

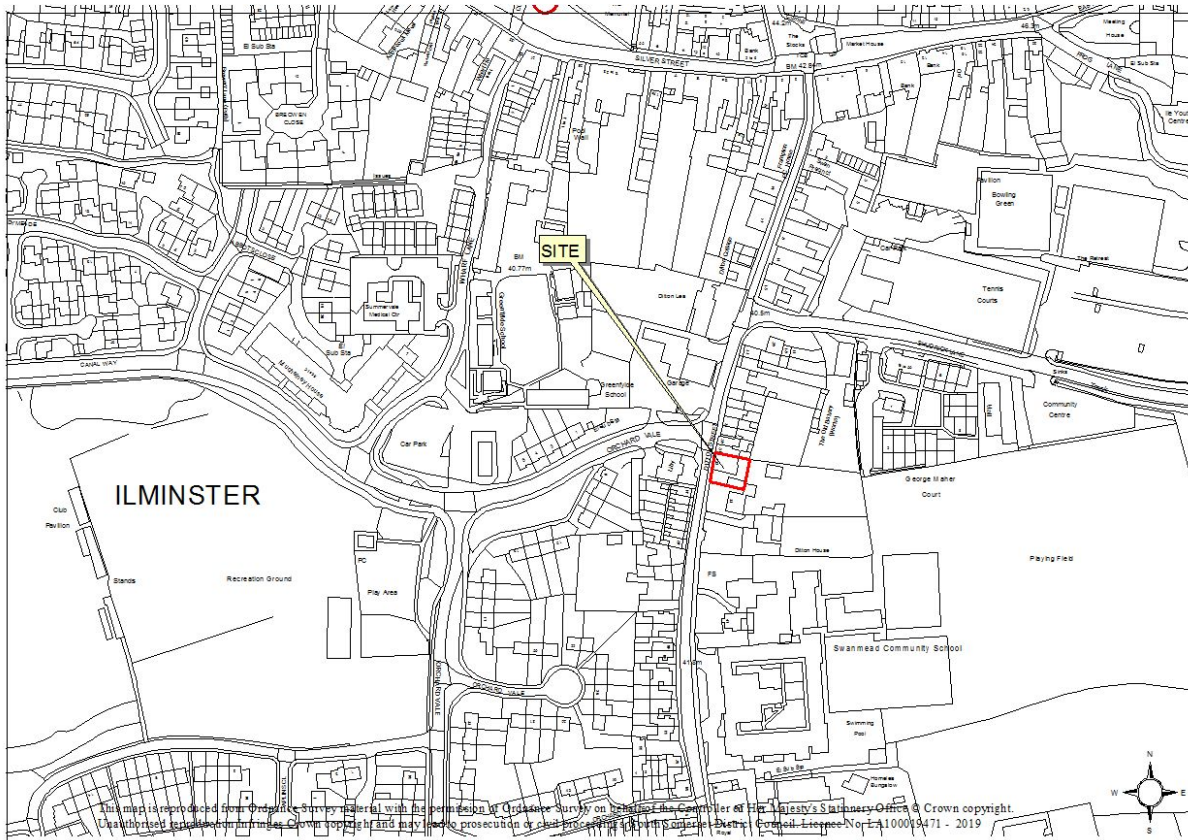
Officer Report On Planning Application: 18/03093/FUL

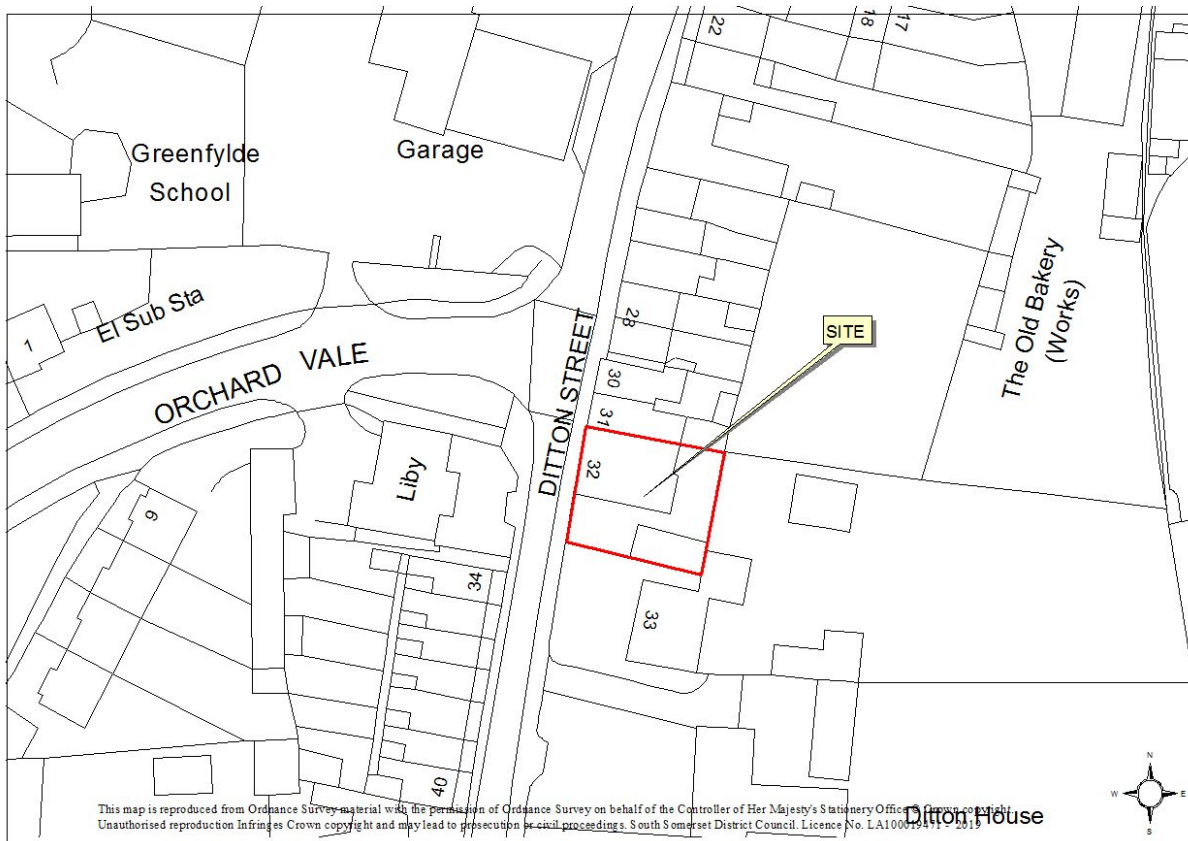
Proposal :	Demolition of outbuildings, erection of two storey and single storey side to rear extension to provide residential flat on first floor and carparking, storage and staff facilities to ground floor
Site Address:	32 Ditton Street Ilminster Somerset TA19 0BQ
Parish:	Ilminster
ILMINSTER Ward (SSDC Member)	Cllr Val Keitch Cllr Brian Hamilton
Recommending Case Officer:	David Gallagher
Target date :	19th December 2018
Applicant :	Mr & Mrs John To
Agent: (no agent if blank)	Mr Ian Pamplin Minster Architecture 90 Herne Rise Ilminster TA19 0HL
Application Type :	Minor Other less than 1,000 sq.m or 1ha

REASON FOR REFERRAL TO COMMITTEE

This application has been referred to Area West Committee following the request of the Local Member and with the assent of the Area Chairman.

SITE DESCRIPTION





32 Ditton Street comprises the southern end of a gabled terrace of stone dwellings under clay tiles hard on to the street. It is currently a fish and chip shop with a small retail frontage on the street. It sits in an outlier of the Ilminster Conservation Area (CA) which was added to the designated CA in 2017. The southern gable is a prominent feature when approaching from the south. It has stone dressing with what appears to be a cementitious render which is peeling off to show the rubble stone underneath. The site is within the development area, the Conservation Area and an area of high archaeological potential. While the host building is modest it is relatively unspoilt apart from the UPVC casement windows and the extraction flues running up the southern gable. A small courtyard abuts the gable which is closed off by gates. The frontage and southern boundary of the yard is enclosed by coursed stone walling. Immediately south is the plot of No. 33, a Grade II listed building. This sits back behind a pleasant front garden and is a rendered mock ashlar double fronted detached dwelling with eight over eight sash windows with a semicircular sash over the central door. The C19th library is opposite with a terrace of attractive late 19th/early 20th dwellings further south of coursed stone with brick dressings. Ditton House further to the south on the eastern side is also listed. The overall impression is of an assemblage of buildings that contribute to the character of the CA in spite of the garish filling station further to the north.

THE PROPOSAL

This proposal is to infill between No. 32 and the southern courtyard wall with a two storey extension that copies the form of the existing gable with a reconstituted stone capping to the gable with reconstituted quoins and natural stone walling to the street elevation and render to the southern gable. A rearward full width gable springs from the rear elevation giving a depth of 11.5m at two stories with a further 2.75m flat roofed single storey extension. This two storey rearward projection overlaps the side elevation of No. 33 and comes within 2m of it. On the frontage there would be double doors to an undercroft carport with a door adjacent to the upper storey, while at the back is a store and staff room and toilet. The rear first floor extension provides a kitchen/diner at the front, a link to the first floor of the existing building and a further bathroom and bedroom. The rear gable is rendered with a reconstituted stone clad gable

and quoins with a central first floor window in the gable serving the bedroom.

The site is within the development area, the Conservation Area and an area of high archaeological potential. While the host building is modest it is relatively unspoilt apart from the UPVC casement windows and the extraction flues running up the southern gable.

POLICY

Local Plan:

The preamble to Policy EQ2 of the Local Plan emphasises the importance of achieving the highest possible design standards as echoed in the requirement in the policy to create quality places and reinforcing local distinctiveness. Para 13.33 states that all development should ensure the most efficient use of land through the size and arrangement of plots, further determining the position, orientation, proportion, scale, height, massing and density of buildings as well as the treatment of the spaces around and between the buildings themselves.

Policy EQ3 states that new development should safeguard or where appropriate enhance the significance, character, setting and local distinctiveness of heritage assets.

National Planning Policy Framework:

Part 12 - Achieving well designed places; states in Para. 127 (a) that development should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development and in (b) that they are visually attractive as a result of good architecture, layout and effective landscaping, and (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting. Para. 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Part 16 - Conserving and enhancing the historic environment - especially Paras. 185, 189, 190 and 196.

REPRESENTATIONS

Conservation Specialist:

The site of the proposal is in the Ilminster Conservation Area and is adjacent to a Grade II listed Building at 33 Ditton Street. The character of the area is one of terraces on the road with more grand houses such as 33, set back in a more spacious garden. The space around these buildings are as important as the buildings themselves.

The proposal is to demolish a single storey extension on the side of the terrace and replace it with a two storey extension, set slightly back from the current terrace ridge line, built in a similar style to the current terrace.

The policy framework is as follows:

The National Planning Policy Framework Chapter 16 'Conserving and enhancing the historic environment' requires us to assess the impact that development will have on a heritage asset. In particular Paragraph 185 states:

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.

Paragraph 192 states:

In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

In particular Paragraph 196 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.

Local Plan Policy EQ3 reflects the NPPF guidance. Heritage assets must be conserved and where appropriate enhanced for their historic significance and important contribution to local distinctiveness, character and sense of place. In addition Policy EQ2 requires all new development proposals to be designed to achieve a high quality which promotes the District's local distinctiveness and preserves or enhances the character and appearance of the District.

In the first it is not possible to determine this application positively, the requirement under paragraph 185 requiring the applicant to describe the impact on any heritage asset has not been met. This is a standalone reason for refusal. This I would suggest, has undermined the design of the new building and has led to this inappropriate design.

From my initial site assessment, I have two serious concerns. First is the impact that the two storey extension will have on the setting of the grade II listed building. The two storey extension will obscure the views of the listed building and cause harm to its setting by placing an incongruous building in close proximity. The impact will be very apparent in the first photograph taken outside of the library. My second concern is the impact that the development will have on the setting of the conservation area. The terraces are a very important part of the special character of Ilminster. The removal of the single storey extension is positive, but the replacement building will cause harm. On balance the harm caused to facilitate the replacement is greater with a two storey extension.

In this case it is considered that the proposed changes will cause 'less than substantial' harm to the heritage asset. This is in the high range of this category. There has been no public benefit identified to offset the harm. Accordingly I must formally Object to this proposal.

With the benefit of pre-application negotiation, I would have indicated that this scheme has great potential. The removal of the single storey extension is positive. Replacement and extension behind the building would be less harmful than the current single storey extension if well designed. If refusal is supported, I would suggest that they approach us with a well-considered Statement of Historic Significance that addresses the setting of the listed building. We can then have some meaningful negotiation.

Town Council:

Resolved; to recommend approval.

SSC Highways Consultant:

While the on-site car parking would reduce from two to one I am minded not to raise a highways objection on the basis that the site is centrally located in the vicinity of public car parks.

SCC Highways:

Standing advice applies.

CONSIDERATIONS:**Principle of Development:**

The site is within the development area, the Ilminster Conservation Area and an area of high archaeological potential. In streetscape terms this part of the settlement comprises several distinct elements (which also applies to the contribution it makes to the conservation area) and it is the discrete relationship between these groups that contributes to the ambiance of the area. Firstly, there is the small plain terrace of stone dwellings hard on the road, of which the host building is the southernmost outlier. This is followed to the south by a group of detached buildings in generous settings comprising No 33 which is closer to the highway than its southern neighbour (Ditton House) and the Board School and School House further south which sit in generous lawned forecourts. It is considered that the manner in which these buildings progressively step back from the highway from No. 33 onwards contribute to the ambiance of the area. On the far side is the landmark former library building with to the south a handsome terrace of late Victorian/Edwardian villas.

The preamble to Policy EQ2 emphasises the importance of high design standards (Para. 13.29) while Para. 13.33 refers to the relationship to adjoining buildings and landscape features and that this is a consideration. This is then emphasised in the first sentence of EQ2 and bullet point two. Regarding the guidance in the NPPF it is considered that this infilling of a significant gap between the two built forms is to the detriment of the street scene and the appearance of the area. For this reason it represents poor design that fails to take the opportunity available for improving the character and quality of an area and the way it functions, which may not be the case if this was a more modest rear extension off the rear of the existing building.

Effect upon Designated Heritage Assets

Regarding the proximity to a listed building and the effect upon the amenity of the conservation area, the proposal as it stands fails on two accounts. Firstly, the applicant has failed to describe the significance of the heritage asset (the effect upon the overarching CA of infilling this gap and the setting of a listed building) as required by Para. 189 of the NPPF which as pointed out by the Conservation Specialist constitutes grounds for refusal. No clear and convincing justification for the works has been offered as required by Para. 194 of the NPPF. In appraising the proposal the LPA is required to identify the significance of any heritage asset that may be affected by a proposal using available evidence and expertise. In this instance this Council's heritage professional has identified the importance of this space in separating the terrace from the adjacent listed building and the effect of infilling this space upon the setting of the listed building and the amenity of the CA while No. 33 (Referred to as 'Olcote') is also described in the conservation area appraisal (CAA) for Ilminster CA as a significant listed building. The CAA with reference to Olcote and its neighbour Ditton House states:

'These together with the Library, School and school house with open walled lawn area and uniform

terrace of houses on west side form a significant varied group'.

This CAA document was prepared following the recommendations in Historic England Advice Note 1 - Conservation Area Designation, Appraisal and Management dated February 2016 and was approved by this Councils Area West Committee on 23.3. 2017. This public consultation as part of the committee cycle further increases the weight given to its contents.

The Conservation Specialist refers to Para. 192 of the NPPF (above) In this instance it is considered this proposal fails to sustain or enhance the significance of these heritage assets where it is the relationship between these different built forms that contributes to the amenity of the CA, as identified in the CAA relating to this area. For all of the above reasons it is considered this proximity of the extension would cause 'less than substantial' harm to this listed building as when viewed from the south west the current pleasant individual setting identified in connection with No. 33 in the CAA would be lost due to the impression of continuous development, while when approaching from the north the extension would shield the revelation of the attractive symmetrical frontage of 33 with its enclosed front garden until the viewer was almost upon it.

The increase in the economic viability of this small business by extending into this significant space is not sufficient justification to offset the identified 'less than significant' harm to the setting of the listed building or the effect upon the overwashing CA of infilling this key area of sky between the built forms. Para 196 of the NPPF states that where a development proposal will cause less than significant harm to the significance of a designated heritage asset this should be weighed against any public benefit or securing its optimum viable use. In this instance it is not possible to identify any public benefit from the proposal.

CONCLUSION

For all of the above reasons the proposal fails to take the opportunity to improve the character and quality of the area in which it is set contrary to Para. 130 of the NPPF or preserve and enhance the appearance of the district contrary to Policy EQ2 of the Local Plan. In addition the proposal fails to sustain or enhance the significance of these designated heritage assets or make a positive contribution to local character and distinctiveness contrary to Para. 192 of the NPPF and Policy EQ3 of the Local Plan. The economic benefit to this small local business is a consideration but this is not sufficiently compelling to outweigh the identified harm to these designated heritage assets, leading to this recommendation to refuse.

RECOMMENDATION

Refuse

for the following reasons

01. The proposal fails to take the opportunity to improve the character and quality of the area in which it is set contrary to Para. 130 of the NPPF or preserve and enhance the appearance of the district contrary to Policy EQ2 of the Local Plan. In addition the proposal fails to sustain or enhance the significance of these designated heritage assets or make a positive contribution to local character and distinctiveness contrary to Para. 192 of the NPPF and Policy EQ3 of the Local Plan for which no sustainable justification has been produced leading to this recommendation to refuse.

SUBJECT TO THE FOLLOWING:

01. The Applicant has failed to describe the significance of the heritage assets affected by this proposal or their setting as required by Paragraph 189 of the National Planning Policy Framework. For this reason it is not possible to adequately appraise the effect of the proposal

upon these designated heritage assets or consider any justification for offsetting the harm to these assets contrary to Policy EQ3 of the South Somerset Local Plan 2006 - 2028.

02. Due to the manner in which the proposal closes a significant separating gap between two different built forms in the streetscape the proposal fails to promote or reinforce local distinctiveness and context or the character and appearance of the area contrary to Policy EQ2 of the South Somerset Local Plan. For the same reasons it constitutes poor design that fails to take the opportunity available to improve the character and quality of the area contrary to Paragraph 130 of the National Planning Policy Framework.
 03. This proposal closes a streetscape gap between No. 32 Ditton Street and No 33 Ditton Street, which has been identified in the Ilminster Conservation Area Appraisal (2017) as a significant listed building within the Conservation Area to the detriment of its setting due to the proposed buildings proximity to the common boundary and the listed building itself and the resulting harmful effect of this enclosure upon the setting of the designated heritage asset. In addition this significant gap in the Ilminster Conservation Area currently aids the separation between a number of differing built forms that have been identified in the Ilminster Conservation Area Assessment as collectively contributing to the amenity of the Area and therefore the infilling and loss of this space would lessen this separation to the detriment and harm of the amenity of the overwashing Conservation Area. For all of the above reasons the proposal would fail to sustain, safeguard or enhance the significance, character, setting or local distinctiveness of these designated heritage assets contrary to Policy EQ3 of the South Somerset Local Plan 2006 - 2028 or the guidance contained in Part 16 - Conserving and Enhancing the Historic Environment of the National Planning Policy Framework.
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