

PLANNING APPLICATION REPORT



ITEM: 01

Application Number: 13/00264/FUL

Applicant: Mr and Mrs Truscott

Description of Application: Demolition of single-storey garage, pasty shop and lean-to and construction of detached MOT garage/car sales together with repair and restoration of Hooe Barn to form retail unit and café and creation of car parking and associated landscaping (revision to application 12/02047/FUL) (Readvertised due to amended plans showing changes to window openings on north and east elevations)

Type of Application: Full Application

Site Address: HOOE BARN, HOOE ROAD PLYMOUTH

Ward: Plymstock Radford

Valid Date of Application: 15/02/2013

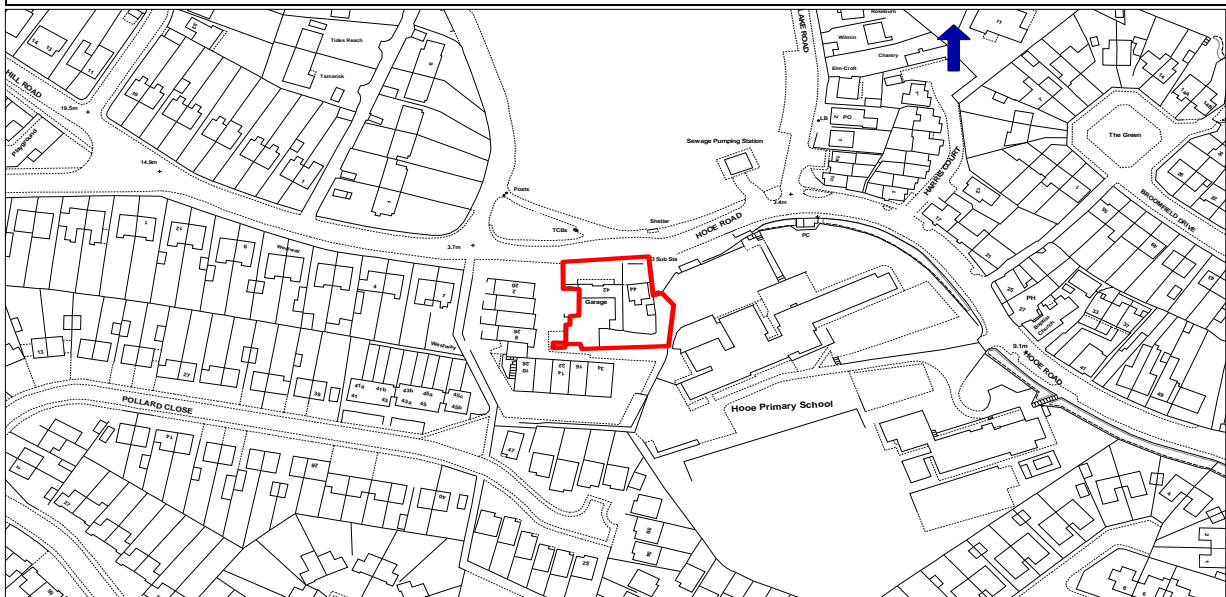
8/13 Week Date: **12/04/2013**

Decision Category: Member Referral

Case Officer : Olivia Wilson

Recommendation: Grant Conditionally

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This application has been referred to Planning Committee by Councillor Ken Foster.

The application was considered at Planning Committee on April 4th 2013 and was deferred for the following reasons: a) to negotiate the removal of the proposed window on the north side of the building; b) to carry out further community engagement; c) further negotiation to change condition four in order to limit the use of the MOT centre to MOT testing only with associated minor repairs linked to the MOT operation d) to negotiate the phasing of the development to ensure the barn is properly restored;

A follow-up meeting was held between officers and the applicant on April 17th to discuss the deferment reasons.

The applicant has subsequently made amendments to the scheme to address these points.

a) To negotiate the removal of the proposed window on the north side of the building

The size of the window in the north elevation has been reduced from 1.8m wide to 0.75m wide on the external wall with a splayed reveal opening (2.4m wide internally) and from 4.2m high to 3.8m high. The reveals around the opening will be stone and a single pane of glass can be used with a hidden aluminium frame.

The two windows in the east elevation have also been amended to retain them as slit openings on the outside, with splayed reveals to the inside.

Further justification has been set out to retain a smaller window in the north elevation. The Barn is Grade II listed which means that it is considered to be a nationally important building of special interest but not of such significance as a Grade I or Grade II* building.

The proposed change of use of the Barn to a commercial unit should be weighed against its protection. The applicant considers that it is imperative that there is a visual link between the outside and the inside so that the use and function of the Barn will be obvious to passers-by. Currently, the whole elevation is obscured by the lean-to structure with plenty of signage. The applicant further feels that the removal of the lean-to and signage should be balanced against the insertion of a modest-sized window. The window should reduce or remove the need for signage on this elevation.

The results of the consultation events show that there is a consensus of opinion in favour of a window opening.

Officers consider that the reduction in the size of the window opening on the North elevation reduces the intrusiveness of the opening but still provides a visual link between the commercial activities within the Barn and the public realm in front of the Barn. Having a splayed opening will allow natural light into the Barn, and will mirror the historic slit openings elsewhere on the Barn.

The justification for the window submitted by the applicant is considered to set out a sufficient justification to retain a smaller opening. It is noted that the opening is required to support the change of use, and also to provide a window to the street. Officers consider that the proposed change is in conformity with the NPPF which states that harm or loss to its heritage can be justified to bring a site back into use. In this case, officers consider that the harm to the fabric of the building should be weighed against the benefits of bringing the Barn back into use and the public benefits of a retail/ café use. Officers also note the public support for the window stated at the recent consultation event.

The alteration to the window openings on the east elevation to slit/ splayed openings are also considered to be a positive amendment

b) To carry out further community engagement

Further community consultation has been undertaken since the last Planning Committee of April 4th. Plym Valley Heritage has run three public events: 1) an exhibition of plans at a talk on 18th April (19 attended); 2) a presentation to Saltram House volunteers on 25th April (about 50 attended) and a public exhibition at Hooe Baptist Church Hall on 3rd May from 2pm – 6pm at which the amended plans were exhibited and the applicant and agent were on hand to answer questions (88 attended). A questionnaire was handed out at these events, and a total of 102 completed questionnaires were returned. Of these, 95 expressed support for the development (with 7 against) and 85 expressed support for a window in the north elevation (with 14 against).

The Society for the Protection of Ancient Buildings has also submitted revised comments on the amended design. They are pleased to note that the slit windows on the East elevation are to be retained and not altered to become larger openings. The reduction in the scale of the new opening in the north (street) elevation is also welcome.

c) Further negotiation to change condition four in order to limit the use of the MOT centre to MOT testing only with associated minor repairs linked to the MOT operation

The applicant has agreed to a further condition in relation to the MOT garage to restrict paint-spraying and to limit bodywork repairs to those required for MOT testing.

Officers consider that the new condition (Condition 19) regarding no paint-spraying activity and limited bodywork repairs will provide additional protection to residents and the nearby school from undue noise or pollution associated with the MOT garage. Together with restrictions on the car sales (conditions 4 and 5), officers consider that the MOT garage will primarily be restricted to carrying out vehicle repairs associated with MOTs and car services. While the Planning Committee requested a condition restricting all bodywork repairs, officers consider that this would not be reasonable as bodywork repairs are required for MOTs and servicing.

- d) To negotiate the phasing of the development to ensure the barn is properly restored Condition 15 (Completion of Specific Works) has been revised to require further restoration works to be undertaken in addition to roof repairs before the MOT garage is brought into use.**

Condition 15 (Completion of Specific Works) has been revised to require further restoration works to be undertaken in addition to roof repairs before the MOT garage is brought into use. These additional works are to make good and repair the north elevation of the Barn following the demolition of the lean-to garage, and to remove all vegetation. While Planning Committee requested that the Barn be fully restored prior to the MOT garage operating, officers appreciate that this would not be commercially viable for the applicant. Restoration of the Barn roof and removal of vegetation will make the Barn watertight and prevent further deterioration.

Overall, officers consider that the applicant has responded adequately to the amendments requested by the Planning Committee through submission of revised plans, additional justification and agreement to amended conditions.

Further amendments to the Officer's report

The following amendments have been made:

In the Consultation section, the Environment Agency's response has been added as has the Society for Ancient Building's (SPAB) comments on the proposals (from the Addendum Report). Amended comments from SPAB have also been included.

In the Letters of Representation section, for the point of clarity, the number of letters of objection and support has been clarified.

In the list of recommended conditions, condition 18 (FLOOD RESISTANT AND RESILIENT CONSTRUCTION) (proposed by the Environment Agency) has been added from the Addendum report.

Site Description

Hooe Barn is a Grade II listed Elizabethan threshing barn located within the Hooe Local Shopping Centre adjoining Hooe Road.

Proposal Description

Demolition of single-storey garage, pasty shop and lean-to and construction of detached MOT garage/ car sales together with repair and restoration of Hooe Barn to form retail unit and café and creation of car parking and associated landscaping (revision to application 12/02047/FUL) – readvertised due to amended plans showing changes to window openings on north and east elevations.

Pre-Application Enquiry

Pre-application advice was sought and the Council's advice was that the principle of demolishing the existing garage and erecting a new purpose-built garage/ MOT centre would be acceptable. The reuse of the Barn was considered positive and that a retail/café use would be acceptable in principle. The proposal to keep the Barn as one large open space was welcomed.

A meeting was held with the applicant following withdrawal of the earlier application to discuss revisions to the application. Revisions to parking layout, the addition of car sales, the café, design of windows, and hours of operation were all discussed.

A site meeting was held on the 8th Feb 2013 with a representative from the Society for the Protection of Ancient Buildings. Their advice was that some intervention to the building would be necessary to make the use commercially viable, but that intervention should be kept to a minimum.

Relevant Planning History

12/02048/LBC – Demolition of single-storey garage, pasty shop and lean-to and construction of detached MOT/Car repair garage, together with repair and restoration of Hooe Barn – withdrawn.

12/02047/FUL – Demolition of single-storey garage, pasty shop and lean-to and construction of detached MOT/car repair garage together with repair and restoration of Hooe Barn to form commercial space and creation of car parking and associated landscaping - withdrawn.

13/00265/LBC - Demolition of single-storey garage, pasty shop and lean-to and construction of detached MOT garage/car sales together with repair and restoration of Hooe Barn to form retail unit and café and creation of car parking and associated landscaping (revision to application 12/02048/LBC) – under consideration.

Consultation Responses

The Highway Authority does not object to the application as sufficient parking spaces are provided for the uses proposed and the proposals do not generate a significantly greater number of trips than the current uses. It requests that the car sales area shown on the plans should be controlled by condition to avoid customer parking spaces being taken up by car sales. A further condition will be required for highway works to extend the traffic island and resurfacing of the footway.

The Public Protection Service does not object to the application but requests conditions to protect residential amenity during construction and when the uses are operating, and to ensure that adequate land remediation is carried out prior to commencement of development. It notes that the proposal includes a café use, but does not provide details of ventilation.

The Environment Agency considers that further details about flood resilience and ground floor levels in the MOT garage are required to ensure that this proposal maximises the opportunities presented by redevelopment to secure improvements in terms of flood risk. The flood level information does not appear to have been translated to flood risk on the site or how these risks will be appropriately managed, although it is noted that the Flood Risk Assessment does refer to some flood mitigation measures. Nonetheless, if the Planning Authority is minded to approve this application as it is currently submitted it recommends that conditions are included on subsequent permission to ensure the implementation of flood resistance and resilience measures (as proposed in the Flood Risk Assessment) as well as the appropriate investigation and management of contaminated land and unsuspected

contamination. It recommends a condition requiring submission of a scheme to minimise flood damage by using flood resilient construction techniques. It also recommends further land quality investigation. Officers consider that a condition should be attached regarding flood resilience, but notes that land quality conditions are already required.

The Society for the Protection of Ancient Buildings (SPAB) comments that the impact of the opening in the north elevation may be overpowering as currently designed and it may therefore be beneficial to consider reducing its scale. A reduction in the size of the opening might help to retain the agricultural character of the Barn. For the same reason it could also be suggested that the impact of the car parking and the commercial treatment of the area created by the demolition of the garage might adversely affect the setting of the Barn if it is not handled sensitively. SPAB recognises that there is a need for inclusive access and parking for disabled visitors, but more could be done to soften the area around the Barn so that the Barn is clearly read as the main feature of interest on the site. Care will be needed to ensure that the site does not end up with an overly commercial character. The use of materials with a more rugged and agricultural feel could help in this regard. Similarly, where other slit windows exist they should be retained as such. They would suggest that as the animal stalls are an important part of the building's heritage then consideration should be given to ways of imaginatively re-using the stalls elsewhere. Overall, SPAB's main concern is that the Barn should not become overtly commercial in terms of its appearance.

Since the Planning Committee of April 4th, the Society for the Protection of Ancient Buildings has submitted revised comments. It notes that the amended designs appear to be an improvement on the previous version of the scheme. They are pleased to note that the slit windows on the East elevation are to be retained and not altered to become larger openings. The reduction in the scale of the new opening in the north (street) elevation is also welcome.

Representations

103 letters of objection were received, with 6 letters of support.

The following concerns were raised:

- Concerned about the safety of pedestrians using the pavement from cars entering and leaving the site. It is a busy pavement used by school children at Hooe Primary School.
- There is not enough space for 8 parking bays between the front of the Barn and the pavement.
- The Barn is a listed building and should not be altered. The buildings to be demolished are also listed because they are attached to the Barn.
- There is currently little regulation of parking around the present garage, so residents are concerned that parking restrictions will be ignored with the new proposal.
- There could be a danger to road users from vehicles entering and leaving the site.

- The driveway acting as a service road and parking area behind the shops/ flats will be reduced in size which will impact on residents who live and park their vehicles there.
- The demolition and construction works will cause disruption to road users and pedestrians. There will also be disturbance to the nearby businesses.
- An MOT station would generate more traffic and congestion than the present garage as a viable MOT garage would require many customers a day to sustain it.
- The proposal does not appear to have a community use as was agreed when originally purchased by the owner.
- The west end of the Barn is landlocked therefore the door cannot be used for the purpose of the business.
- The application fails to take into account the loss of local services including red diesel provision for agricultural machines and the boating community. It is one of the few businesses to serve marine diesel which is also used for agricultural machines. Removal of this facility would greatly increase costs to farmers.
- There will be employment loss from the proposal as the existing employees of the garage and shop would lose their jobs.
- The proposed area is subject to flooding. The road in front of the site floods easily.
- Turning space for heavy vehicles is limited.
- The development will destroy the rustic look of Hooe Village.
- The loss of a facility that has been at the heart of the local community for years would be a gap not easily filled.
- It seems redundant to knock down the existing garage with a new one that provides fewer services and more congestion. The current garage provides MOT tests as well as repairs and vehicle maintenance and car sales, a paper shop and pasty shop. Reducing the number of services is a great inconvenience to the local residents and will suck the life out of the village.
- The design of the new building does not fit with the rural character of the village. It is an industrial-looking block.
- Further retail development will affect the viability of the existing businesses.
- Public money has been allotted to the restoration of the Barn but no repairs have been carried out. Why is demolition of existing buildings required to restore the Barn?
- An MOT station would be noisy and not helpful to the community feel of the village.
- The proposed plans will have a detrimental effect on the appearance and value of Hooe Barn. The Barn has an established character and significance within the community that would be destroyed by this application. This vital piece of history would be lost.
- 8 parking spaces would not be enough to service a small shop and garage.
- This retail unit is not ideally situated and could end up sitting empty. What will happen to the Barn then?
- There is no need for more retail space in the village.
- Plymouth City Council sold the Barn on the understanding that it would be for community use.
- The proposed large window will not be sensitive to the building or its history. It will take away the authenticity of the Barn, turning it into just another shop.

- Due to recent changes in the layout of Hooe Road access to the site has been hampered due to the positioning of a bus bay next to a traffic island.
- The application gives no information about the proposed use of the Barn.
- There is no provision for waste storage and collection and deliveries.
- How does the application benefit local people?
- The shops that were on the ground floor of the flats behind the Barn were converted into residential. Don't want the same change of use to happen here.
- There does not appear to be a plan which shows clearly how the location of the proposed development relates to the recently altered junction and new mini-roundabout at nearby Barton Road. There is one plan showing the old and the new road layouts superimposed but no clear indication as to how it relates to the application site.
- Because of the location of the adjacent re-located bus stop and its proximity to the parking access for users of the proposed Barn redevelopment vehicles exiting and turning right (eastwards) from the parking area could well find their view of traffic approaching from the west completely obstructed by a waiting bus-giving the potential for a serious accident to an unwary or careless driver.
- Concerns have been raised about the lack of a proper heritage statement with the application setting out a clear justification for the works proposed, especially for the window in the north elevation.
- It is noted that the proposal includes an energy report which recommends the installation of solar panels on the roof (location not specified).

Comments of support raise the following points:

- Supportive of overall principle but would like to see the roofline of the new garage reflect the Barn with a change of slope such as shown on application 11/01235/out. Suggests that traffic will be a concern but that this relates more to the Hooe Lake Quarry development. The City Council should undertake measures to improve public parking in the area.
- Pleased that car sales are not included in the proposal. The current garage frequently blocks existing parking with cars for sale.
- The proposed viewing window in the north elevation of the Barn should be free of posters and advertising in perpetuity.
- It is important that vehicles are able to enter and leave the site in forward gear.
- The Council should consider double-yellow lining Hooe Road along the whole frontage of the site to prevent illegal parking and place bollards on the footpath and the traffic island.
- The new bus bay has not done anything to improve the situation at this junction and obscure the views of drivers.
- The owners could engage the view of the community on the type of retail/community uses.

Analysis

1. This application is being considered alongside application 13/00265/LBC which is for listed building consent. Detailed considerations in relation to the listed building will be considered in relation to this listed building consent application.

2. The Barn is thought to have been constructed during the Elizabethan period as a threshing barn near the banks of Hooe Lake. It is one of only four such barns in the country. Shippens (smaller barns for livestock) were constructed on the north west, south west and north east walls of the Barn, although only the south west and north east shippens remain.

3. The garage and newsagents shop were built in the 1930s and much of the farmland was sold for housing following the Second World War. The farm remained in agricultural use until the 1960s when the farm and associated buildings were sold to Wimpeys. The farmhouse and outbuildings were demolished but following a local campaign the Barn was saved and became a listed building. Hooe Lake was infilled in the 1960s to create the green recreation area.

4. In the 1970s efforts were made to find a community use for the Barn but no viable use was found. In 1987 Wimpeys sold the Barn to Plymouth City Council for £150 but the shop and garage to the north and east of the Barn remained in private ownership. The Barn was sold to the present owner in 2010.

5. The Barn is orientated with doorways on an east-west orientation, to catch the prevailing westerly winds to create a draft for threshing and winnowing. The West door is slightly higher than the east door, suggesting that loaded wagons entered from the west side and exited to the east.

6. The threshing floor would originally have been of oak planks but this has gone. The floor is mainly cobbled, but with some flagstones. Pigeon holes are incorporated in the North wall. The slit windows were designed to provide light whilst keeping out the worst of the weather. Some of the windows were blocked up over the years.

7. The thick walls are of limestone rubble which taper to the top. The walls would have been at one time lime plastered and white washed.

8. The half-hipped and gabled slated roof was replaced in the 1960s so many of the original oak timbers have been lost.

9. The north elevation of the Barn is set back about 11m from the edge of the footway on Hooe Road. There are currently 3 separate vehicle cross-overs, two serving the garage and the third providing access to the pasty shop forecourt. The north elevation is currently obscured by the garage and newspaper shop, that span the whole elevation (the existing garage and shop are 3m high, 5m deep and 21m across). The garage offers car repairs, car sales and sells fuel with fuel pumps on the forecourt selling red diesel.

10. On the west side of the Barn is a wide pedestrian path (in private ownership) providing access to the west door of the Barn, the south-west shippen, and the row of shops that form Hooe Local Centre. The path follows around the south side of the Barn to provide access to flats at the rear.

11. The pasty shop is a detached single-storey building located to the east and forward of the Barn, with the frontage in line with the front of the garage. Behind the pasty shop is a yard with a lean-to store against a stone retaining wall that is thought to be part of the historic farmyard. The height difference between the yard and the upper courtyard behind the retaining wall is about 1.5m.

12. The north-east shippen is used by the garage as a store and is not visible from the outside because it is obscured by the garage. The south-west shippen and the Barn are vacant.

The proposal

13. The proposal is to demolish the later additions to the Barn (the garage, pasty shop and lean-to) and expose the north and east elevations of the Barn in order to return it to its original appearance, increase its public visibility and support a commercially viable change of use.

14. The works to the Barn include: repairing the roof, walls, reinstating and opening up former windows, replacing the roof lights, providing a new floating floor in the Barn. It is proposed to create a new 4m high window opening in the north elevation facing the road in order to create a more public frontage to the Barn. The proposed use for the Barn is for retail with a cafe. The south-west shippen will be a craft shop. The north-east shippen will have a disabled toilet for use by staff and customers of the Barn and can be used as a kitchen for the cafe. A privy on the outside east wall will be removed.

15. The proposal has been revised from the previous scheme. The main changes are:

- the MOT garage has been set further back on the site to create more car parking space to the front, three car sales spaces have been provided,
- the area for deliveries has been moved from in front of the Barn to the front of the garage,
- The internal arrangement within the north east shippen has been revised to enable a kitchen to be installed to serve the café.
- The window opening in the north elevation of the Barn has been reduced in size from 3m wide to 1.8m wide and from 4.65m high to 4.2m high, as have the rooflights.
- The use as retail and café has been clarified with a plan showing a café layout.
- Glazing has been removed from the west elevation of the MOT garage to reduce visibility to the garage.
- The 'privy' has been removed from the east wall.
- A pedestrian path across the forecourt has been added to provide a clear pedestrian route to the Barn's east entrance.
- Access to the east side of the Barn has been clarified, with steps added from the forecourt to the east door.
- Refuse storage and cycle parking have been repositioned.

16. It is proposed to replace the existing garage with a new 3 bay MOT garage that will be set back from the front of the Barn to be subservient to it. The area to the front of the Barn will become a parking area with a paved pedestrian path providing a clear route from the footpath to the east door of the Barn.
17. The garage will be set back from the north wall of the Barn by about 8m, and will be at least 2.5m from the external wall of the north east shippen. It will be clad in stone to 3m high with flat cladding panels above. In order to achieve a level area for the garage, part of the upper courtyard will need to be excavated by about 1.5m, extending back from the current retaining wall by about 10m and 15m across. The existing stone retaining wall will be demolished.
18. The garage will have a shallow pitched roof, 6m high at the ridge, which will be of standing seam zinc with a double-glazed ridge light.
19. There will be 3 MOT bays within the garage with a reception, waiting area and toilet set back by 5m to the side and a secure tyre store at the rear. The frontage of the garage will be 12m with a further 3m width for the reception area. The garage will be 18m deep. The west elevation (facing the Barn) will have high level windows. From the south elevation, the garage will only appear to be 4.5m high as it will be cut into the slope.
20. The garage forecourt area will be 19m from the street frontage to allow parking in front and deliveries. There will be 4 customer parking spaces for the MOT garage, with 3 car sales spaces along the east boundary. There will be space for deliveries to be made in front of the MOT garage and also space for refuse lorries. The forecourt area in front of the Barn will be 11m width from the street frontage, with seven customer parking spaces. There will be two disabled parking spaces, one for the Barn and one for the MOT garage. A pedestrian path (1m wide) will lead from the footpath to the east entrance of the Barn to provide a clear pedestrian route over the forecourt.
21. The forecourt surfacing will be of bitumen macadam while the paving will be permeable block paving. Two new vehicle crossovers will be provided and the existing crossovers restored. One crossover will serve the MOT garage and the other the Barn. An existing traffic island will be extended to prevent vehicles turning right out of the Barn parking area.
22. The Barn is 9m high to the roof ridge with tapered walls that are 5.5m high to the eaves and appear to lean outwards. Internally, the Barn is 5.5m wide. Externally, the Barn together with the entrances and shippens is 18m wide and 24m long. It slopes down inside from south to north.
23. The north elevation has a half-hipped roof and 3 existing high level arrow-slit windows. It is proposed to glaze these windows.
24. The current garage and shop that spans the width of this elevation will be demolished and the fuel pumps and underground tanks will be removed. The pasty shop will also be demolished. The existing paving on the forecourt will be removed.

25. A new window opening is proposed in the north elevation that will be 4.2m high and 1.8m wide. The east elevation will have 6 rooflights along the main roof and one small rooflight above the doorway. Two former blocked up windows will be re-opened below the eaves. The east doorway will be accessed via 4 steps. These will be 1.4m wide and 0.75m high. The east doorway itself will be 2.5m high. The privy that is built on the east wall adjacent to the east door will be demolished.

26. The north-east shippen will have a doorway entrance, a glazed full height window (in a former door opening) and a window. The plans for this shippen have been revised to amend the internal layout of the space. The walls will be painted with a lime-based paint and a floating floor installed. The revised plans show that the stalls and dividers will be removed in order to create sufficient clear wall space for fittings. The revised plans also show a revised position for the toilet and the lobby. There will be a step up into the lobby and then a level access through to the Barn. The windows will be timber window frames with toughened glass. The doorway will be of timber and made to match the original with a glazing panel.

27. The west elevation has a level access from the pedestrian path to the side. The doors are 3.5m high and 2.5m wide, with 6 rooflights along the west roof. The south west shippen is at the upper courtyard level with a step up to it. There will be a doorway and window. The floor will be a floating floor. The walls will be repaired and painted with a lime-based paint to a height of 2.1m. The window will be a timber-framed top-hung casement of 1m high and 1.5m wide with toughened glass. The door will be made of timber to match existing with a small glazed panel. The stalls and dividers will be painted with an oil-based paint. The south elevation will be unchanged.

28. Internally, the walls will be painted up to a height of 2.1m with a lime-based paint leaving the upper stone walls exposed. The floor will be covered with a floating timber floor with part covered by a panel of toughened glass to expose the original floor below. In order to provide safe access throughout the Barn there will be a need to install ramps between the upper and lower levels. The existing windows and the two re-opened window openings on the east elevation will be glazed with double-glazed timber-framed windows.

29. The main doors into the Barn on the east and west elevations of the Barn will be restored and replaced, although an exact match will be made for the right-hand door of the west elevation. There will be a fully glazed glass screen inside each doorway with a single glazed entrance door. During opening hours, the wooden external doors will be kept open.

30. The roof of the Barn will be repaired with the slates relaid/ replaced and new conservation rooflights installed (4 to be electronically operated, 4 fixed). Roof insulation will be laid between the rafters with 12.5mm thick plasterboard. The new opening in the north elevation will have a fixed glazed window. A new internal door will be constructed between the Barn and the north east shippen to match the existing.

31. Two small refuse stores will be provided – one adjacent to the garage reception by the east wall and the other adjacent to the east door of the Barn. This latter area will be excavated to a depth of about 1.5m.

32. The granite arch that is attached to the south west corner of the Barn will be repaired using a lime-based mortar.

Planning considerations

33. The main planning considerations with this application are considered to be:

- Principle of the development
- Impact on the setting of the listed building, the fabric of the listed building and archaeology (these are considered in more detail in the accompanying listed building consent application)
- Transport and Highways
- Employment
- Impact on the amenity of neighbours

Principle of the development

34. The proposal is to convert the Barn to a retail/ café use with a separate craft shop in the south west shippen, to demolish the existing garage and pasty shop and to construct a new MOT garage with three car sales spaces. It is located within Hooe Local Centre adjacent to a row of shops (a flooring shop, a mini-market and Post Office, a Chinese take-away and an Indian take-away) and already has a garage, newspaper shop and pasty shop on the site.

35. The relevant policies are: SO7 (Delivering adequate shopping provision) CSI I (Changes of use in District and Local Centres), CS01 (Development of Sustainable Linked Communities). The Shopping Centres SPD also provides guidance on Hooe Local Centre.

36. The Shopping Centres SPD identifies the whole site as being within the Local Centre. It notes that the Local Centre has struggled to function fully and that some of the retail units have been converted to residential. It notes that the Local Centre has a poor relationship to the street and the green beyond it. It states that the Council will encourage opportunities to strengthen the Local Centre.

37. Policy CS01 states that development should meet the needs of the neighbourhood and contribute to promoting a sustainable, linked community. Strategic Objective 7 states that new shopping development should strengthen district and local centres by encouraging a range of facilities and uses to meet people's day to day needs. CSI I refers to changes of use away from AI (retail) use. It states that changes of use are acceptable as long as the primary function of the centre is maintained and the proposed use provides a complementary role to the retailing function of the centre.

38. Officers consider that the proposals will replace the existing uses (retail and motor garage/ car sales) on the site but with a new layout. The use as a garage has evolved over the years in an ad hoc way and dominates the frontage of the site.

39. The retail element will be increased with the change of use of the Barn (which is currently vacant). A café use will be added and this is seen as important to add to the range of uses within the centre and to introduce a use that can enable the community to enjoy the interior of the Barn.

40. Officers consider that the changes will create a focal point for the local centre with the Barn that will strengthen the character of the local centre as a whole. By setting the garage to the back of the site it will reduce the dominance of the garage use and enhance the retail element.

41. Concerns have been raised that the proposals do not include a community use. When the Barn was sold to the current owner the covenant stated that the Barn should be used for leisure purposes and for uses that benefit the local community. Officers recognise the need for any use to be commercially viable. Officers consider that a retail and café use will benefit the local community by providing local services and facilities and strengthening the local community.

42. Officers consider that the proposal is in conformity with the City Council's policies on local centres and sustainable communities.

Impact on the setting of the listed building and the fabric of the building

43. Policy CS03 states that the Council will safeguard and where possible enhance historic environment interests and the character and setting of areas of acknowledged importance.

44. The NPPF Para. 131 states that local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

45. This proposal will enable a commercially viable use for the Barn which will enable its restoration. Officers consider that the proposed retail and café use is consistent with the conservation of the Barn. The Barn has fallen into a dilapidated state and is also largely hidden from public view by the garage and shop. The demolition of the garage will reveal the north elevation of the Barn to public view and it is the officer's view that this will enhance the setting of the Barn by opening it up. The east elevation of the Barn will also be exposed by the demolition of the pasty shop and lean-to.

46. Officers consider that the new garage to the side is set back far enough from the Barn frontage that it will not detract from the setting of the Barn. Officers recognise that the forecourt in front of the Barn will be dominated by parking which will detract from the historic setting, but this is required for the commercial viability of the site and to reduce off-site impacts from car parking.

47. Historic records show that the Barn was part of a farmyard and manor and there is a chance that historic artefacts exist within the site. The demolition of the garage, shop and lean-to provides an opportunity to carry out archaeological surveys. This can be required by condition.

48. The main proposed change to the fabric of the building is the insertion of a large window in the north elevation of the building. Officers note that the window will be 4.2m high and 1.8m wide which is a significant intrusion into the fabric of the building. However, officers consider that this is necessary to make the internal use visible to the public realm and to enable commercial viability of the use. The NPPF states that substantial harm to a designated heritage asset should only be allowed where it is necessary to achieve substantial public benefits, including bringing the site back into use. Officers consider that the benefits of bringing the Barn back into use and restoring its fabric outweigh the harm to the fabric of the building from creating the new opening.

49. Officers consider that the proposals to repair the Barn and shippens and carry out works to enable the new uses will protect and enhance the fabric of the building. In order to ensure that the works to the Barn progressed alongside the new MOT garage, a phasing condition can be applied.

50. Officers note that the submitted energy statement recommends the installation of solar panels to reduce the proposal's carbon emissions in accordance with policy CS20 (Sustainable Resource Use). However, no details are provided on the submitted plans or other supporting information. Officers consider that solar panels would be detrimental to the character and setting of the listed building and would not be appropriate in this instance.

Transport and highways

51. The current use at the site consists of a garage and associated car sales/storage, a newsagents and a pasty shop. Officers note that the forecourt area is fully utilised for car sales and no customer or visitor parking is currently provided on site.

52. The proposal will provide a total of 11 formally marked out parking spaces (7 in front of the Barn and 4 in front of the MOT centre). There is also space for delivery vehicles to pull in and turn, 3 working bays for the MOT garage and 3 waiting bays, and an area for a maximum of 3 cars for sale to be parked (this can be controlled by condition). Officers consider that the customer parking spaces meet the parking standards for a development of this kind, as set out in the Development Guidelines SPD.

53. Officers note that the current access arrangements into the site are poor and designed to serve a petrol station forecourt. There are three vehicular crossings. The proposals will create two vehicular crossings : the Barn will be served by a formal vehicular access with associated pedestrian crossing while the MOT garage will be served by a dropped kerb across the footway. Sufficient space is provided for cars to enter and leave in forward gear. There is a traffic island on the road which will be opposite the turning into the Barn. In order to prevent vehicles turning right onto the road when coming out of the site, the traffic island will need to be increased in length eastwards to enable a second bollard to be installed. Drivers

wishing to turn right will then have to turn left and go around the mini-roundabout. This can be enforced by a 'Grampian' condition requiring the works under a Section 278 Agreement. A secure cycle parking area is shown, and the site is considered to be accessible on foot and by public transport, being located on the main road through Hooe.

Employment

54. No details of existing or proposed employment are stated in the application. However, officers note that the existing garage, shop and pasty shop are existing sources of employment. Officers consider that the proposals will create at least the same amount of employment and may create additional jobs.

Impact on the amenity of neighbours

55. Officers note that the proposals involve potentially noisy uses in close proximity to residents. Officers consider that conditions can be attached to protect residents from noise nuisance during construction and once the proposals are brought into use. Any proposal for ventilation extract equipment, or other internal works associated with the café use, is likely to require a further application for listed building consent, and this can be added as an informative.

56. 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.

Section 106 Obligations

None

Equalities & Diversities issues

The proposal includes disabled parking spaces and makes adequate provision for disabled access to the Barn, balanced against the constraints of the layout of the listed building. The east door of the Barn will be accessed via steps due to the difference in site levels, but there will be level access via the west door.

Conclusions

On balance, officers consider that the public benefits of bringing the Barn back into use and restoring the historic fabric outweigh the proposed alterations to the building and the new MOT garage. It is recommended to grant conditional approval.

Recommendation

In respect of the application dated **15/02/2013** and the submitted drawings Alterations to size of window openings on north and east elevations of barn 1130.LP Location Plan, 1130.10 Topographical Survey, 1130.11 Site plan, 1130.12 Floor plan of barn existing, 1130.13 South and West elevations existing, 1130.14 North and East elevations existing, 1130.15 Barn sections existing, 1130.16 Barn sections existing, 1130.20 Rev A Site plan proposed, 1130.21 Rev A Barn floor plan proposed, 1130.22 Barn South and West elevations proposed, 1130.23 Barn north and east elevations proposed, 1130.24 Rev A Barn sections proposed, 1130.25 Rev A barn sections proposed, 1130.26 Barn floor proposed, 1130.25 Rev A Barn floor indicative layout, 1130.30 Rev A MOT garage floor plan proposed, 1130.31 MOT garage elevations proposed, 1130.32 MOT garage section proposed, Design and Access Statement, Structural Survey Report, A potted history of the land at Hooe, Extended Phase I Habitat Survey, Flood Risk Assessment, Transport Statement, Phase One Contamination Status Report, Energy Report,,it is recommended to:

Grant Conditionally

Conditions

APPROVED PLANS

(1) The development hereby permitted shall be carried out in accordance with the following approved plans: 1130.LP Location Plan, 1130.10 Topographical Survey, 1130.11 Site plan, 1130.12 Floor plan of barn existing, 1130.13 South and West elevations existing, 1130.14 North and East elevations existing, 1130.15 Barn sections existing, 1130.16 Barn sections existing, 1130.20 Rev A Site plan proposed, 1130.21 Rev A Barn floor plan proposed, 1130.22 Barn South and West elevations proposed, 1130.23 Barn north and east elevations proposed, 1130.24 Rev A Barn sections proposed, 1130.25 Rev A barn sections proposed, 1130.26 Barn floor proposed, 1130.25 Rev A Barn floor indicative layout, 1130.30 Rev A MOT garage floor plan proposed, 1130.31 MOT garage elevations proposed, 1130.32 MOT garage section proposed, Design and Access Statement, Structural Survey Report, A potted history of the land at Hooe, Extended Phase I Habitat Survey, Flood Risk Assessment, Transport Statement, Phase One Contamination Status Report, Energy Report,

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.

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(2) 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.

CAR PARKING PROVISION

(3) The building shall not be occupied until the car parking area shown on the approved plans has been drained and surfaced in accordance with the approved details, and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

ANCILLARY OR INCIDENTAL USE

(4) The proposed car sales shall only be used for purposes incidental or ancillary to the primary use of the premises as MOT centre/ garage.

Reason:

Whilst the proposal for such ancillary use is acceptable to the Local Planning Authority, the independent use of different parts of the premises would be likely to produce conditions unacceptable to the Local Planning Authority; this condition is in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

RESTRICTION OF CAR SALES

(5) No more than 3 No. (three) vehicles shall be displayed for sales purposes on the site without the prior consent in writing of the local planning authority.

Reason

In order to safeguard the amenity of the locality and the satisfactory operation of the site, in accordance with policies CS28 and CS34 of Plymouth's Local Development Framework Core Strategy (2006 - 2021) 2007.

NOISE

(6) The internal doors to the barn referred to in the proposed plan must be self closing. The door to the proposed craftshop must also be self closing and must remain closed whilst work is being carried out within the building so as to prevent noise from disturbing neighbouring residential properties.

Reason:

To protect the residential and general amenity of the area from noise in accordance with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CONTAMINATED LAND

(7) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation shall not take place until sections 1 to 3 of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until section 4 of this condition has been complied with in relation to that contamination.

Section 1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:

- human health
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
- adjoining land
- groundwaters and surface waters
- ecological systems
- archaeological sites and ancient monuments;

- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Section 2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Section 3. Implementation of Approved Remediation Scheme

The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in the replaced PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Section 4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of section 1 of this condition, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with section 3.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CODE OF PRACTICE DURING CONSTRUCTION

(8) Prior to the commencement of the development hereby approved, a detailed management plan for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the management plan.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

DELIVERY HOURS

(9) There should be no deliveries to either site outside of the following times: 08:00 - 18:00 Monday - Friday, or 08:00 - 13:00 Saturday. There should be no deliveries or collections on Sundays and Bank or Public Holidays.

Reason:

To protect the residential and general amenity of the area from noise and disturbance and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

OPENING HOURS

(10) The uses hereby permitted shall not be open to customers outside the following times: 08:00 - 18:00 hours Mondays to Fridays inclusive and 08:00 - 17:00 on Saturdays.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects, including noise and disturbance likely to be caused by persons arriving at and leaving the premises, and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PETROLEUM LICENSING

(11) Permanent decommissioning of underground fuel storage tanks and associated pipes/ infrastructure present on site, in accordance with the Association for Petroleum and Explosives Administration (APEA) publication on Design, Construction, Modification, Maintenance and Decommissioning of Filling Stations (2001).

Reason

To bring the site to a condition suitable for the intended proposed use and to protect the amenity value of future site users, nearby residents and the environment in accordance with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006 - 2021) 2007.

ARCHAEOLOGY

(12) No part of the development allowed by this permission shall be commenced until the applicant (or their agent or his successors in title) has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation (WSI) which has been submitted by the applicant and approved by the Local Planning Authority. The development shall be carried out at all times in strict accordance with the approved scheme and in accordance with other such details as may subsequently be agreed in writing by the Planning Authority.'

Reason:

To ensure that the details of the proposed work do not conflict with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SURFACING MATERIALS

(13) No development shall take place until details of all materials to be used to surface external areas of the development hereby approved 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 CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

EXTERNAL MATERIALS: MOT GARAGE

(14) No development shall take place until details of the materials to be used in the construction of the external surfaces of the MOT garage 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 CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

COMPLETION OF SPECIFIC WORKS

(15) Before the MOT garage hereby permitted is first brought into use the following works to the Barn shall be completed: all repairs and associated works to the roof of the Barn to be carried out in accordance with the approved plans, the stonework on the north elevation of the Barn shall be repaired and made good following demolition of the attached garage and shop and all vegetation shall be removed from the walls of the Barn..

Reason:

To ensure that this essential part of the development is provided before the building is brought into use, in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

ACCESS/HIGHWAY IMPROVEMENTS

(16) The use hereby permitted shall not commence until the proposed access and improvements to the existing highway shown on the approved plans have been completed.

Reason:

In the interests of highway and pedestrian safety in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CYCLE PROVISION

(17) The building shall not be occupied until space has been laid out within the site in accordance with the approved plan for at least 4 bicycles to be securely parked. The secure area for storing bicycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

FLOOD RESISTANT AND RESILIENT CONSTRUCTION

(18) No development approved by this permission shall be commenced until a scheme to minimise flood damage to the proposed development by utilising flood resilient construction techniques to an appropriate level has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and maintained in accordance with the approved details.

Reason: To minimise the damage to the building from flood events in accordance with policy CS22 of the Plymouth Local Development Framework Core Strategy 2007 (2006 - 2021).

RESTRICTION ON MOT USE TO EXCLUDE PAINT-SPRAYING AND LIMIT BODYWORK REPAIRS

(19) No paint-spraying shall be undertaken by the MOT centre/ garage hereby permitted and any bodywork repairs must be restricted to essential work related to MOT testing.

Reason

To protect the residential and general amenity of the area in accordance with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006 – 2021) 2007.

INFORMATIVE: POSITIVE AND PROACTIVE WORKING

(1) In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way [including pre-application discussions] and has imposed planning conditions to enable the grant of planning permission.

INFORMATIVE: PUBLIC HIGHWAY ENGINEERING DETAILS

(2) No work within the public highway should commence until engineering details of the improvements to the public highway have been approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into. The applicant should contact Plymouth Transport and Highways for the necessary approval.

INFORMATIVE: PUBLIC HIGHWAY APPROVAL

(3) This planning permission does not authorise the applicant to carry out works within the publicly maintained highway. The applicant should contact Plymouth Transport and Highways for the necessary approval. Precise details of all works within the public highway must be agreed with the Highway Authority and an appropriate permit must be obtained before works commence.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: principle of the development, impact on the setting of the listed building, the fabric of the listed building and archaeology, transport and highways, employment and impact on the amenity of neighbours, 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 (1) 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:

- CS28 - Local Transport Consideration
- CS34 - Planning Application Consideration
- CS22 - Pollution
- CS11 - Change of Use in District/Local Centres
- CS20 - Resource Use
- CS03 - Historic Environment
- CS05 - Development of Existing Sites
- CS01 - Sustainable Linked Communities
- SO7 - Delivering Adequate Shopping Provision Targets
- NPPF - National Planning Policy Framework March 2012
- SCSP - Shopping Centres Supplementary Planning Document