

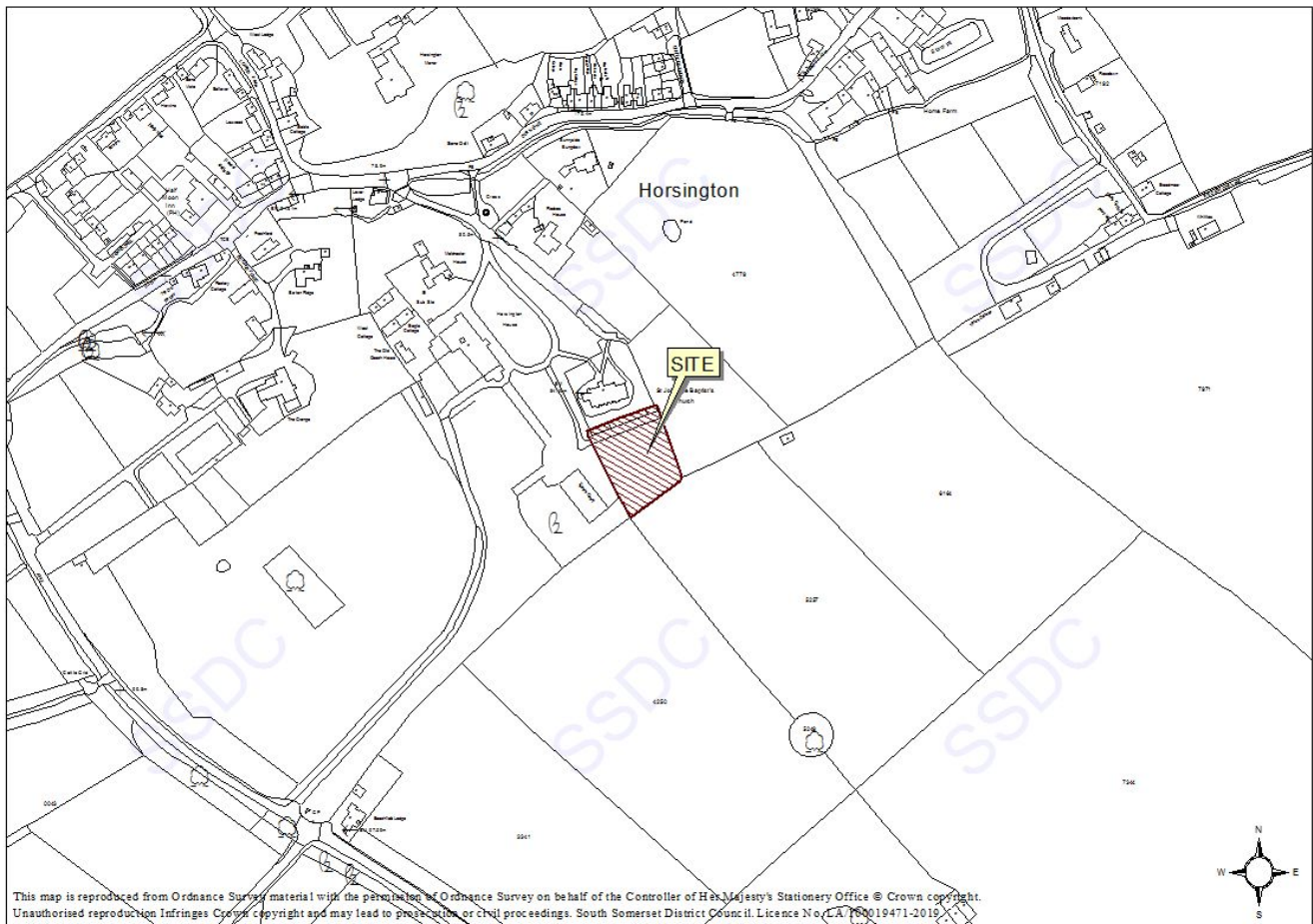
Officer Report On Planning Application: 18/02220/LBC

Proposal :	Demolition of outbuildings, the erection of a dwelling with associated works and landscaping
Site Address:	Land South Of St John The Baptist Church Church Lane Horsington
Parish:	Horsington
BLACKMOOR VALE Ward (SSDC Member)	Cllr W Wallace Cllr Hayward Burt
Recommending Case Officer:	Dominic Heath-Coleman Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	17th September 2018
Applicant :	Mr C Godson
Agent: (no agent if blank)	Mr Philip Brown Wykeham House 3 Station Road Okehampton EX20 1DY
Application Type :	Other LBC Alteration

REASON FOR REFERRAL

The application is before the committee at the request of the ward member, and with the agreement of the area chair, in to allow local concerns to be debated.

SITE DESCRIPTION AND PROPOSAL





The proposal seeks consent for the erection of a dwelling together with associated landscaping. The site is a walled garden in the grounds of a large country house (now subdivided), containing several outbuildings but otherwise empty and currently uncultivated. The walls of the garden are made of brick and natural stone. The main house is a grade II listed building and, as such, the structures of the walled garden are considered to be listed in association. Immediately to the north of the walled garden is a grade II* listed church. To the east and south of the site is open countryside, with the grounds of the main house immediately to the west. The site is adjacent to a conservation area, and not within a development area as defined by the local plan. There is a public footpath adjacent to the western boundary of the site.

The proposed development consists of the erection of a single storey dwelling of modern design, to be finished in natural stone, glass, and standing seam zinc cladding, all under a living 'green' roof. It is proposed to access the site through the existing northern access into the grounds of the main house, along an existing unaltered driveway, and then a long short section of improved and re-aligned driveway into the walled garden itself.

HISTORY

18/02218/FUL - The erection of a dwelling together with associated landscaping - Pending consideration

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'

NPPF: Chapter 16 - 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.

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 the NPPF:

Relevant Development Plan Documents

Policies of the South Somerset Local Plan (2006-2028)

Policy EQ3 - Historic Environment

CONSULTATIONS

Horsington Parish Council - Initially:

"The remaining Councillors took note of the neighbours' concerns and are unanimously opposed to the proposed development for the following reasons:

- the property is out of keeping with the area - a modern building in a listed wall and listed house environment.*
- too close to the Church. Also the Churchwardens feel that the residents of the new home would complain about the bells.*
- under policy SS2 it does not meet an identified housing need.*
- the access to the proposed house is past a private apartment but access to all the existing properties is along a drive from the main road. The proposed access would lead to a loss of privacy."*

On the receipt of amended plans:

"The remaining Councillors are opposed to the applications and feel that the amendments do not address the concerns that the Parish Council has already raised.

Councillors are particularly concerned about the access from Church Lane.

It is also understood that there is some ambiguity regarding the right of way on the property."

SSDC Conservation Officer -

"The proposed dwelling is in the setting of the GII listed Church of St John the Baptist, the site is surrounded on four sides by a high wall and as the Heritage Statement points out this area would once have formed a kitchen garden, the only visible remains are the wall and traces of pathways. The proposed dwelling has undergone several design alterations in order to ensure that it does not impact on the Church and wider setting including long distance views which would could potentially experience a level of light pollution.*

The design is high quality and well considered and because of this will not detract from the setting of the Church, subsequently the proposed new dwelling will be an attractive addition to the area, albeit largely hidden from view. The low roof sits just beneath the level of the surrounding wall, so the building would physically be subservient to the church. Views to the building will be limited by the high wall which surrounds the site.

I think that the proposed house, will be innovative, responsive and sensitive. It represents a kind of design that works because of the careful thought that goes into understanding the requirements of the site and mitigating against perceived impacts. Which is perfectly illustrated in this instance by the considerate response to both climate and concerns.

I am very happy to support this application."

Historic England [in relation to the concurrent application for planning permission] - Initially raised concerns. On the receipt of amended plans, they offered the following comments:

"We note the alteration to the roofline, namely the lowering of the pavilion section by 580mm. Whilst minimal, we nevertheless consider this a welcome amendment which breaks up the overall bulk and height, and lessens any conflict in views of the church. Likewise any visible light will be necessarily reduced.

The additional lighting explanation in the accompanying email and updated Lighting Strategy is likewise welcomed; this provides assurance that all effort has been made (with regards to luminaires, glazing, lowering the pavilion, and external mitigating screening) to minimise any effect of lighting. As far as we are qualified to comment, we accept that lighting controls have been fully explored and assessed, and as such find no reason to contend the assertion that 'the experience of the church will not be adversely affected during low light levels, nor will light from the 'pavilion' glazing be highly visible from the PROW to the south.'

Recommendation

Historic England has no objection to the application on heritage grounds. We consider that the issues and safeguards, as set out in our letter dated 12 September 2018, have been satisfactorily addressed.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your authority should take these representations into account in determining the application."

REPRESENTATIONS

Letters of objection were received from the occupiers of three neighbouring properties. Objections were raised in the following areas:

- Access arrangements would open private gardens to public and would cause disturbance and loss of privacy to existing residents
- Access arrangements would be dangerous during construction and afterwards
- Adverse impact on heritage assets and character of area

CONSIDERATIONS

The proposal involves the erection of a new dwelling close to a conservation area, a grade II listed

building, and a grade II* listed building. It will also involve alterations to structures listed in association. As such, the SSDC Conservation Officer, and Historic England were consulted. Historic England raised some initial concerns but, on the receipt of amended plans and additional information, they raised no objections to the scheme. The SSDC conservation officer was very positive about the scheme and raised no objections. On this basis, it is considered that there will be no harm to the character or setting of the nearby heritage assets. The proposed design and materials are considered to be of a high standard, and have been well-considered.

The comments of the parish council and neighbouring occupiers are noted. However, these relate largely to planning matters (rather than listed building consent matters) and are considered as part of the concurrent application for planning permission.

As the opinion of the conservation officer is considered to hold considerable weight in applications of this nature, the proposal is not considered to have a negative impact on the character or setting of the listed buildings.

It is therefore considered that the proposal does not adversely affect the character of the listed buildings in accordance with the NPPF, and policy EQ3 of the South Somerset Local Plan.

As such the proposal should be recommended for approval.

RECOMMENDATION

Grant consent for the following reason:

The proposal, by reason of its materials and design is considered to respect the historic and architectural interests of the buildings and is in accordance with policy EQ3 of the South Somerset Local Plan, and the provisions of the NPPF.

SUBJECT TO THE FOLLOWING:

01. 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.

02. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Site Location Plan labelled "Phillip Brown Associates"
Lighting Strategy - Revised Version 1
GDN/P.01D
GDN/P.02A
GDN/S.03B
GDN/P.04B

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

03. No work shall be carried out in relation to any of the below elements until particulars of that element have been submitted to and approved in writing by the Local Planning Authority:

- a) materials (including the provision of samples where appropriate) to be used for the external walls and roofs;

- b) the mortar mix and coursing of the external walls (best illustrated through the provision of a sample panel);
- c) the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
- d) all hardstanding and boundaries
- e) the rainwater goods and eaves and fascia details and treatment.

Once approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area in accordance with policy EQ2 of the South Somerset Local Plan.
