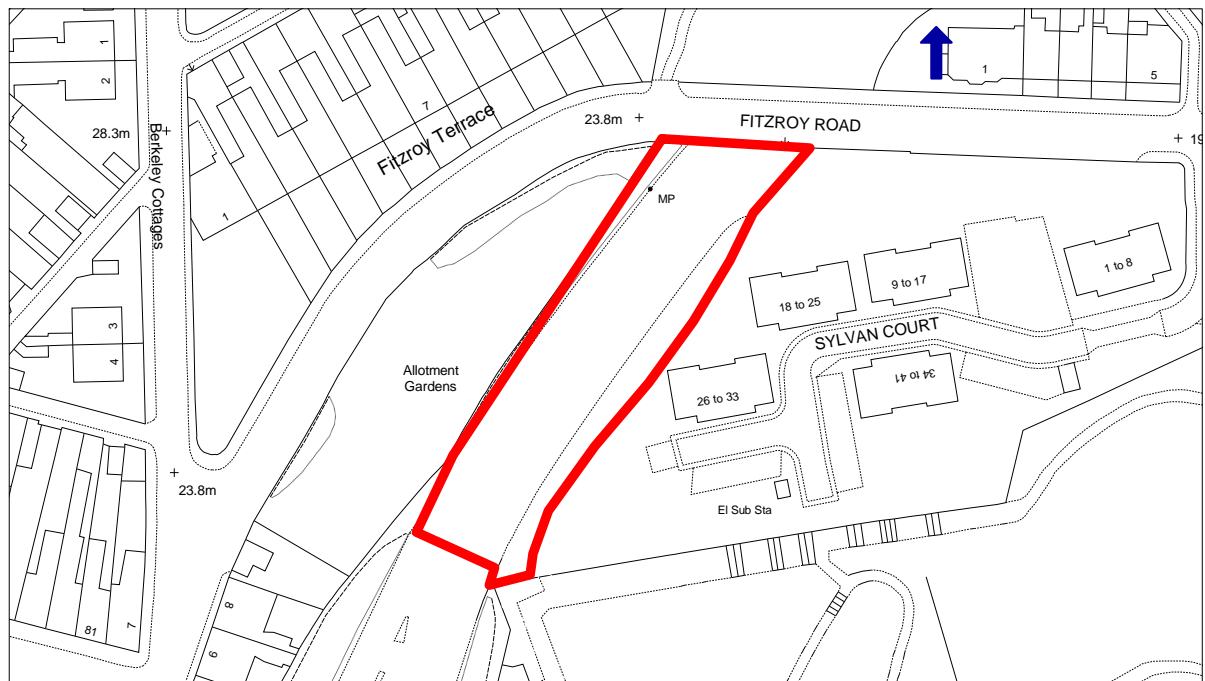


ITEM: 07

Application Number: 10/00595/CAC
Applicant: Scott Wilson
Description of Application: Provision of 14 allotments
Type of Application: Conservation Area
Site Address: LAND NORTH OF STUDENT CARPARK, PARADISE ROAD PLYMOUTH
Ward: Stoke
Valid Date of Application: 16/04/2010
8/13 Week Date: **11/06/2010**
Decision Category: Member Referral
Case Officer : Jeremy Guise
Recommendation: Grant Conditionally
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OFFICERS REPORT

Site Description

Disused former railway line

Proposal Description

Conversion of naturally regenerated land into 14 allotments with full disabled access throughout.

A parallel planning application Ref. 10/00594/FUL has been submitted.

Relevant Planning History

Extensive see Ref. 10/00594/FUL

Consultation Responses

Representations

Neighbours surrounding the site have been notified of the application and a site notice posted. This has resulted in 13 letters of representation (LOR's including one from the Stoke Damerel Conservation Society.

Typical; allotment landscape with manmade structures of sheds and the usual gardening paraphernalia would not be in keeping if this was visible from Fitzroy Terrace, nor in keeping with the conservation areas designation

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:-

- The impact upon the character and setting of the Stoke conservation area (Policy CS03 of the adopted Core Strategy)

There are no significant archaeological implications for this site.

In consideration of this proposal with respect to its historic setting the wider context of the site has been looked at, and the aims of the designation of the Stoke Conservation Area together with the buildings which potentially overlook the site, and other heritage assets of significance which contribute to the character.

It is assumed that the City College owns all of the land to the west of the proposed allotment site up to the top of the slope bordering on to Fitzroy road.

These proposals for the allotments are for generally very good quality materials for the built elements and landscape treatment. The existing and period iron railings on that upper boundary would be a better boundary treatment than a new fence. Retaining and improving these railings may preclude the necessity of the fence at lower level. In addition the use of particular planting immediately inside the railings could also deter unauthorised access. Judicious repairs to the few breaches to the historic railings could be made, and also to the gate next to no 8 Providence Place (, although padlocked, is entirely missing its inner ironwork) which could be repaired or removed altogether and replaced with a continuation of the railings. This could be particularly the case as it is anticipated that pedestrian access is made purely via the student car park and this historic access does not appear to be in use.

These historic perimeter boundary railings, if repaired in just a few places, would be a better and more sympathetic treatment to the site as a whole- notwithstanding any security issues.

It is recommended that a condition be added requiring details of boundary treatment to be agreed in writing with the Local Planning Authority and implemented prior to first occupation. This condition will state that there is a strong preference for repair/ replacement of existing iron railings/ gates over the introduction of new boundary treatment.

Equalities & Diversities issues

None

Section 106 Obligations

None

Conclusions

In the event that grant conditional planning permission for the allotments (see Ref. 10/00594/FUL) it is recommended that they also give conservation area consent for their formation.

Recommendation

In respect of the application dated **16/04/2010** and the submitted drawings, **D130266-001; D130266-002; D130266-LD-201; D130266-LD-202; D130266-LD-203; D130266-LD-204; D130266-LD-205; D130266-LD-206; D130266-LD-207; D130266-LD-208; D130266-LD-209 & D130266-LD-210** , it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(1) The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

IN ACCORDANCE WITH APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: D130266-001; D130266-002; D130266-LD-201; D130266-LD-202; D130266-LD-203; D130266-LD-204; D130266-LD-205; D130266-LD-206; D130266-LD-207; D130266-LD-208; D130266-LD-209 & D130266-LD-210

Reason: For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

BOUNDARY TREATMENT

(3) Details of boundary treatment are to be supplied and agreed in writing with the local planning Authority and implemented prior to the first occupation of the proposed allotments. Notwithstanding security concerns there is a strong preference for repair and replacement of traditional iron railings over the introduction of alternative boundary treatment.

Reason: - To safeguard the appearance of the conservation area.

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 Conservation Area

- The impact upon the character and setting of the Stoke conservation area, 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 (b) relevant Government Policy Statements and Government Circulars, as follows:

CS03 - Historic Environment

PPS5 - Planning for the Historic Environment