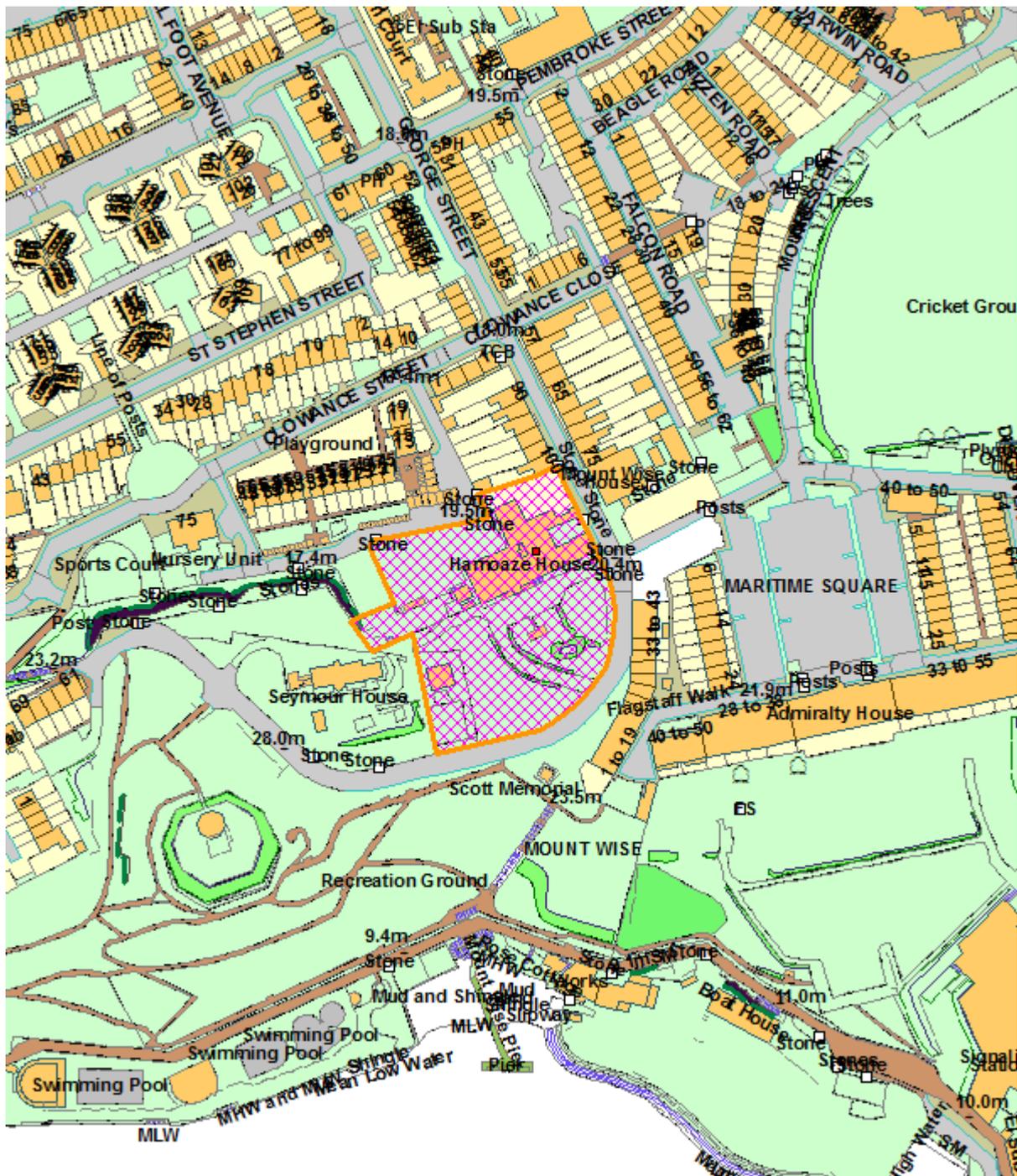


PLANNING APPLICATION OFFICERS REPORT



Application Number	21/01665/LBC	Item	03
Date Valid	07.09.2021	Ward	DEVONPORT
Site Address	Hamoaze House, George Street Mount Wise Plymouth PL1 4JQ		
Proposal	4no individual external sleeping pods for emergency overnight accommodation (retrospective)		
Applicant	Mr Mark Bignell		
Application Type	Listed Building Consent		
Target Date	02.11.2021	Committee Date	11.11.2021
Extended Target Date	18.11.2021		
Decision Category	Councillor Referral		
Case Officer	Mr Jon Fox		
Recommendation	Grant Conditionally		



This application has been referred to Planning Committee by Cllr. Stevens.

1. Description of Site

Hamoaze House is a large, grade 2 listed building situated at the southern of George Street. The building is currently used as a day centre for drug and alcohol rehabilitation by the registered charity Hamoaze House. The site is bounded to the east by relatively recent housing, developed around the former Admiralty House building, accessed via Mount Wise Crescent, which in turn comes off Devonport Hill. The Mount Wise housing development connects to George Street via Maritime Square, at a point adjacent to Hamoaze House itself.

2. Proposal Description

The proposal is for four individual external sleeping pods for emergency overnight accommodation (retrospective)

3. Pre-application Enquiry

None.

4. Relevant Planning History

19/01986/FUL - Temporary change of use of part of the existing day centre for drug and alcohol rehabilitation (Class D1) to a winter night shelter for homeless persons (Sui Generis). This permission allows temporary use of the east wing of the building for eight persons to sleep overnight, from 1st October to 31st March, up until 31st March 2024.

20/01669/LBC - Installation of eight internal sleeping pods (following associated approval 19/01986/FUL). Listed building consent was required to separate the eight occupants in accordance with Government guidance on the Covid pandemic, (which initially caused the shelter to close). Following the grant of listed building consent, and the works to separate the eight pods, the Night Shelter reopened on the 31st December 2020.

5. Consultation Responses

The case officer is an Historic Environment Officer.

Historic England - state that they do not need to be notified of the application.

6. Representations

Three public comments were received, two of which raise issues relating to the heritage asset: One letter objects on the grounds that the provision of temporary structures, and an extension of its offering for rough sleepers, will be to the detriment of the condition of the building and its role in the wider context of this historic setting. Another states that expanding Hamoaze House on a piecemeal basis in this way just because of the current temporary shelter provision will have a significant effect on the long-term layout, structure and fabric of the building to its eventual degradation.

7. Relevant Policy Framework

The legislation under which listed building consent applications, and those in Conservation Areas, are considered is the Planning (Listed Buildings and Conservation Areas) Act 1990.

The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, in considering whether to grant listed building consent for any works (and planning permission where these impact on a listed building) the local planning authority shall 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. This Act has an equivalent requirements for applications within a Conservation Area.

NPPF CHAPTER 16 Conserving and enhancing the historic environment paragraphs 194, 195, 197 and 199 are also particularly relevant to this application.

Paragraph 195 states:

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 197 states:

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

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 199 states:

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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

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.

Therefore the relevant heritage assets to this application are the fabric and setting of the Grade 2 listed Hamoaze House.

8. Analysis

This application has been considered in the context of the Planning (Listed Buildings and Conservation Areas) Act 1990 as set out in Section 7.

8.1 The following is an extract from the Historic England listing description, dating from 1975:

8.1.2 Large house on naval base. 1795, built for the Duke of Richmond and later extended. Plymouth limestone ashlar with mid-floor and sill strings; dry slate hipped roofs behind moulded stone parapets; ashlar stacks to rear of front wings and rendered end stacks to centre block. Large double-depth plan with 3-storey-over-basement centre block and flanking 2-storey wings, plus various extensions at rear. EXTERIOR: symmetrical 3:5:3-window front with original and copy sashes with glazing bars under flat arches, shorter windows to upper floors. Central enclosed stone porch with moulded and dentilled entablature and fanlight to round-arched doorway with panelled doors; round-arched side windows. Added to the porch is an open cast-iron trellised verandah with 2 bays on either side of the porch and with a glazed balcony under a hipped roof to 1st floor above. Good side doorway to George Street. INTERIOR: has many original features of interest including open-well staircase with turned balusters to lower flights and stick balusters higher up. SUBSIDIARY FEATURES: original wrought-iron forecourt railings. One of a fine group of buildings. (The Buildings of England: Pevsner N: Devon: London: 1989-: 676 & 677; PSA Historic Buildings Register: DOE: Southern England (Devon South West): 88).

8.2 Impacts on the Special Architectural and Historic Interest of the Building

8.2.1 The submitted heritage statement states that:

8.2.2 'The 4no. external sleeping pods that are the subject of this application are located in the enclosed courtyard, which provides little of historic merit (please refer to Appendices 1 and 2 for photographic evidence), and they will not be visible from outside of the curtilage of the building. These are temporary structures that are not fixed to the hardstanding. It is therefore considered that the external pods will provide negligible harm to the designated heritage asset.'

8.2.3 Overall, officers would not wish to counter this assessment of the proposal's impact on the heritage asset. The proposed extension and associated works are not considered to significantly

harm the listed building nor its curtilage and setting. The danger of piecemeal additions to the building is noted and recognised; however, the scale and nature of the proposals, including their temporary existence, is not harmful in officers' views. The minor, less than substantial harm that is considered to be generated from the proposal would be outweighed by the identified need for temporary sleeping accommodation on the premises. The works are therefore in accordance with policy DEV21 of the Plymouth and South West Devon Joint Local Plan.

9. Human Rights

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

10. Local Finance Considerations

None.

11. Planning Obligations

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Planning obligations not required due to the nature of this proposal.

12. Equalities and Diversities

This application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

13. Conclusions and Reasons for Decision

Officers have taken account of the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990, and have concluded that the proposal will not cause any substantial harm to the listed building's special architectural and historic interest and therefore, for the reasons discussed above, is recommended for conditional approval.

14. Recommendation

In respect of the application dated 07.09.2021 it is recommended to Grant Conditionally.

15. Conditions / Reasons

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

I CONDITION: APPROVED PLANS

Site Location Plan 07092021 - received 07/09/21

Block Plan 07092021 - received 07/09/21

Site Plan 07092021 - received 07/09/21

Layout Plan 07092021 - received 07/09/21

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with the Plymouth & South West Devon Joint Local Plan 2014–2034 (2019).

2 CONDITION: TIME LIMIT COMMENCEMENT

The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason:

To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

3 CONDITION: TEMPORARY USE

The sleeping pods hereby permitted shall be removed from the site on or before the 31st March 2024.

Reason:

In the opinion of the Local Planning Authority the temporary use to which this permission relates will by the said date have fulfilled its required purpose. This condition is imposed to comply with Policy DEV21 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

INFORMATIVES

I INFORMATIVE: CONDITIONAL APPROVAL (NO NEGOTIATION)

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and the National Planning Policy Framework 2019, the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.