

# PLANNING APPLICATION REPORT



**ITEM: 05**

**Application Number:** 12/00869/LBC

**Applicant:** Mr Adam Willets

**Description of Application:** Listed building consent for the development of a new 150 parking space surface car park on the site of the Officers' walled garden, together with associated access and landscape screening works

**Type of Application:** Listed Building

**Site Address:** OFFICERS WALLED GARDEN, ROYAL WILLIAM YARD  
PLYMOUTH

**Ward:** St Peter & The Waterfront

**Valid Date of Application:** 21/05/2012

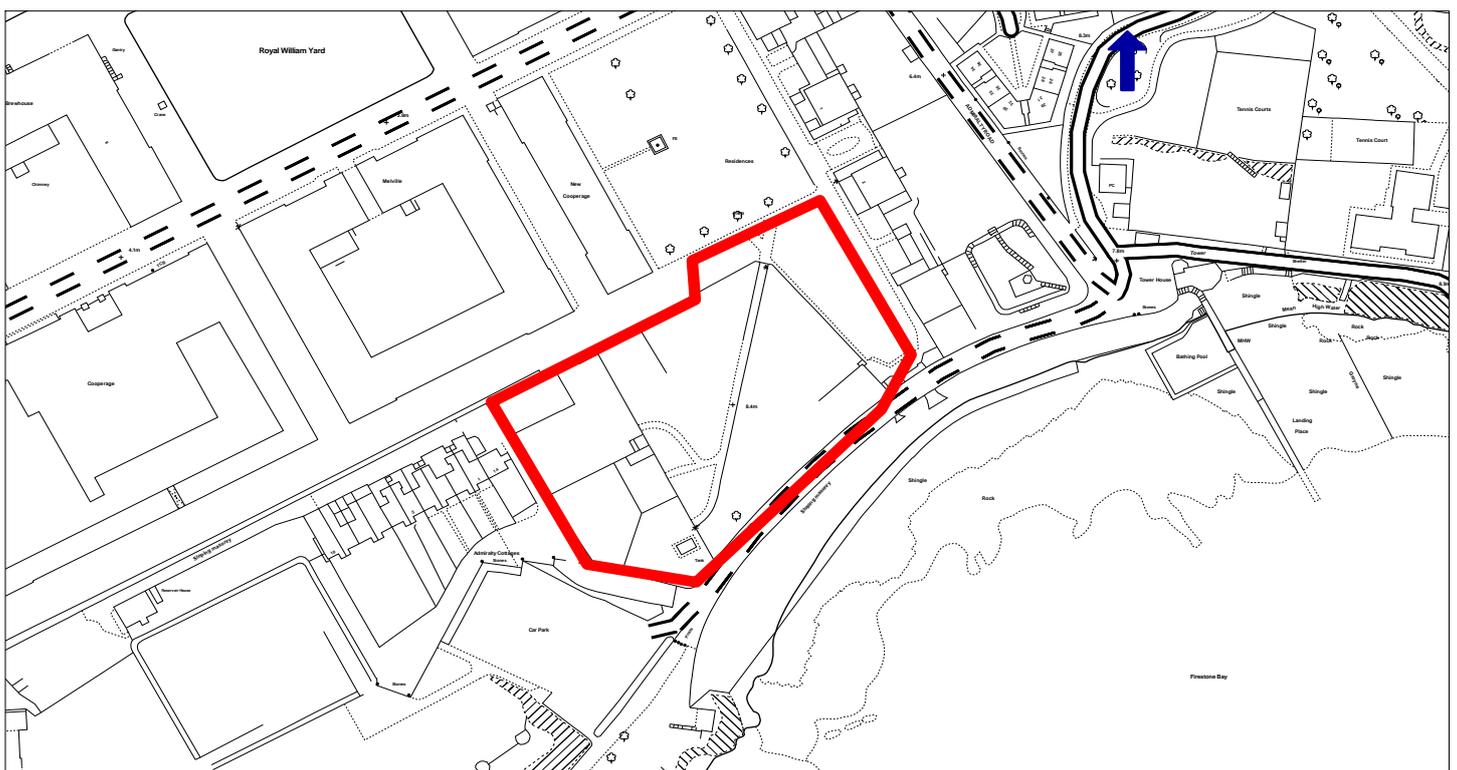
**8/13 Week Date:** **16/07/2012**

**Decision Category:** Major - 5 or more Letters of Representation received

**Case Officer :** Jeremy Guise

**Recommendation:** Grant Conditionally

**Click for Application Documents:** [www.plymouth.gov.uk](http://www.plymouth.gov.uk)



**This application has been called to Planning Committee by Cllr. Chris Penberthy, Ward councillor, St Peter & the Waterfront because the planning history of the site is complex and as a result has a bearing on the case.**

### **Site Description**

The site area is a roughly square shaped piece of land (approximately 0.9ha) comprising about 1/7<sup>th</sup> of the overall area of the Royal William Yard.

It is located in the south of the Royal William Yard and surrounded on the western and southern side by a high, historic wall that separates it from the rest of Devil's Point.

The western part of the site contains two walled cottage gardens. The large central area is landscaped and the eastern part has recently been developed to provide parking spaces. Land raises from east to west across the site and is mounded on the central landscaped area to partially obscure views of walled gardens. The gardens are contained within stone walls and there are a couple of small, stone 'lean to' buildings within the walled gardens, originally used for storage of gardening equipment. The area within the gardens is overgrown and underused.

### **Proposal Description**

Listed building Consent is sought for the creation of a new 150 space surface car park on the site of the walled officer's garden at the Royal William Yard.

The proposal would involve the removal of the small, stone outbuildings, some sections of wall (to provide openings), some remodelling of levels and the provision of a hard surface, lighting and better drainage and the reinstatement of trees planted as part of a mitigation planting strategy.

Since submission amendments have been received showing the 11 spaces on the right hand side at the top of the ramp removed, the ramp entrance has been widened and parking spaces on the southern side of the green re-aligned.

A parallel planning application has been received (Ref 12/00868/FUL) which is reported elsewhere on this agenda.

### **Pre-Application Enquiry**

Pre-application consultation was undertaken (ref. MI/337/PRE). Advised that the loss of the gardens not particularly welcome, but accepted by English Heritage and the Council that this is the least visually intrusive way of providing additional parking. 'End-on' parking spaces along the eastern side of the parade ground to be removed.

### **Relevant Planning History**

- Ref. 03/00270/FUL - Public realm works including street furniture, lighting and resurfacing works GRANTED subject to conditions 19-Nov-2003
- 03/00271 Public realm works including street furniture, lighting and resurfacing works GRANTED subject to conditions 13-Nov-2003

- 03/01469 600 place car park (with environmental and traffic assessments covering all anticipated Yard development) at the Mound WITHDRAWN 20-Apr-2003
- 04/00868 Underground car park, alterations to internal road system and installation of traffic signals at Main Gate (new vehicular exit road deleted) GRANTED subject to conditions and Section 106 Legal agreement 19-Jun-2006
- 04/00869 Underground car park, alterations to internal road system and installation of traffic signals at main gate GRANTED subject to conditions 08-Jun-2006
- 11/00155 Application for consent to display advertisement for four public information points CONSENT GIVEN subject to conditions 12-Aug-2011
- 11/00158 PROPOSED SIGNAGE LB not required
- 11/00198 Installation of parking management system and car registration cameras and pay stations GRANTED subject to conditions 24-May-2011
- 11/01683 Banner signs on 23 lamp posts adjacent to Clarence and Brewhouse buildings, and adjacent to yard dock basin CONSENT GIVEN subject to conditions 31-May-2012
- 11/01689 Retrospective listed building consent for the fixing of aluminium composite sales and marketing hoardings to and around listed buildings CONSENT GIVEN subject to conditions 1<sup>st</sup> June 2012
- 11/01684 Advertisement consent for temporary composite aluminium sales and marketing signage GIVEN subject to conditions 12<sup>th</sup> June 2012

## Consultation Responses

**English Heritage** – Welcome the retention of more of the walls within the garden area.

The application is not supported by a longer term parking, or transport, strategy for the Yard, which is of great concern. Whilst we have agreed that the previous multi-storey car park options were undesirable or unachievable, it is essential that the issue is addressed in a considered manner with a long term strategy.

English Heritage do not object to the proposed surface materials, but would seek clarification on the proposed kerb materials. As off-the-shelf concrete kerb is unlikely to be acceptable. We are also very concerned that the details provide (kerb heights, etc) appear to be standard carriageway details, and do not have the careful design input that has informed much of the work at the Yard. Given that the proposed car-park and new road abut soft landscaped areas is there a need for raised kerbs etc? We would ask for further details to be supplied on existing kerb details and materials at the Yard, to inform further consideration of the appropriate kerb details. We would object to the details as currently proposed.

We do not support the 11 new (from the pre-application drawings) spaces to the right hand side of the ramp when reaching the upper level. They push the parking further into the grassed area and will require higher and more substantial banks to conceal them.

We support the possibility of increasing the gradient of the grassed area to screen the cars, but recommend that this should be continuous gradient rather than the more sudden bank which appears on drawing PL-201, although clearly the gradients would have to work with the existing path, etc. Dimwittedly it is difficult to judge the appropriate height for the bank on section , and are probably best judged on site, but we would not wish to see them any higher than proposed.

There is no indication of any signage with this application. Details need to be provided.

### **Representations**

Site notices have been posted and neighbours notified of the application. This has resulted in receipt of 5 letters of representation. Only one letters relates exclusively to the listed building consent application, the others combine their comments with comments on the planning application. The grounds of objection mostly relate to transport issues, and are addressed in the parallel application - ref 12/00868/FUL. Comments can be summarised as follows:-

- Disappointed that it does not appear to form part of a permanent transport strategy which I consider essential in order to demonstrate a sustainable long term plan for managing traffic in the area.
- Although the application appears to be a solution to the immediate parking requirements it goes no further than that and does not fully address the increasing traffic management and parking problems associated with the ongoing development of the Royal William Yard.. What provision do the developers have planned for parking and traffic management associated with the eventual completion of the Melville and Factory Cooperage buildings? Why does there still appear to be no provision for visitors to use alternative modes of transport such as additional businesses or 'park and ride' schemes? More parking spaces with no attention given to these matters will simply increase the use of cars in direct contravention of environmentally friendly planning for such an important and attractive area of the city.
- The use of hoggin surfacing for the proposed parking in the Officers Gardens is inappropriate. It should be a hard surface such as paving blocks or bitumen as proposed for the Access road. It is felt the hoggin will not last long, will become unsightly, will not be in keeping with the scheduled ancient monument status of this industrial site and will provide high maintenance costs for the Estate

### **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 issues in this case are:-

- The impact on the setting and character of the listed buildings (Policy CS03 of the Adopted Core Strategy)

Policy CS03 (Historic Environment) of the Adopted Core strategy is relevant. It states:-

*'The Council will safeguard and where possible, enhance historic environment interests and the character and setting of areas of acknowledged importance, including scheduled ancient monuments, listed buildings (both statutory and locally listed), registered parks and garden , conservation areas and archaeological remains.'*

The primary objective of this proposal is to ameliorate the demonstrable problems of car parking at the Yard, and while this proposal requires the loss of some historic fabric within the former officers' gardens, overall it is considered that this constitutes 'less than substantial harm' which is mitigated by the likely contribution of the proposal to securing the further viability of the Yard as a whole, *'in support of its long term conservation'*. However, English Heritage's concerns about the lack of an overall car parking strategy for the Yard and signage/advertising are shared. Pressure for a convincing response to both these issues needs to be maintained.

While the loss of historic fabric within the walled garden is regrettable, not all elements are likely to be contemporary with the Yard construction, and the structures to be demolished are simple rubble build vernacular structures which would be unlikely to be listable in their own right. It is considered that their loss can be adequately mitigated through recording, in which respect the proposed recording to the is acceptable. The possible archaeological implications of the proposal can be adequately mitigated as proposed in the Archaeology Report.

The proposed mounding to the west and south sides of the grassed slope to obscure the effect of parked cars beyond the east wall of the walled garden is sensible and acceptable.

Details of surface materials, kerbs and other elements of the proposed works, particularly colours and materials need to be conditioned.

The issue of car parking around the green, and the incremental effect of this on that area, has been considered. Whilst the car parking around the green would be better removed completely this proposal moves the it further to the south side of the green south by realigning the road here to immediately alongside the retaining wall of the mound. In some respects this is an improvement on the existing, getting rid of the small area of 'left over' space alongside the mound retaining wall, and straightening the alignment of 'Back Lane', and these effects are to be welcomed.

### **Section 106 Obligations**

None

## **Equalities & Diversities issues**

None

## **Conclusions**

Additional noise, light pollution removal of trees and historic outbuildings, there are many reasons for being reticent about giving this listed building consent for this proposal. Considered out of context they might seem to lean towards refusal. But the location of the proposed car park, tucked away where it will not be conspicuous, and the need to provide additional parking to serve the listed buildings that have successfully been converted to new uses,

## **Recommendation**

In respect of the application dated **21/05/2012** and the submitted drawings 1007-NP PL-100-; C12014/C210(1) Rev. B; C12014/C210(2) Rev.B; C12014/C211(1) Rev.B; C12014/C201 Rev.A; C12014/C200 Rev C; C12014/C211(2) Rev. B; C12014/C215(1) Rev.B; C12014/C215 (2) Rev. B; C12014/C200 Rev B; 1007-NP PL-010; 1007- NP PL-011; 1007-NP PL-012; 1007-NP SK-112 1007-NP PL-120; 1007-NP PL014; 1007-NP NP-013; 1007-NP PL-110; 1007-NP PL-125; 1007-NP PL-200; 1007-NP PL-120; 1007-NP SK-122; 1007-NP PL-125; 1007-NP PL-201;1007-NP PL-203; 1007-NP PL-204, it is recommended to: **Grant Conditionally**

## **Conditions**

### **TIME LIMIT FOR COMMENCEMENT (LBC)**

(j)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.

### **APPROVED PLAN NUMBERS**

(2) The development hereby permitted shall be carried out in accordance with the following approved plans

1007-NP PL-100-; C12014/C210(1) Rev. B; C12014/C210(2) Rev.B; C12014/C211(1) Rev.B; C12014/C201 Rev.A; C12014/C200 Rev C; C12014/C211(2) Rev. B; C12014/C215(1) Rev.B; C12014/C215 (2) Rev. B; C12014/C200 Rev B; 1007-NP PL-010; 1007- NP PL-011; 1007-NP PL-012; 1007-NP SK-112 1007-NP PL-120; 1007-NP PL014; 1007-NP NP-013; 1007-NP PL-110; 1007-NP PL-125; 1007-NP PL-200; 1007-NP PL-120; 1007-NP SK-122; 1007-NP PL-125; 1007-NP PL-201;1007-NP PL-203; 1007-NP PL-204

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.

### **Statement of Reasons for Approval and Relevant Policies**

Having regard to the main planning considerations, which in this case are considered to be: The impact on the setting and character of the listed buildings , 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 development is acceptable and complies 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 (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

CS03 - Historic Environment

NPPF - National Planning Policy Framework March 2012