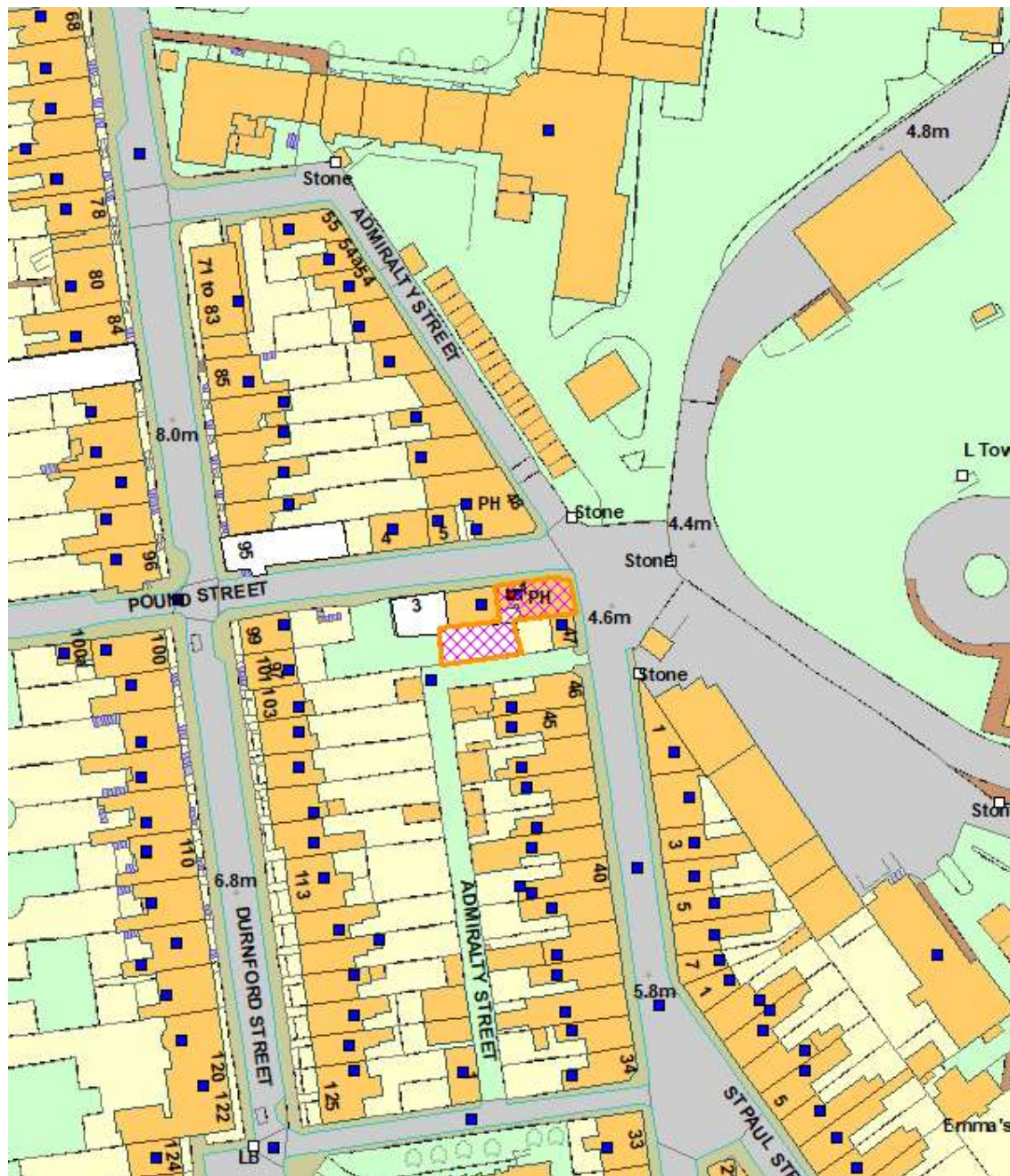


PLANNING APPLICATION OFFICERS REPORT



Application Number	25/00215/FUL	Item	01
Date Valid	26.02.2025	Ward	ST PETER AND THE WATERFRONT
Site Address	I Pound Street Plymouth PL1 3RH		
Proposal	Boundary wall alterations, installation of gate, window and door alterations, pergola and associated works (part retrospective)		
Applicant	Mr Peter Sach		
Application Type	Full Application		
Target Date	23.04.2025	Committee Date	21.08.2025
Extended Target Date	26.08.2025		
Decision Category	PCC Employee		
Case Officer	Miss Emily Godwin		
Recommendation	Grant Conditionally		



This application comes before the Planning Committee because the applicant is an employee of Plymouth City Council.

1. Description of Site

1 Pound Street is a Grade II listed property, which was previously used as a pub before being converted to a dwelling. The site is a corner plot property which fronts onto Admiralty Street to the east and Pound Street to the north. The south elevation of the property is bound by a stone boundary wall which fronts a rear service lane, there is no rear access to the property.

The property includes a tenement which fronts onto Pound Street, adjoining the neighbouring property, no.2 pound street. This tenement steps down to the south, creating a flat roof area which is currently used as a roof terrace.

The site falls within the St Peter and the Waterfront ward of the city and the Stonehouse Peninsula Conservation Area.

2. Proposal Description

The proposal is for boundary wall alterations and installation of a gate, window and door alterations, a pergola and associated works.

The pergola has already been installed within the garden of the property as such, the proposal is part retrospective.

3. Pre-application Enquiry

There was no pre-application enquiry.

4. Relevant Planning History

96/00214/FUL - Change of use and conversion public house to dwellinghouse including retention of corner door (Granted Conditionally)

96/00215/LBC - Conversion of public house to dwellinghouse including retention of corner door (Granted Conditionally)

15/01729/FUL - Creation of a car park in the rear yard, with an associated access gate in the rear boundary wall (Granted Conditionally)

15/01730/LBC - Creation of a car park in the rear yard, with an associated access gate in the rear boundary wall (Granted Conditionally)

21/01217/LBC - Roof repairs, tiling of dormer windows, re-instatement of fireplace, basement room conversion, other minor internal alterations/ repairs. (Granted Conditionally)

25/00214/LBC - Alterations to windows, doors and balcony, works to boundary wall inc. installation of gate, pergola, internal alterations inc. installation of lift and associated works (part-retrospective) (Pending Decision)

5. Consultation Responses

LPA Historic Environment - Initial comments requested justification and an options appraisal to be submitted to assess the harm of the proposal. Do not object the proposed development on heritage grounds, consider the scheme would result in less than substantial harm which is balanced against conserving and upgrading the wider fabric of the building.

Historic Societies - No response received.

Natural England Online Consultation - Standing advice regarding Site of Special Scientific Interest.

6. Representations

One letter of representation was received which supported the application and its intention to provide opportunities for multi-generational living and alterations would provide back lane access.

7. Relevant Policy Framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, national development management policies, local finance and any other material considerations. Section 38(5B) of the 2004 Planning and Compensation Act sets out that the determination of any matter under the planning Acts must be made in accordance with the development plan and any national development management policies, taken together, unless

material considerations strongly indicate otherwise. For the purposes of decision making, as on March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park).

Other material considerations include the policies of the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG), National Design Guidance, the scale and urgency of the climate change emergency, and Plymouth City Council's Declaration on Climate Emergency (March 2019) for a carbon neutral city by 2030. Additionally, the following planning documents are also material considerations in the determination of the application: The Plymouth and South West Devon Supplementary Planning Document (SPD) (2020) and the Stonehouse Peninsula Conservation Area Appraisal and Management Plan (2007).

8. Analysis

1. This application has been considered in the context of the development plan, the adopted Joint Local Plan, the Framework and other material considerations as set out in Section 7.

Principle of Development

2. Joint Local Plan policies indicate that the proposal is acceptable in principle.

Negotiations Undertaken

3. The original plans submitted were considered acceptable and the assessment has been based on the original plans. Further information was requested by the Historic Environment Officer to justify the proposed development; an amended heritage statement was submitted which has been taken into consideration in the assessment of this application.

Visual Impact and Impact on the Historic Environment

4. The south elevation of the site is bound by a shillet and limestone boundary wall, backing onto a service lane. It is proposed that an opening within this wall will be created to accommodate a solid framed hardwood gate, above the lintel of which would be built up using red brick to a height of approximately 2.6m.

5. Officers consider the creation of a new opening within the wall regrettable as it will involve the removal of some original stone walling. However, officers note that many other properties along the rear service lane have provided openings within boundary walls, and so the proposed works would not be an out-of-keeping addition to the streetscene. The proposal would include the use of red brick which is evident elsewhere in the surrounding area and so is considered appropriate within the local development context.

6. The proposed pergola will be concealed by the property's existing boundary wall and so is not considered to result in a negative visual impact.

7. Officers do not raise concerns with the proposed window and door alterations, the proposed use of timber is supported given the site's listed status and siting with the Stonehouse Peninsula Conservation Area. Full window and door details have been submitted which demonstrate that the windows will sit comfortably within the existing openings and will remediate the use of inappropriate materials installed previously and will be in-keeping with the property's traditional fenestration.

8. Repair works are also proposed to the existing roof terrace. Officers consider that an appropriate material palette has been proposed which would retain the existing external appearance of the property.

9. Officers in consultation with the Historic Environment Team do not raise concerns with the proposed external works, considering that the works and materials proposed are acceptable as proposed and would not be out of keeping with the historic streetscape and Conservation Area. Various works to the internal of the property have been considered under the listed building consent application submitted alongside this application.

10. To this end, officers consider the scheme to accord with DEV20 and DEV21 of the JLP.

Amenity

11. Officers have considered the impact on neighbouring amenity against the guidance in the SPD and consider it acceptable.

12. The proposed window and door alterations will be sited in the same locations as present, and so would not create any additional vantage points for overlooking. Officers are satisfied that the proposal would not result in a loss of privacy for neighbouring properties.

13. In considering the impact on daylight and outlook, officers raise no concerns in relation to the proposed pergola and boundary wall height increase. These interventions are considered to be minimal and given the relationship between these works and neighbouring habitable room windows, there is not considered to be a significant impact.

14. To this end, officers consider the works to comply with DEVI of the JLP.

Biodiversity Net Gain

15. The application is exempt as the proposal is for householder development.

Other Considerations

16. Officers have assessed the details submitted with the Climate Emergency Compliance Form. It is regrettable that no specific climate emergency measures have been proposed as part of the scheme. However, given the limited nature of the proposed works, and that options for mitigation are limited, officers consider that to request additional climate mitigation would be disproportionate in this case.

17. As such, officers take the on-balance view that in this case the scheme is in compliance with DEV32 and the Climate Emergency Planning Statement (2022).

Intentional Unauthorised Development

18. Since August 2015 national planning policy requires consideration to be given as to whether intentional unauthorised development has been carried out. The new policy applies to all relevant planning decisions made by Local Planning Authorities and Planning Inspectors. The policy has been introduced largely as a result of Government concerns about the harm caused by unauthorised developments in the Greenbelt, but applies equally elsewhere.

19. The policy does not indicate exactly how much weight should be afforded to this in relation to the weight to be given to other material planning considerations. Neither does the policy clarify exactly what evidence is required to demonstrate the unauthorised development has been carried out intentionally.

20. It is clearly highly undesirable for any development to take place before planning permission has been properly sought, and obtained, in any circumstances. However, it should be noted that this new policy only applies where unauthorised development has taken place with the full knowledge of the person(s) undertaking the work that it lacks the necessary consent. In reality, given the difficulties in interpreting these points, it is considered that little or no weight can be given to this aspect, unless

the Council has clearly indicated to the applicant that unauthorised development is being carried out, and that works have then continued beyond that point, or where there is some other compelling evidence that such work has intentionally been carried out.

21. Neither of these factors appear to apply in this case, and so it is considered that no weight should be afforded to this particular point in the determination of this application.

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 are not sought due to the nature and size of proposal.

12. Equalities and Diversities

This planning 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. Wider works at the site involve internal alterations which will provide improved internal access for disabled occupiers of the dwelling.

13. Conclusions and Reasons for Decision

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policy and national guidance, and is acceptable on the grounds of its visual and heritage and amenity impact and is therefore recommended for conditional approval.

14. Recommendation

In respect of the application dated 26.02.2025 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 SP_00 received 07/02/25

Proposed Site Plan S_01 received 07/02/25

Proposed Ground Floor Plan P_01 received 07/02/25

Proposed First Floor Plan P_02 received 07/02/25
Proposed Roof Plan P_04 received 07/02/25
Proposed South and West Elevations P_06 received 07/02/25
Proposed Replacement Window Details P_08 received 07/02/25
Proposed Back Door P_09 received 07/02/25
Proposed Lower Ground Floor Plan P_00 received 07/02/25
Proposed Roof Plan P_05 received 07/02/25
Proposed Replacement Door Details P_07 received 07/02/25
Proposed Second Floor Plan P_03 received 08/08/25
Proposed Garden Area-Plan and Elevations P_03 received 30/07/25

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).

INFORMATIVES

1 INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

2 INFORMATIVE: UNCONDITIONAL APPROVAL (APART FROM TIME LIMIT AND APPROVED PLANS)

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, the Council has worked in a positive and pro-active way and has granted planning permission.

3 INFORMATIVE: PROPERTY RIGHTS

Applicants are advised that this grant of planning permission does not over-ride private property rights or their obligations under the Party Wall etc. Act 1996.

4 INFORMATIVE: BIODIVERSITY NET GAIN

In accordance with The Biodiversity Gain Requirements (Exemptions) Regulations 2024, Householder applications are exempt from Biodiversity Net Gain requirements and therefore this application is not subject to the mandatory Biodiversity Gain condition.