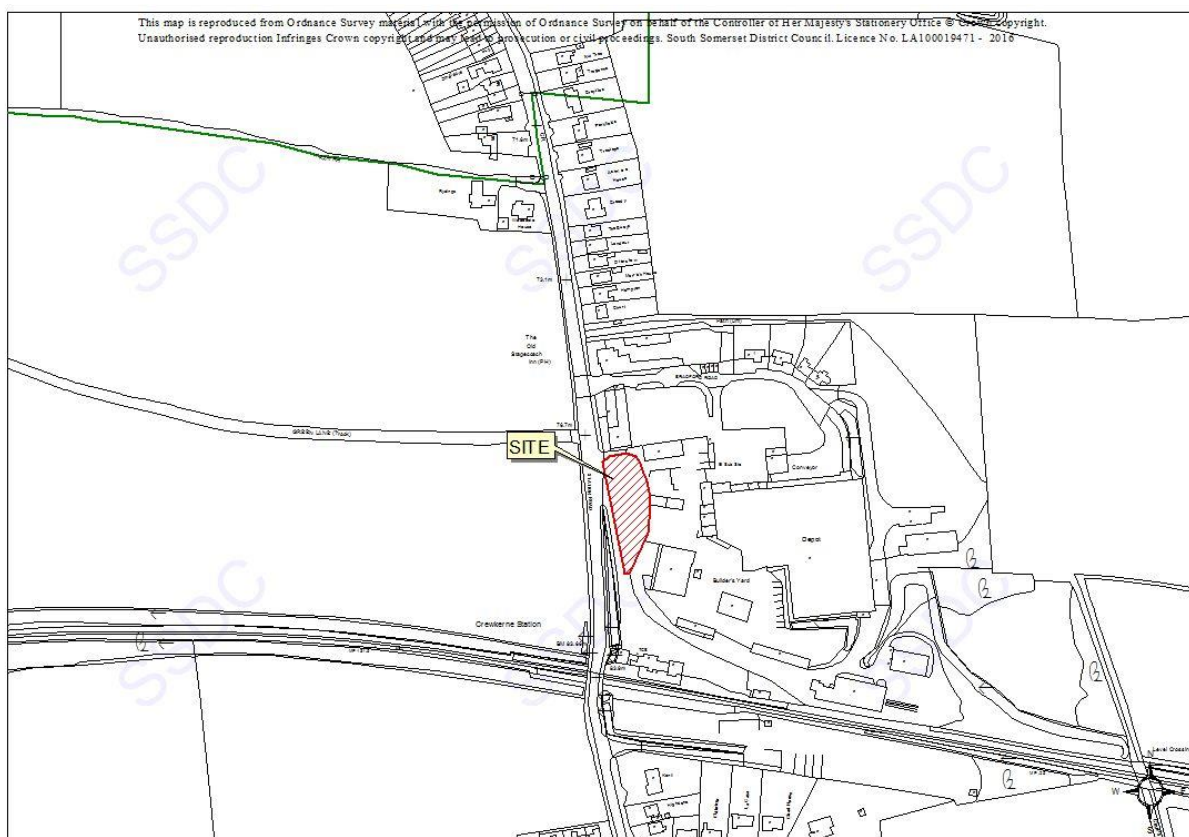
<b>Proposal :</b>	The erection of a conservatory to provide additional seating for cafe.
<b>Site Address:</b>	The Old Weighbridge, Station Road, Crewkerne
<b>Parish:</b>	Misterton
<b>CREWKERNE TOWN Ward (SSDC Member)</b>	Cllr M Barrett, Cllr M Best, Cllr A M Singleton
<b>Recommending Case Officer:</b>	Mike Hicks Tel: 01935 462015 Email: mike.hicks@southsomerset.gov.uk.
<b>Target date :</b>	5th August 2016
<b>Applicant :</b>	Ms Allyson Brewer-Swain
<b>Agent: (no agent if blank)</b>	A R Dalziel M.C.I.A.T. Office 10, Unit21 Old Yarn Mills Sherborne Dorset
<b>Application Type :</b>	Minor Other less than 1,000 sq.m or 1ha

### REASON FOR REFERRAL TO COMMITTEE

At the request of the ward member and agreed by the chair to allow the planning issues to be debated.

### SITE DESCRIPTION AND PROPOSAL





The site consists of a detached building located to the Eastern side of Station Road, a Class A highway. The site is adjacent to its junction with Monarch Way which leads to a modern housing development, Crewkerne Railway Station and several commercial business units. Crewkerne Railway Station is Grade II Listed. The site is not in a conservation area.

The building is currently used as a café and is an historic weighbridge building which is recorded on the 1888 maps. The building is understood to have historically been used in conjunction with the railway and the adjoining goods yard and activities around the station. The application seeks consent to extend the café to the western, roadside elevation with a UPVC conservatory. The proposed conservatory would measure 3.5 by 7.2 metres. It would have a dual pitched roof with a maximum height of 3.7 metres.

## HISTORY

13/04674/FUL- Alterations and change of use of former weighbridge office (Use Class Sui Generis) to mixed use of Cafe (Use Class A3) and takeaway (Use Class A5- permitted with conditions).

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

In relation to Listed buildings Section 66 of the Listed Building and Conservation Areas Act places a statutory requirement on local planning authorities when considering whether to grant planning permission for development which affects a listed building or its setting to 'have special regard to the desirability the preservation of the Listed building, its setting or any features of special architectural or historic interest which it possesses.

National Planning Policy Framework: Chapter 12 - Conserving and Enhancing Historic Environment is applicable. This advises that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss 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, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'

For the purposes of determining current applications the Local Planning Authority considers that the relevant policy framework is provided by the National Planning Policy Framework and the South Somerset Local Plan (2006-2028). The Local Plan was adopted by South Somerset District Council in March 2015.

South Somerset Local Plan (2006-2028)  
Policy SD1 - Sustainable Development  
Policy EQ2 - General Development  
Policy EQ3 - The Historic Environment

National Planning Policy Framework  
Core Planning Principles  
Chapter 7: Requiring Good Design  
Chapter 12 - Heritage Assets

National Planning Practice Guidance  
Design  
Determining an application

ENVIRONMENTAL IMPACT ASSESSMENT  
None required

## **CONSULTATIONS**

Parish Council:

The building is a disused weighbridge located on the edge of a new housing estate and it has been converted for use as café.

The Cllrs were informed that the building may be included in the listing of the Crewkerne Railway Station. It is noted that whilst the Railway Station is stone built the weighbridge is built in a traditional brick and probably of a later construction to the main railway station. It is located a distance away from the older buildings.

The planned extension will be such that should the need arise in the future for it to be removed then that will be possible with minimum disruption and the applicant has indicated that any materials removed will be stored for any future work to the premises. The extension is not overlooked by nearby properties and will be a valuable asset for the village.

Misterton PC recommends this application for approval.

Conservation Officer:

You will be aware that the Crewkerne Railway Station is a listed building. This weighbridge building, whilst not ancillary to the station itself and therefore not part of the listing, is related to general activities around the station and has considerable significance to the location and is an heritage asset

It is notable how little the building appears to have changed. You will also be aware that the access to the station has changed, and that until relatively recently the access ran to the front of the weighbridge, the road now being diverted to the rear. Therefore the vista across the front of the building to the station is an historic one.

The proposal is for UPVC conservatory on the main road side of the existing building. It would be about two thirds of the length of the existing and the same width.

With regard to the building it extends, the position is poor as it sits on the front of the building, over the front door and obscures the front of the building. It also blocks the historic vista through to the railway station. The form is wrong with hips on the proposal with the existing being gables. In my view the proposal is detrimental to the setting of the railway station in that it blocks the historic view, and the proposal itself poorly relates to the existing building and is overly assertive in the street scene.

My advice would be to consider an extension to the rear of the building.

SCC Highway Authority:  
No observations.

SDDC Highway Consultant:  
Ensure the proposed conservatory does not conflict or compromise the junction visibility splays. Assess the development proposal against the SPS car parking optimum standards to ensure sufficient car parking is provided given the additional seating/customer numbers.

## **REPRESENTATIONS**

No representations have been received.

## **CONSIDERATIONS**

Principle of development:  
The acceptability of the proposal depends on the individual merits and assessment against the relevant development plan policies and national guidance.

Impact on character and appearance of the area and the setting of the listed building:  
The host building is an attractive old building, finished in natural stone with brick details and a slate roof. It has timber sliding sash windows. The building is understood to have originally been used as a weighbridge, in association with the railway and commercial activities around the railway station at that time.

The Council's Conservation Officer has been consulted and considers that whilst unlisted, the subject buildings association with the historic activities related to the station and its surroundings is of significance. It is further considered that whilst unlisted, the building is a heritage asset.

The starting point for the considering of applications which affects a listed building or its setting 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 66).

There is a significant amount of inter-visibility between the subject building and the listed station, particularly from the road junction with Station Road across the front of the subject building. It is further noted that this is a historic view as originally the entrance to the station led across the front of the building. The siting of the conservatory in this unduly prominent location would disrupt this historic view which is also the main public approach towards the listed

station building. It is further noted that the host building remains very much unchanged from its historic appearance and the inappropriate scale, siting and form of the proposed conservatory would be detrimental to the character and appearance of the host building and the appearance of the streetscene.

In relation to the harm to the setting of the listed building, paragraph 132 of the NPPF states (inter alia) that when considering the impact of a proposed development "great weight should be given to its conservation" and "as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification".

In this instance the harm to the setting of the Listed Station is considered to be 'less than substantial'. However, in accordance with the clear precedent set by case law, this does not mean that the weight given to this factor should be a less than substantial material consideration. In these circumstances, it is necessary to engage paragraph 134 of the NPPF which states:

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use".

In relation to the above judgement, the Court of Appeal has made it clear that the statutory duties in relation to section 66 do not allow a local planning authority to treat the desirability of preserving the settings of listed building as mere material considerations to which it can simply attach such weight as it sees fit. When an authority finds that a development would harm the setting of a listed building or character or appearance of a conservation area, it must give that harm considerable importance and weight. Finding of harm gives rise to a strong presumption against planning permission being granted which can only be outweighed by material considerations powerful enough to do so.

The overriding public benefits of an enlarged cafe are minimal and would be insufficient to override the presumption against granting permission. It is considered that the applicant could explore alternative ways to extend the building that would potentially mitigate the harm identified above.

Highway Safety,

The proposed conservatory would be located

To the junction side of the building. The Councils highway Consultant has advised that consideration should be given to any impact on the visibility splay with Station Rd and to compliance with the Somerset Parking Strategy. Measurements have been taken on site which confirm that the conservatory would be sufficiently setback from the carriageway edge so as not to interrupt these visibility splays. The proposal is therefore acceptable in this regard.

The proposal would increase the floor area of the café by 20 metres to 57 square metres. In this location, the Parking Strategy would require 1 space per 30 square metres of floor space. The proposed development would therefore result in a requirement of 2 spaces. There are currently 11 parking spaces associated with the café and therefore the requirements of the Parking Strategy would be met.

Residential Amenity:

No issues.

## **CONCLUSION**

Having regard to the above, it is considered that the proposal would harm the setting of the listed station building. It would harm the character and appearance of the host building and the street scene. There are no overriding public benefits of the proposal to override the strong

presumption against granting permission where the setting of a designated heritage asset would be harmed. As such the proposal would not comply with policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and Chapter 12 of the NPPF.

## **RECOMMENDATION**

Refuse.

## **SUBJECT TO THE FOLLOWING:**

01. The weighbridge building is part of the historic complex of buildings related to the Grade II listed railway station and former goods yard and is sited in a prominent position at the historic entrance to the railway station. Accordingly the building is considered to be an historic asset and significant to the setting of the Grade II listed station. The proposal by reason of its inappropriate form, siting and materials on a prominent roadside elevation of the weighbridge building would harm the character and appearance and historic interest of the host building and the appearance of the streetscene and the proposal would have a harmful impact on views across the front of the weighbridge building towards the Listed Station. Accordingly the setting of the Grade II Listed Building would be harmed. As such the proposal would not accord with policies EQ2 and EQ3, of the South Somerset Local Plan (2006-2028) and the aims and the objectives of Chapter 12 of the National Planning Policy Framework (2012).

## **Informatives:**

### **01. INFORMATIVES:**

In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case, pre-application advice was not sought and there are no minor solutions to overcome the significant objections.