

ITEM: 19

Application Number: 10/00671/LBC

Applicant: Mount Wise (Guernsey) Ltd

Description of Application: Alterations, extension and works of conversion, in association with the creation of B1 office space within buildings (as previously approved under ref: 07/00014/LBC)

Type of Application: Listed Building

Site Address: FORMER MOD MOUNT WISE DEVONPORT PLYMOUTH

Ward: Devonport

Valid Date of Application: 28/04/2010

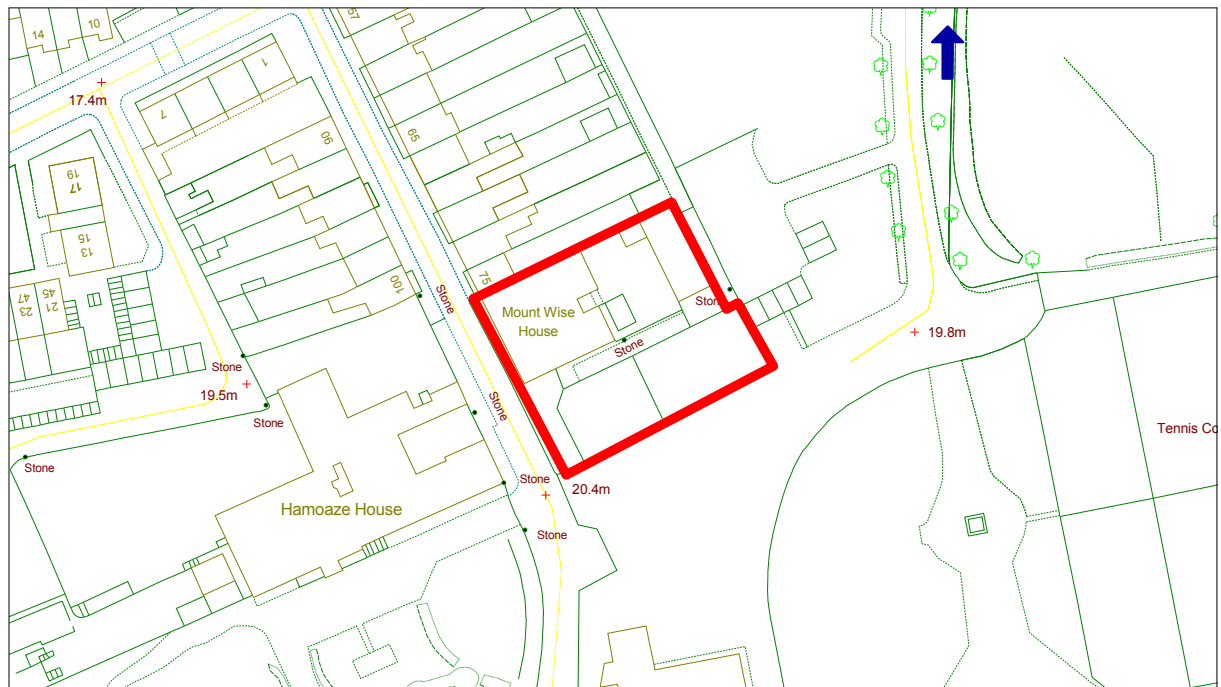
8/13 Week Date: **23/06/2010**

Decision Category: Major Application

Case Officer : Jeremy Guise

Recommendation: Grant Conditionally

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OFFICERS REPORT

This application seeks renewal of a previously approved outline planning permission for:- alterations, extension and works of conversion, in association with the creation of B1 office space within buildings which was granted conditional permission with signed section 106 legal agreement 3rd August 2007. The report that accompanied that application 07/00014/LBC follows at the end of this (and its duplicate ref. 10/01272/LBC).

Site Description

Mount Wise house is a large Georgian property located at the end of George Street. It has frontages facing south towards Admiralty House (containing it's a entrance) and west onto George Street.

Proposal Description

Renewal of listed building consent for alterations, extension and works of conversion, in association with the creation of B1 office space within buildings (as previously approved under ref: 07/00014/LBC). The letter that accompanies the application explains:-

'Consent for Mount Wise House is referred to under Outline Planning consent for the site and the above Listed Building Consent . There are no additional consents for this building.

The enquiries received to date have not revealed any serious interest for this building and the market conditions do not currently provide for the development of speculative office accommodation at Mount Wise. It is therefore requested that the Listed Building Consent is extended accordingly.

In assessing our request to extend the above planning consents I do not believe that there have been any material changes to the site since the consents were granted.'

Note that this application has been submitted in duplicate – see ref:- 10/01271/LBC which is reported elsewhere on this agenda.

Relevant Planning History

07/00014/LBC - -Alterations and extension, and works of conversion, in association with creation of B1 office space within building. GRANTED Conditional consent 3rd August 2007.

Consultation Responses

None

Representations

Site notices have been posted and the Listed Building Consent application advertised in accordance with Council policy. This has resulted in one letter

of representation (LOR) raising objection to the proposal on the following grounds:-

I and my family have resided at 75 George Street for over five years and have had no plans to move. The only problems with the property is that one third of the rear of the house is in the shadow of Mount Wise House and a further third is in the shadow of Mount Wise House outbuildings. Also the house is subject to some vibration and noise from the same. To extend Mount Wise House above one storey will throw the whole of the back into darkness, Removing all semblance of privacy and would I believe require us to light the property during daylight.

Analysis

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.

The key issue in this case is:-

- Whether there has been any material change in circumstance since the previous approval in August 2007.

Since the previous approval Planning Policy Statement 5 (PPS5) has replaced Planning Policy Guidance 15 (PPG15) at national policy level. Generally this is more wide ranging and inclusive of the historic environment (including the archaeology that was previously covered separately in PPG16) with the emphasis more on understanding the heritage asset and justifying the proposals. It is not so specific as PPG15 – although this is supplemented by the Practice Guide.

These changes in the national policy framework with regard to listed buildings do not alter the consideration of the acceptability of the Listed Building proposal.

Equalities & Diversities issues

The two storey element of this extension is to provide a lift and ensure that the upper storeys of Mount Wise House are accessible to people with disabilities.

Section 106 Obligations

None.

Conclusions

The proposed extension remains the same as that previously approved, that was for a mainly two storey rear extension, in contrasting style to the existing Georgian building, with the lower storey set partly into the ground, subterranean. Members may recall that an earlier scheme to provide an

extension of equivalent bulk and massing to the existing Mount Wise House was withdrawn by the applicant in response to concerns about its impact upon the listed building and the rear elevations and gardens of neighbouring properties in George Street.

Recommendation

In respect of the application dated **28/04/2010** and the submitted drawings, **114(12)080RevA; 114(12)081RevA; 114(12)082RevA; 114(12)085RevA; 114(12)086RevA; 114(12)090RevA; 114(12)092RevA; 114(12)093RevA & 114(12)096RevA**, it is recommended to: **Grant Conditionally**

Conditions

TIME LIMIT FOR COMMENCEMENT (LBC)

(1)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.

APPROVAL OF DETAILED PARTICULARS

(2) No works shall commence until detailed drawings and particulars to an appropriate scale of the following have been submitted to and approved in writing by the local Planning Authority showing typical details of junction between the new build extensions and the existing Listed building. The works shall be carried out strictly in accordance with the approved details.

Reason:

To ensure that the details of the proposed works do not conflict with CS03 (Historic Environment)

JOINERY DETAILS

(3) No works shall commence until a schedule of all external/internal joinery details (with cross sections at 1:5 scale and 1:1 moulding details) have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason:

To ensure that the details of the proposed work do not conflict with CS03; of the City of Plymouth Core Strategy.

DOOR DETAILS

(4) No works shall commence until details of the proposed new doors have been submitted to and approved in writing by the Local Planning Authority. The said details shall include the design, method of construction, material and finish of the proposed door and the door furniture to be used. The works shall be carried out strictly in accordance with the approved details.

Reason:

To ensure that the details of the proposed work do not conflict with CS03; of the City of Plymouth Core Strategy

SPECIFICATION FOR RENDERING ETC

(5) No works shall commence until a detailed specification for the composition, method of application and texture of surface finish for the Rendering /Plastering/ Re-pointing has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason:

To ensure that the details of the proposed work do not conflict with Policy CS03 of the City of Plymouth Core Strategy.

DETAILS OF FITMENTS AND FEATURES

(6) No works shall commence until full details of the fitments and features to be retained, and those which may be removed, altered or adapted (as may be determined by prior inspection by a representative of the local Planning Authority at the applicant's request) have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason:

To ensure that the details of the proposed works do not conflict with Policy CS03 of the City of Plymouth Core Strategy.

EXTERNAL MATERIALS

(7) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS03 of the City of Plymouth Core Strategy.

INFORMATIVE:

(1) If any demolition is involved, the Environment Agency advises that buildings when demolished can give rise to Special Wastes. These are subject to additional control prior to disposal. The Environment Agency can advise the applicant on the regulations concerning Special Wastes. The Special Wastes most likely to be encountered during the demolition/refurbishment of pre-developed sites are: -

- a. asbestos cement building products;
- b. fibrous asbestos insulation, particularly around heating appliances;
- c. central heating oil;
- d. herbicides/pesticides;
- e. oils and chemicals associated with vehicle repairs and maintenance.

INFORMATIVE: PEMICON

(2) Plymouth Employment in Construction Partnership (PEMICON) is a free service promoting the use of local skilled labour in major construction projects. They can be contacted by telephone on 01752 300700 (Fax:213662).

INFORMATIVE: LISTED BUILDING CONSENT ONLY

(3) This approval relates only to Listed Building consent. A separate planning permission may be required in relation to some of the works shown in the approved drawings.

INFORMATIVE: WILDLIFE & COUNTRYSIDE ACT

(4) The proposed works may take place on a building with suitability for bats or breeding birds. Under the Wildlife and Countryside Act (1981), bats and breeding birds are legally protected against disturbance, injury or killing and bat roosts are protected against obstruction, damage or destruction. If bats or a bat roost is present in the building, a licence to carry out the works from Natural England may be required. For further information please contact Plymouth City Council's Nature Conservation Officer on 01752 304229.

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 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