

ITEM: 08

Application Number: 10/00217/LBC

Applicant: Mr and Mrs Jeffery

Description of Application: Erection of detached, three storey four bedroom dwelling (demolition of existing structure)

Type of Application: Listed Building

Site Address: MOUNT STONE HOUSE, MOUNT STONE ROAD
PLYMOUTH

Ward: St Peter & The Waterfront

Valid Date of Application: 09/03/2010

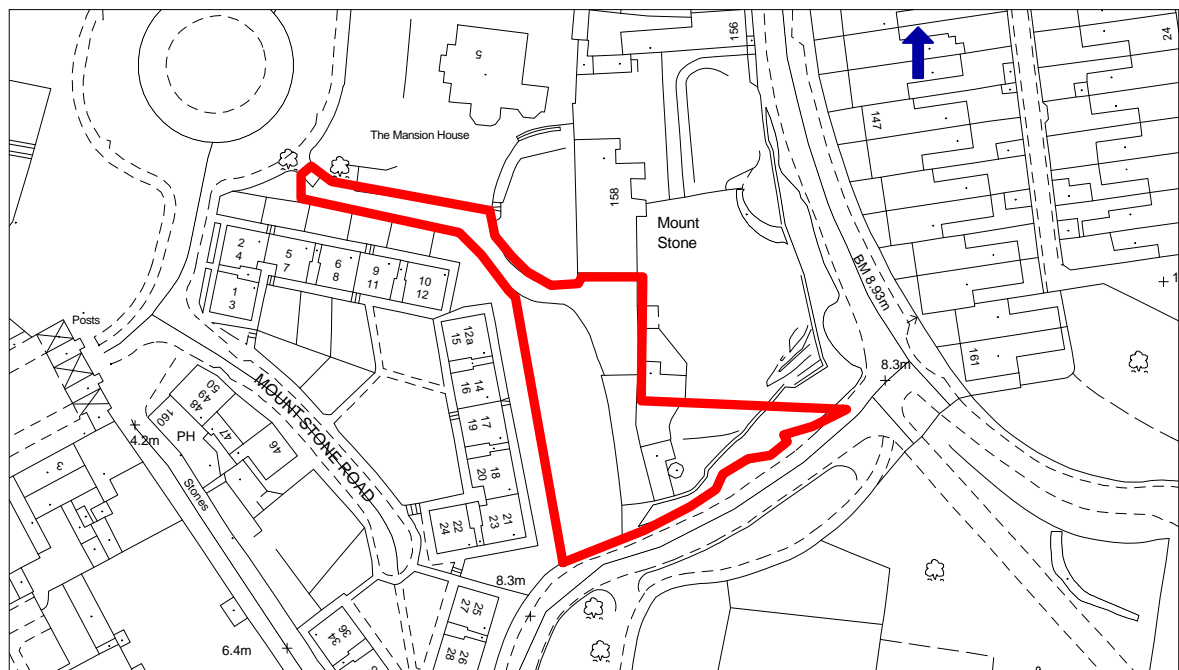
8/13 Week Date: **04/05/2010**

Decision Category: Member Referral

Case Officer : David Jeffrey

Recommendation: Refuse

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This application has been referred to the Planning Committee as a result of a member referral by Cllr Sue McDonald

OFFICERS REPORT

Site Description

The site is located within the grounds of Mount Stone House, a Grade II listed building in Stonehouse Conservation Area, at the southern end of Cremyll Street. The site is accessed off the Royal William roundabout along a narrow walled lane.

The site comprises a number of outbuildings (including a lime kiln), parking area and landscaped area within the southern part of Mount Stone House grounds. The site bounds residential properties to the west, Admiralty Road beyond a cliff face to the south, and Mount Stone House and its grounds to the north and east.

Proposal Description

Erection of detached, three storey, four bedroom dwelling (demolition of existing structures).

Relevant Planning History

08/01006/FUL and 08/01007/LBC – Renewal of consent 03/00530/FUL for two storey dwelling, incorporating the ruins of existing outbuildings and the formation of new car parking area.

07/02005/LBC – Partial demolition of existing walls/ruins – Refused (allowed at appeal)

07/02004/FUL - Partial demolition of existing walls/ruins and provision of new access route – Refused (partially allowed at appeal, new access dismissed)

03/00530/LBC and 03/00532/FUL – Two storey dwelling incorporating ruins of existing outbuildings and formation of new car park area – Granted Conditionally

02/01586/LBC and 02/01585/FUL - Two storey building to be used as a dyslexia centre (with ancillary accommodation) incorporating the ruins of existing outbuildings and formation of parking area - Granted Conditionally

99/01083/LBC and 99/01882/FUL - Change of Use and Conversion of outbuilding to a tuition centre for 3 to 4 pupils – Granted Conditionally

Consultation Responses

Awaiting Consultations Responses

Representations

So far one letter of representation has been received which refers to the planning application only and not the listed building consent. However, the expiry date is 20 April 2010 for this application.

Analysis

The Planning Issues are the impacts on the setting of the Grade II Listed Building. These issues are assessed in accordance with policy CS03 of the Adopted Plymouth Core Strategy 2007 and PPS5.

In 2003 planning permission and Listed Building Consent ref. 03/00532/FUL & 03/00530/LBC (renewed under 08/01006/FUL) was conditionally granted for a two storey dwelling on this site. Therefore, the principle of development for a dwelling has been established. The previously consented dwelling detailed slate hung walls with wooden doors and windows and also retained and repaired the existing random laid stone walls and the limekiln as a feature. This proposal differs significantly in terms of its scale and design.

Given that the application site is well screened from views with Mount Stone House and that there is a significant distance to the main house, the proposal is unlikely to have a significant adverse impact on the setting of the listed building.

The proposed development would appear to result in the demolition of some existing stone walls which form a number of enclosures next to a limekiln. The partial demolition of these walls was granted permission at appeal under application 07/02005/LBC. However, although the submitted Design and Access Statement mentions the retention of the kiln, the application fails to clearly describe the extent to which these walls would be retained and also what justification there may be for demolishing them. It is noted that the previous approved application for a dwelling sought to retain these structures as part of the proposal. As these structures are within the curtilage of Mount Stonehouse and fall under the Grade II listing the Council's Conservation Officer considers that insufficient information has been provided in this regard.

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.

Equalities and Diversities Issues

None

Section 106 Obligation

Not applicable in this instance

Conclusions

The proposal fails to justify or provide sufficient information regarding the demolition of adjacent walls which are listed structures. For this reasons the application is recommended for refusal.

Recommendation

In respect of the application dated **09/03/2010** and the submitted drawings, **1622 - [H]001, 1622 - [H]002, 1622 - [H]003, rendered elevations and 3D perspectives, tree survey report, contamination report and supporting Design and Access Statement** , it is recommended to: **Refuse**

Reasons

IMPACT ON LISTED STRUCTURES

(1) The application fails to make any reference to the curtilage listed ruined outbuildings and walls on the site and particularly how they are to be treated/incorporated into the proposed development. It is therefore impossible for the Local Planning Authority to fully determine the impacts of the proposal on the listed structures which is therefore contrary to policy CS03 of the Plymouth Local Development Framework Core Strategy 2007.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the effect on the structures which fall within the curtilage of the Grad II listed building, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed works are acceptable and comply with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy and (b) relevant Government Policy Statements and Government Circulars, as follows:

CS03 - Historic Environment

PPS5 - Planning for the Historic Environment