

Officer Report On Planning Application: 17/00810/LBC

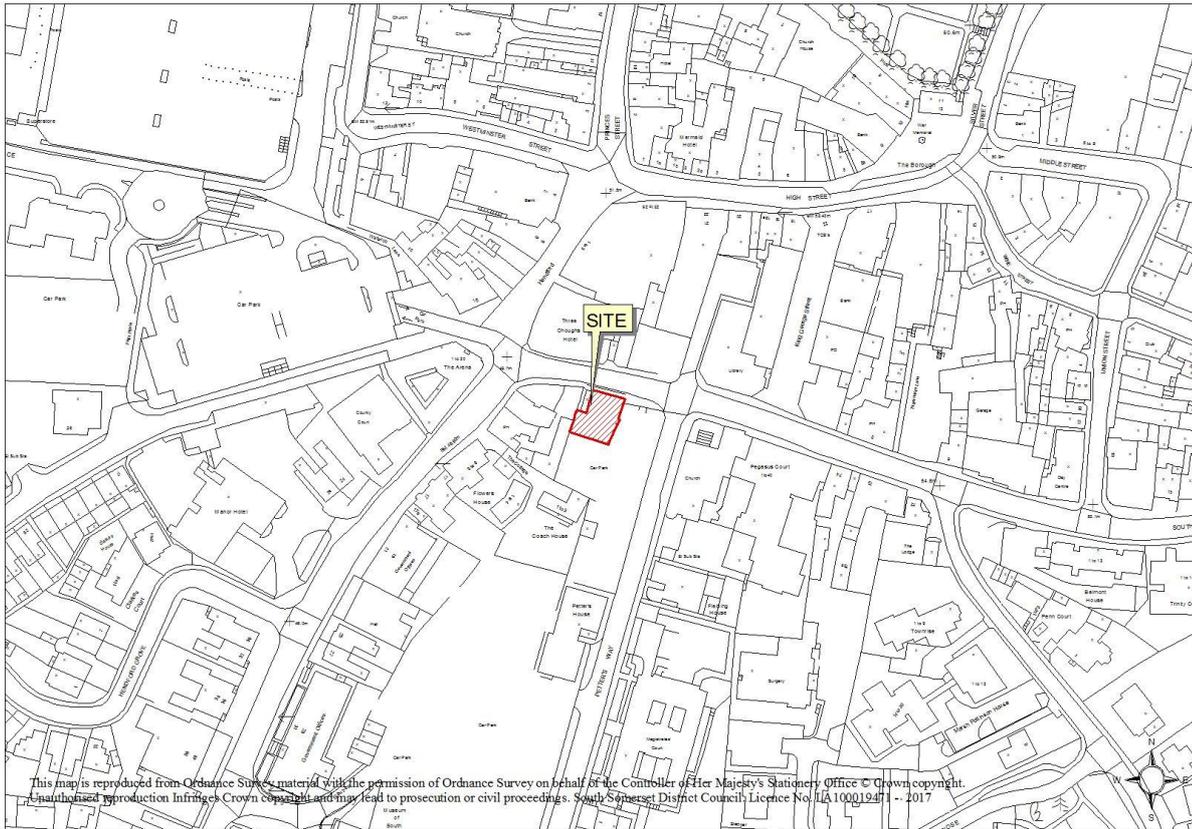
Proposal :	Internal and external alterations and the conversion of second floor from bedrooms to a self contained flat and the insertion of 3 No. rooflights to rear (revised application)
Site Address:	80 South Street Yeovil Somerset
Parish:	Yeovil
Yeovil (Central) Ward (SSDC Member)	Cllr K Hussain Cllr A Kendall Cllr P Gubbins
Recommending Officer:	Andrew Collins – Planning Officer
Target date :	12th April 2017
Applicant :	Hatton Woods Properties Ltd
Agent: (no agent if blank)	James Ewart Fox 55 The Park Yeovil Somerset BA20 1DF
Application Type :	Other LBC Alteration

Reason for referral to Committee

This application is referred to the Area South Committee at the request of the Development Manager with the agreement of the Chair due to the Council's interest in the site as owner.

Site Description and Proposal





The site is located on South Street, adjacent to the public car park within the designated Conservation Area.

The property is a Grade II detached two-storey building constructed of ashlar Ham stone with a Welsh slate roof.

Listed building consent is sought to convert the top floor of the building into a self-contained 2 bed flat. Due to the restricted size of the staircase and ceiling height a new staircase is proposed and the historic ceiling is to be raised from 2m to 2.3m. As located in the roofspace there is restricted headroom in the space.

To the rear of the property 3 rooflights are proposed and these would be over the staircase, kitchen and be the only window in bedroom 2. The rooflight over the staircase would be a smoke vent rooflight.

The property is owned by the District Council.

HISTORY

Lengthy planning history over time, but of relevance to this application;

17/00807/FUL - The conversion of second floor from bedrooms to a self contained flat and the installation of a 3 No. rooflights - Pending consideration

16/03668/FUL - The conversion of second floor from bedrooms to a self contained flat and the installation of a conservation roof light - Application withdrawn - 23/01/17

16/03669/LBC - Internal and external alterations and the conversion of second floor from bedrooms to

a self contained flat and the installation of a conservation roof light - Application withdrawn - 23/01/17

16/02170/S73A - Application to vary planning condition 2 (approved plans) of approval 15/04794/R3D to alter the internal layout of flat 2 and change the roof covering of rear lean-to - Pending Consideration

16/01622/NMA - Non material amendment to planning approval 15/04794/R3D to alter internal layout of flat 2 and change roof covering at rear - Application Refused - 09/05/2016

15/04794/R3D - Alterations and conversion to form 4 flats - Application permitted with conditions - 29/01/16

15/04795/R13 - Alterations and conversion to form 4 flats - Application permitted with conditions - 29/01/16

14/01287/R3D - The carrying out of alterations to form a gallery/cafe/offices on the ground floor, formation of 2 No. bedsits on the first floor and creation of a dormer extension and conversion of roof space to create 2 No. bedsits - Application permitted with conditions - 27/06/14

14/01288/R13 - The carrying out of alterations to form a gallery/cafe/offices on the ground floor, formation of 2 No. bedsits on the first floor and creation of a dormer extension and conversion of roof space to create 2 No. bedsits - Application permitted with conditions - 22/07/14

07/03410/R13 - Painting of a mural on east elevation - Reg3/4 District - permitted with conditions - 13/12/2007

05/01813/R13 - The demolition of outbuilding at rear of property - Application permitted with conditions - 21/02/2006

93/02627/LBC - THE DEMOLITION OF VARIOUS WALLS & OUTBUILDINGS, THE CARRYING OUT OF ALTERATIONS AND REPAIRS TO FORM NEW KITCHEN AND CONSERVATORY AND CONSTRUCTION OF A PATIO AREA (LISTED BUILDING CONSENT) - Application permitted with conditions - 02/12/1993

93/02624/LBC - DEMOLITION OF GARAGE, FORMATION OF HARDSTANDING AREA AND ERECTION OF A BRICK WALL - Application permitted with conditions - 25/05/1993

93/02623/LBC - DEMOLITION OF VARIOUS WALLS AND OUTBUILDINGS, ALTERATIONS, ERECTION OF A CONSERVATORY AND FORMATION OF A PEDESTRIAN ACCESS OFF OF THE MARKET - Application permitted with conditions - 15/04/1993

872725 - LBC - The carrying out of alterations and the erection of an extension to premises - Conditionally approved - 11/12/87

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'

Paragraph 132 of the NPPF: 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.'

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

The policies of most relevance to the proposal are:

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

EQ3 - Historic Environment

National Guidance

National Planning Policy Framework

Chapter 12 - Conserving and Enhancing Historic Environment

128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

132. 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.

134. 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.

CONSULTATIONS

YEOVIL TOWN COUNCIL - Recommend approval.

CONSERVATION OFFICER - *"This application has been submitted contrary to clear advice given in my two previous memos (relating to 16/03669/LBC). Through the course of the previous application*

the scheme was simplified to limit the number of alterations to which I needed to object. The previous amended scheme still proposed the complete replacement of the stair however, which was met with strong conservation criticism from me and Historic England. This revised application proposes a more intense arrangement of accommodation at attic level, which includes raising the height of the ceiling, inserting rooflights and still includes the full replacement of the stair.

In terms of the principle of using the attic in this way I have raised concerns previously about the intensity of such a proposal, given that so much has already been squeezed out of the building. It was seen as positive that the attic did not form part of the initial scheme, especially as a previously consented dormer window was no longer needed. Although significant intervention was accepted on the two principle floors the attic floor and roofs of the building were to be left unaltered. The attic space has seen little alteration, and is a heavily constrained space. Although clearly used for domestic accommodation historically it has only had a storage function for the last few decades, most likely due to the very limited head height above the stair and low ceiling level within the room.

As before the Design & Access Statement is poor. It cannot be considered to demonstrate the required understanding of the significance of the building. Basic justification for the alterations proposed has been submitted, but it cannot be considered to be 'clear and convincing' as required by the NPPF.

The existing stair is to be completely removed. No attempt has been made to understand its age or historic interest. As I have advised previously historic stairs are significant components of an historic building. They provide good datable fabric, they tell us about the historic plan form and layout of the building, and are often of aesthetic value. Without any contrary evidence I suggest that it is most likely to be the original stair to the property, providing basic access to the attic floor, which was most likely used for staff accommodation. The full removal of the stair must be considered harmful to the significance of the building. This view is supported by the comments received by Historic England. The introduction of a replacement modern stair will harm our understanding of the building and the hierarchy of the different floors.

In addition to this the proposal before us includes the removal of the lathe and plaster ceiling. Again, without any evidence to the contrary this ceiling appears to be original to the building. The current ceiling defines a space of modest character, enhanced by its undulating appearance. The replacement ceiling will have a modern flat appearance and will give a very different aesthetic to the current space. So, this element of the scheme will result in the loss of historic fabric; it will harm the appearance of these modest spaces and will harm our understanding of the modest status of this attic floor.

The application also includes the installation of three rooflights. The exterior of the building is prominent and easily viewed on both sides from public areas. The current roof is unbroken and of aesthetic value. I am of the view that this will cause harm to the appearance of the building. I note that the middle rooflight will be a smoke vent, which will most likely look different than the other two - although no details have been provided.

I still maintain the view that the conversion of this upper floor does not constitute the 'optimum viable use' of the building due to the considerable level of harmful intervention necessary. The NPPF states that this harm must be weighed against the public benefit of the scheme, which I suggest is low given the very small size of the single residential unit that will be formed. I must therefore strongly urge you to refuse the application."

HISTORIC ENGLAND - "We commented on earlier iterations of a scheme to convert the attic floor of this grade II listed town house into a self-contained flat. The lower floors have already been converted into four self-contained flats for local needs housing.

As we stated in our previous comments, the staircase to the upper floor does not currently comply with

Building Regulations, and therefore it is proposed that this will be replaced so that the required headroom is provided. The staircase appears to be in its original location and probably contains original fabric, although the bannisters to the attic rooms have already been lost. It is central to the house and is the same form as the staircase from ground to first floor, which has been retained. Historic England would not object in principle to the conversion of the attic rooms, although the conversion of this modest town house into five flats appears very intensive. Notwithstanding this, we feel that the removal of the staircase is regrettable in that it will entail the loss of both the form and fabric of the original stair and convincing justification for this harm has not been provided. We commented in our previous response that should an alternative solution be available which retains the staircase in situ, we would wish this to be considered, although it is appreciated that this may necessitate the upper floor being left unconverted.

The current conversion scheme is yet more intensive than that previously considered, as it now seeks to provide a two bedroom flat within the attic with three roof lights in the south roof slope. We therefore maintain and reiterate our previous concerns regarding the intensity of the conversion and the lack of detailed justification for the impact on the significance of this listed building.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 128, 132 and 134 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 16(2) 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 and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice."

REPRESENTATIONS

Site notice posted on site. None received.

CONSIDERATIONS

Impact upon the Conservation Area

As the site is within the Conservation Area there is a requirement to either preserve or enhance the character or appearance of the Area. On the Southern elevation it is proposed to install 3 rooflight with one of them being a smoke vent. It is confirmed from Building Control that conservation smoke vent rooflights are not manufactured. They are thicker as open automatically when an alarm goes off or a switch broken. Therefore as such will have a different appearance and the conservation officer indicates that this could cause harm to the appearance of the listed building in the conservation area. Whilst acknowledging that previously a dormer has been granted this was not ideal and considered in the whole with the benefits of the scheme.

The Conservation Officer considers that the proposal for unequal rooflights would cause significant harm to the character of the building and the area.

As such the proposal fails to comply with Policy EQ3 of the South Somerset Local Plan or the aims

and objectives of the NPPF.

Impact upon the historic or architectural interests of the listed building

The Conservation Officer raises objections and Historic England raise strong concerns over the proposals. Limited information has been provided on the proposed works and certainly not significant information to assess the alterations on the character of the listed building as required under paragraph 128 of the NPPF.

Internally major alterations are proposed in order to gain improved access and improve the head height. The changes include the formation of a new staircase from the first to second floor. This staircase is on the historical alignment and is considered to be an original staircase. The new staircase is deemed necessary to increase the head height in an attempt to meet the Building Regulation requirements. However concern has still be raised over the meeting of these requirements. No assessment or justification has been made over the stair and its contribution to the architectural character of the building. Notwithstanding this the introduction of a new modern stair on a different alignment will harm the character of the listed building.

It is also proposed to increase the height of the existing ceiling with the removal of historic lathe and plaster ceiling. No evidence has been submitted to assess the age of the ceiling but is considered to be historic and therefore appears original to the building. Raising the ceiling will result in the loss of historic fabric and alter the character of and the size of the room which is considered to be detrimental to the listed building.

The proposed changes to the building will have a significant adverse impact upon the historic or architectural character of the building that has not been justified.

The Conservation Officer and Historic England have also raised concerns over the overall intensification of the proposed use. This combined with the significant harm identified means that this application cannot be supported.

No details have been submitted with the application to justify any wider public benefit that this schem would bring about.

As such the proposals are contrary to Policy EQ3 of the South Somerset Local Plan and the aims and objectives of the NPPF.

RECOMMENDATION

Refuse consent

SUBJECT TO THE FOLLOWING:

01. The proposal by reason of the intensity of the development on the second floor compounded by the loss of historic staircase and ceiling will result in the unjustified loss of historic fabric and harm to the detriment of the character and appearance of the Grade II listed building. There are no public benefits submitted that are considered to outweigh this harm. As such the proposal is contrary to Policy EQ3 of the adopted South Somerset Local Plan (2006 -2028) and the aims and objectives of the NPPF, especially paragraphs 128, 132 and 134.
02. The proposal by reason of the insertion of 3 rooflights, of which 1 is a smoke vent rooflight of larger depth will result in a prominent, unbalanced visual impact upon an unbroken roof of aesthetic value and will result in harm to the appearance of the Grade II listed building to the detriment of its character and fail to preserve or enhance the character or appearance of the

designated Conservation Area. As such the proposal is contrary to Policy EQ3 of the adopted South Somerset Local Plan (2006 - 2028) and the aims and objectives of the NPPF.

Informatives:

01. 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;
- o offering a pre-application advice service, and
 - o 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, the applicant/agent was advised that the proposal did not accord with the development plan and that there were no material planning considerations to overcome the significant concerns caused by the proposals.