

49/17/0021

REV D WIDDOWS

Formation of ramped access to north porch, alterations to entrance driveway and insertion of glazing to upper panels of the west and north porch doors at St Andrews Church, Church Street, Wiveliscombe

Location: ST ANDREWS CHURCH, CHURCH STREET, WIVELISCOMBE,
TAUNTON

Grid Reference: 308271.127676

Full Planning Permission

Recommendation

Recommended decision: Refusal

- 1 The proposals would result in the loss of a cobble path that contributes to the setting of this highly significant church and the surrounding Wiveliscombe Conservation Area and is an example of a Westcountry vernacular tradition which is becoming increasingly neglected.

The proposed design will cause harm at the medium to high end of the spectrum of harm and it is considered that an alternative and less harmful option exists that will achieve the same public benefit. Before weighing up the harm against any public benefit associated with a proposal, it needs to be demonstrated that that harm cannot be avoided or reduced through amendments to the scheme, or offset by mitigation of the harm or enhancement of the asset. As the proposal does not limit the harm to the setting of the listed building and character and appearance of the conservation area, it does not accord with the provisions of the National Planning Policy Framework and sections 38(6) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

Recommended Conditions (if applicable)

Notes to Applicant

Proposal

This application seeks approval for three separate items within a wider re-ordering scheme granted faculty on 03.11.2015.

It is proposed to remove the central row of timber panels within the west doors and insert 12mm Slimlite double glazed units fixed with matching timber beads internally. The west lobby in the tower base entered via the west doors forms part of the main processional route. The glazed panels will afford views both into and out of the church which will greatly assist with the coordination of arrivals and departures.

The door frame and tracery date with the other external joinery but both of the west doors have been replaced with modern replica joinery as recently as within the last 30 years. The timber panels are plywood and in a poor state of repair as the lower edges are delaminating/rotting. A workshop overhaul of the doors is proposed as part of the proposal to include the replacement of the lower panels with timber. The finished doors will be painted to match the existing joinery. The octagonal west lobby is also used as a meeting room and is locally heated with electric convector heaters. The proposed slim double glazed units will help reduce the heat loss from this area giving greater comfort to those assembled.

It is proposed to remove the upper timber panels within the north porch doors and insert toughened safety glass beaded internally with matching timber beads. The construction of the north porch doors dates with the other existing external joinery. The finished doors will be painted to match the existing joinery.

The church is opened daily and the north porch doors are hooked back to show that the church is open for visitors. The glazed panels are intended to offer an inquisitive view of the church interior for those visiting outside of the normal opening hours. There are original glass lights in the upper panels of the exterior doors in the northeast and south porch doors.

It is also proposed to lift and relay the existing entrance driveway and form a DDA compliant ramped access up to the north porch doors. The existing cobbled driveway is in need of urgent repair. The existing surface is very uneven and immediately within the north churchyard gates the cobbles have sunk very badly.

Site Description

The church of St Andrew is a grade II* listed building and was entirely rebuilt in 1827-29, and is an early and therefore unusual example of nineteenth century church reconstruction. Built in perpendicular gothic style, it is the design of Richard Carver and much of his external structure survives, including the semi-hexagonal chancel and four gabled porches. The church is surrounded on all sides by a churchyard, which itself is enclosed by houses, garden walls and allotments on three sides, with the north open to Church Street.

Relevant Planning History

None

Consultation Responses

WIVELISCOMBE TOWN COUNCIL – Supports the Application.

SCC - TRANSPORT DEVELOPMENT GROUP – No Observation

SOUTH WEST HERITAGE TRUST – No Comments

HISTORIC ENGLAND – Recommends Refusal of the Application

Thank you for your (email) of (6 November 2017) regarding further information on the above application for planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the application.

Historic England Advice

As was stated in our letter of the 4th July 2017, the grade II* church of St Andrew was entirely rebuilt in 1827-29, and is an early and therefore unusual example of nineteenth century church reconstruction. Built in perpendicular gothic style, it is the design of Richard Carver and much of his external structure survives, including the semi-hexagonal chancel and four gabled porches. The church is surrounded on all sides by a churchyard, which itself is enclosed by houses, garden walls and allotments on three sides, with the north open to Church Street. The subject of an 'overarching' faculty, the reordering of the interior of the church is currently underway, and this application relates only to alterations to the north and west doors and the cobbled north path.

Historic England was consulted on the reordering, including the above elements in 2012 and 2014 and commented in detail at this time.

Historic England's 2014 comments relating to the path were brief and reflected the initial nature of the comments on the major reordering scheme. They stated "*at present a step restricts access. The proposal to introduce a soft ramp that slopes gently away at its side could be developed so that the visual impact is acceptable. Cobbles currently provide the surface - these should be retained in the repaving proposals.*"

Our previous comments on this planning application stated that we were content with the proposals relating to the doors, but that we had serious concerns about the loss of the cobbled path as the path with cobbles laid both on edge and flat, contributes to the setting of this highly significant church and the surrounding Wiveliscombe Conservation Area and is an example of a Westcountry vernacular tradition which is becoming increasingly neglected. Little information about the history of the path was included within the application and it is therefore unclear whether this path is the last remaining cobbled example within the churchyard, or whether it was always the only one, being the primary entrance to the building. Some further research into the history of these cobbles has now been undertaken and has been relatively inconclusive as to the date and possible designer of the path.

On receipt of Historic England's most recent comments, a site visit was held to discuss the proposed design and possible alternatives. Subsequently two alternative designs were drawn up, one which relays all of the cobbles flush (option

1) and one which included a central paved path, split into three blocks but which retained both type of cobbles in a wider margin down either side (option 2). This second option is that which was considered might provide a suitable alternative when discussed on site.

It is understood that the PCC do not wish to take either of the above designs forward, but intend proceed with the initial scheme, which involves the loss of nearly all of the cobbles and the creation of a paved road to the North door. As I set out in my letter, paragraph 132 of the National Planning Policy Framework states that in considering the impact of proposed development on significance great weight should be given to the asset's conservation and that the more important the asset the greater the weight should be. It goes on to say that clear and convincing justification is needed if there is loss or harm and unjustified harm is not acceptable, regardless of the public benefit it brings, if alternative and less harmful options exist. Option 2 (narrower strip of central paving) would appear to be this alternative and less harmful option - retaining a higher proportion of cobbles, of both type, as well as the semi-circular apron at the threshold to the church which is an attractive feature. This would maintain a greater level of historic fabric, symmetry and quality of the original path, whilst making the church sufficiently accessible by providing a flat, paved central path for pedestrians. It would also be an attractive, more interesting design, which seems to relate well to the main entrance and to the symmetry of the church building.

This application has not responded satisfactorily to our concerns regarding justification for the substantial loss of historic fabric and the impact on the setting of the Grade II* church. Consequently we maintain our position as set out in our earlier letter in recommending that a more sensitive solution to the provision of access to this church is required. The NPPF advises in paragraph 132 that any harm or loss to a designated asset should require a clear and convincing justification - unjustified harm is never acceptable, regardless of the public benefit it brings, if alternative and less harmful options exist. This applies most strongly to highly designated heritage assets. Before weighing up the harm against any public benefit associated with a proposal, it needs to be demonstrated that that harm cannot be avoided or reduced through amendments to the scheme, or offset by mitigation of the harm or enhancement of the asset. Historic England's *Good Practice Advice Note 2: Managing Significance in Decision-Taking in the Historic Environment*, sets out a clear process for making that assessment in paragraphs 6 and 25-26. It is for your Authority to be satisfied that that process has been rigorously applied and the tests of the NPPF have been met by the application.

Recommendation

Historic England objects to the application on heritage grounds. We consider that the element of the application relating to the path does not meet the requirements of the NPPF, in particular paragraph numbers 63, 132 and 134.

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, 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 and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If, however, you propose to determine the application in its current form, please treat this as a letter of objection, inform us of the date of the committee and send us a copy of your report at the earliest opportunity.

Representations Received

Ward Councillor Steve Ross Comments:

To register my support for the improvements to accessibility at St Andrew's Church in terms of access and lighting. While this is an historic 19th century building it's future lies in accessible community use.

It should be noted that the current access causes issues for a large group of users, especially those members of our community with difficulties arising from age, disability or parents with prams. Improvement is long overdue.

The improvements should complement the building's sustainable future within the community and works may even allow some different insights into the building's history.

Ward Councillor Eddie Gaines Comments:

I am the Ward Councillor for Wiveliscombe and West Deane. I have lived in the Wiveliscombe area for over 25 years and have also been a regular visitor to St Andrews and was also married at this church. I fully support the application and at the same time understand that to achieve better access there will be some alterations to the main public entrance. I believe these changes are expected and very necessary - but, those that are making these changes have total respect for the aspect and heritage of this building. We are all custodians of where we live and work at the same time we must realise that where necessary alterations are needed - in this case to make it easier for people to enter and utilise the full church events and of course pastoral care. I am aware that there was a fatality of an elderly person leaving the church by this door - tripping on steps, co-incidentally leaving a funeral service. Providing better access and egress provision is vital and also being able to support less able and disabled people is vital in a caring community and if you can't provide it at a church - then something is amiss. I respectfully ask that this planning permission is granted in its current form.

21 Letters of Support – All supporting for the following reasons:

- The current driveway is dangerous
- Limited access for those with disabilities over cobbles

- Access for pushchairs
- Access for wheelchairs
- Access for people with walking frames
- Access for delivery of bulky loads
- Removal of steps
- Replacement of temporary ramps
- Improve slippery surface in the wet
- Make the doors easier to open for services
- Increase use of the building
- Alternative designs are less visually appealing
- Compliance with the Disability Discrimination Act
- Duties as a service provider under the Equalities Act (2010)

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

EN12 - TDBCLP - Landscape Character Areas,
 EN23 - TDBCLP - Areas of High Archaeological Potential,
 EN14 - TDBCLP - Conservation Areas,
 EN22 - TDBCLP Dev Affecting Sites of County Archaeological Importance,
 EN12 - TDBCLP - Landscape Character Areas,
 EN23 - TDBCLP - Areas of High Archaeological Potential,
 EN22 - TDBCLP Dev Affecting Sites of County Archaeological Importance,
 EN14 - TDBCLP - Conservation Areas,
 CP8 - Environment,

This takes into account the recent adoption of the SADMP.

Determining issues and considerations

The main issue for consideration is the impact that the scheme will have on the listed church and the improved access that the new ramp and doors will provide.

The National Planning Policy Framework Chapter 12 requires the planning authority to balance harm to the heritage with public benefit. In this case the alterations to the porch and door will cause less than substantial harm as prescribed in chapter 12 paragraph 134 of the National Planning Policy Framework. This is offset by public benefit of allowing continued use of the church as a place of worship.

The alterations to the cobbles leading to entrance are more of a concern. They have been assessed independently by both Historic England and the Council's Conservation Officer. Both have come to the same conclusion. Creating a ramp with the existing cobbles will cause less than substantial harm as prescribed in chapter 12 paragraph 134 of the National Planning Policy Framework. The current proposed design will cause harm at the medium to high end of the spectrum of harm. An alternative design that places a pathway at the centre of the cobbles leading to the porch would be the least harmful way of achieving the required access, addressing all issues raised in representations and could be recommended for approval. However, the applicant do not wish to amend the proposals and the current proposal represents a significantly more harmful design with no greater benefit than the suggested alternative. The same public benefit of providing access to the church can be achieved in a way which causes less harm. Accordingly the application is recommended for refusal.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998.

Contact Officer: Mr T Garratt