

ILMINSTER TOWN COUNCIL

Minutes of a meeting of the **PLANNING COMMITTEE** held in the Council Chamber, Ilminster on Tuesday, 10 July, 2012 at 7.30 p.m.

Present

Chairman: Cllr L Vijeh

Councillors: Cllr S Austin, Cllr P Burton, Cllr C Goodall, Cllr A Lawson, Cllr D Miller, Cllr J Pallister, Cllr S Sainsbury, Cllr A Shearman, Cllr S Shepherd, Cllr J Sothern, Cllr R Swann, Cllr E J Taylor and Cllr P Whaites

Officers: Mrs J Thorne, Miss N McIntosh

1 Minutes of the previous meetings

It was RESOLVED that the minutes of the Planning Committee held on 19 June 2012 be approved and signed as a correct record.

2 Apologies for absence

None

3 Declarations of Interest

None

4 Matters Arising

None

5 Planning Applications

(a) 12/02298/R3C – Installation of 2 double classroom modular buildings to replace 3 existing modular buildings which will be demolished.

No objections

(b) 12/02358/FUL – Demolish rear lean-to and erection of single storey extension

No objections

(c) 12/02449/FUL – Application for a new planning permission to replace extant permission 08/02144/FUL for alterations and extensions to the lodge, conversion and extensions to existing buildings and the erection of a new building to form 8 no. Live/work units

No objections

(d) 12/02482/FUL – The upgrading of existing antennae, addition of 1 No. 300mm dish, the addition of 1 No. 600mm dish, the upgrading of 2 No. Existing cabinets and the addition of 1 No. Further cabinet together with associated ancillary works.

No objections

6 Planning Decisions

(a) 12/01485/FUL

GRANT PERMISSION FOR THE FOLLOWING REASON:

01. The proposal, by reason of its size, scale and materials, respects the character of the area and causes no unacceptable harm to residential amenity or highway safety, in

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accordance with the aims and objectives of policies STR1 and 49 of the Somerset and Exmoor National Joint Structure Plan, saved policies ST5 and ST6 of the South Somerset Local Plan 2006 and the provisions of chapter 6 and 7 of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING CONDITIONS:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved plans: 'S/2295/2.3', received 23rd April 2012 and 'S/2295/LP1.1', received 30th April 2012.

Reason: For the avoidance of doubt as to the development authorised and in the interests of proper planning.

03. The development hereby permitted shall not be commenced until particulars of materials (including the provision of samples and details of finish and colour, where appropriate) to be used for the external walls, roofs and balcony screen have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity, in accordance with policy STR1 of the Somerset and Exmoor National Joint Structure Plan, saved policies ST5 and ST6 of the South Somerset Local Plan 2006 and the provisions of chapter 7 of the National Planning Policy Framework.

04. The balcony screen indicated on approved plan 'S/2295/2.3' shall be provided prior to the extension hereby permitted first being brought into use and shall be permanently retained and maintained thereafter.

Reason: In the interests of residential amenity in accordance with saved policy ST6 of the South Somerset Local Plan 2006.

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed in the extension hereby permitted without the prior express grant of planning permission.

Reason: In the interests of visual and residential amenity, in accordance with policy STR1 of the Somerset and Exmoor National Joint Structure Plan, saved policies ST5 and ST6 of the South Somerset Local Plan 2006 and the provisions of chapter 7 of the National Planning Policy Framework.

(b) 12/01621/FUL

The application is now withdrawn

7 Planning Appeals

The following appeals were noted

(a) 12/00197/FUL notification of appeal for alterations, the erection of single storey extension, first floor extension and insertion of dormer window to west elevation.

(b) 11/00850/LBC Appeal Decision
Site visit made on 25 April 2012

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by David Nicholson RIBA IHBC an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 June 2012

Appeal Ref: APP/R3325/E/11/2162073

23 Silver Street, Ilminster, Somerset TA19 0DH

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Mrs Jane Morgan against the decision of South Somerset District Council.
- The application Ref. 11/00850/LBC, dated 15 February 2011, was refused by notice dated 15 April 2011.
- The works proposed are removal of existing double doors in west elevation of 23 Silver Street, Ilminster & replacement with fire door & side panel in existing opening.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the proposed works would preserve the special architectural and historic interest of the listed building, and; the effects of the works on the character and appearance of the Ilminster Conservation Area.

Reasons

3. Ilminster Conservation Area includes many of the town's historic buildings and street patterns. No.23 Silver Street is close to the core of the conservation area. It was originally listed with Nos.19-21, in 1976, as part of a group of buildings in the same ownership and use, but from which it has recently been separated. Since then, on account of the survival of internal fixtures and fittings, Nos.19-21 have been recognised as one of the best-preserved draper's shops in the country and, following an English Heritage report, were upgraded to Grade II*.

4. No.23 was also re-assessed but retained at Grade II. The report notes that it should be designated for its sash windows and shop-front, its record of the growth of the adjoining business, and for group value with adjacent buildings and others in Silver Street. It notes that the rear of No.23 was rebuilt in the 1930s, lacks any intrinsic claims to attention and thus is not of special interest. Having viewed the site and studied the detailed English Heritage report and the Council's representations I can find nothing of significance to the listed building as a designated heritage asset in the rear extension. Nevertheless, the rear of No.23 is still attached to the front, and so part of the overall building, and should therefore be treated as part of the listed building for consent purposes. Moreover, while not of special interest, the stone and brick walls with tiled roofs provide at least a neutral backdrop to the front of the building.

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5. The proposed fire door and side panel have been installed and I had the benefit of seeing them in place. The works are to an existing opening onto a private access to the side of the building within the further part of the rear extension. The previous double doors were made of timber within an existing opening in a limestone rubble wall in a part of the building which has no special architectural or historic interest. The replacement door and panel are half glazed within substantial uPVC frames.

6. In my assessment, the introduction of new, bright, white, modern plastic elements with thick, heavy, bulky framing is entirely at odds with the form and materials of the surrounding historic building. While the extension may not be of special interest it is still part of the building and very much part of its setting. By attracting attention away from the traditional stone and brickwork along the side access, the door and panel also detract from the historic

character of the building as a whole and jar within its setting. To the extent that door is visible from public viewpoints within the conservation area, which will be particularly true when the door is open, I find that its character and appearance would also be harmed.

7. I have noted that the previous door was rotting but this could have been repaired or replaced to match without the requirement for consent. If necessary, glazing could probably have been included without harm to the historic character or setting. While replacement windows have been inserted into the adjacent buildings, I am informed that these are unlisted.

8. I therefore conclude that the works conflict with policy in paragraph 132 of the National Planning Policy Framework (the Framework) which attaches great importance to the conservation of designated heritage assets (which include listed buildings and conservation areas. As the new features, and their material in particular, do not follow the character of the building or the surrounding conservation area they are contrary to extant guidance in the

PPS5 Planning for the Historic Environment: Historic Environment Planning Practice Guide which, at paragraphs 185-186, advises that The insertion of new elements such as doors and windows, ... is quite likely to adversely affect the building's significance and New features added to a building are less likely to have an impact on the significance if they follow the character of the building.

9. To the extent that they are material considerations, the works fail to comply with current adopted policies EH3 and EH1 of the South Somerset Local Plan, which do not permit development which would harm the character of a listed building, its setting or any features of special architectural or historic interest which it possesses, and; require development in a conservation area to preserve or enhance its character or appearance.

10. For the reasons given above I conclude that the appeal should be dismissed

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The meeting closed at 7.50pm

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Signed

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Date