

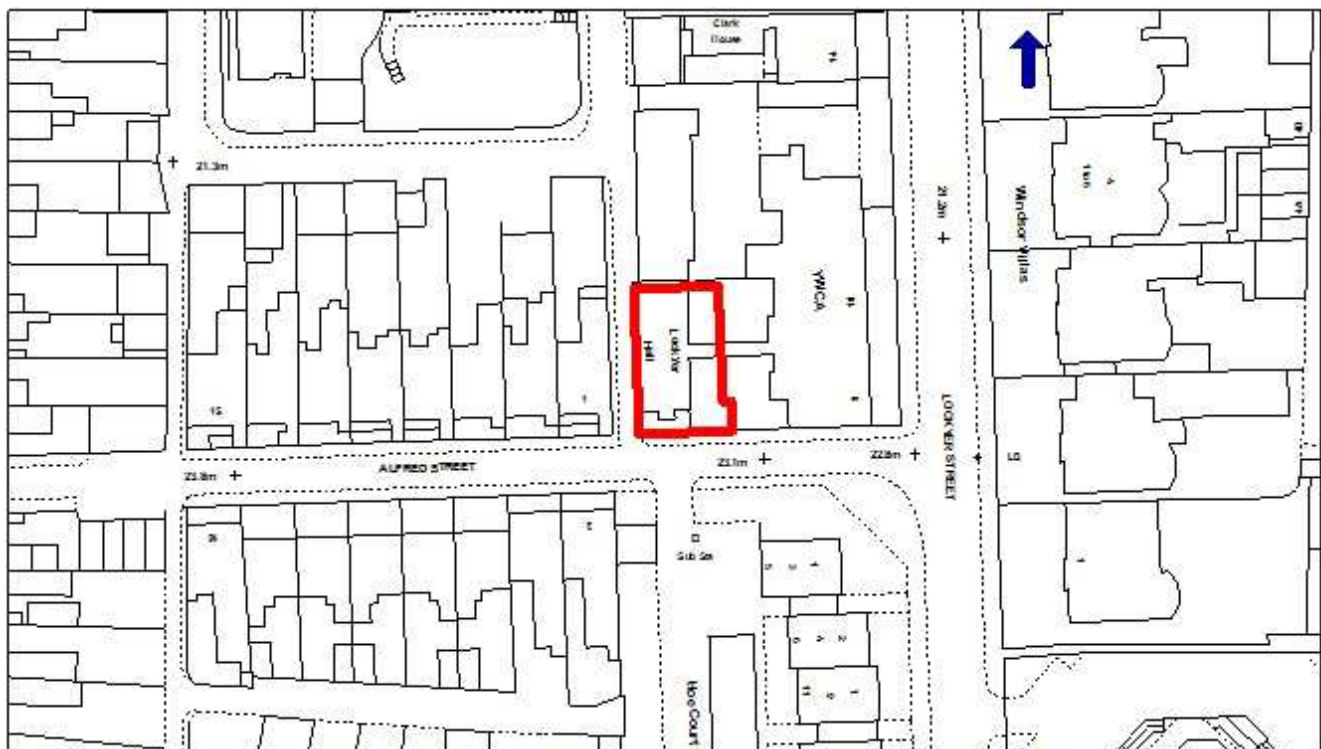
PLANNING APPLICATION REPORT



Application Number	14/00760/FUL	Item	2
Date Valid	30/04/2014	Ward	St Peter & The Waterfront

Site Address	LOCKYER HALL, ALFRED STREET PLYMOUTH		
Proposal	Change of use of Community Centre (D2) to include Business (B1) (both D2 and B1 uses)		
Applicant	Plymouth Labour Party		
Application Type	Full Application		
Target Date	25/06/2014	Committee Date	Planning Committee: 19 June 2014
Decision Category	Member/PCC Employee		
Case Officer	Louis Dulling		
Recommendation	Grant Conditionally		

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The application is before Planning Committee on the basis that the Assistant Director for Strategic Planning and Infrastructure considers there are probity issues due to the application being made on behalf of the Labour Party.

1. Description of site

The application site has its primary access to the south elevation, via Alfred Street, with 3 off-street parking spaces also provided to this elevation.

2. Proposal description

The proposal seeks to retain the existing D2 (Assembly and Leisure) use of the building whilst also introducing a BI (Office) use to enable operation as a political organisation office. The retention of the D2 use will allow for meetings, education and social activities associated with the political organisation office.

3. Pre-application enquiry

14/00543/MIN Likely to be acceptable in principle 25/04/2014

4. Relevant planning history

None relevant

5. Consultation responses

Public Protection: Recommend a condition limiting the hours of construction and demolition.

Local Highways Authority: Recommend a condition regarding cycle storage and an Informative regarding the resident parking scheme.

6. Representations

None received

7. Relevant Policy Framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007).

The National Planning Policy Framework (the Framework) is a weighty material consideration. It replaces the majority of Planning Policy guidance issued at National Government Level. Paragraph

215 of Annex I to the Framework provides that the weight to be afforded to Core Strategy policies will be determined by the degree of consistency of those policies with the Framework.

At the heart of the Framework is a presumption in favour of sustainable development. In the context of planning applications, this means approving development proposals that accord with the development plan without delay but where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or
- specific policies in the Framework indicate development should be restricted.

In addition to the Framework, the following Adopted Supplementary Planning Documents are also material considerations to the determination of the application:

- Development Guidelines

8. Analysis

1.1 This application has been considered in the context of the Council's adopted planning policy in the form of the Local Development Framework Core Strategy 2007 policies; CS02 (Design), CS03 (Historic Environment), CS05 (Development of Existing Sites), CS28 (Local Transport Considerations) and is considered to be compliant with National Planning Policy Framework guidance.

1.2 The main consideration in assessing this enquiry is whether the proposed change of use would be compatible with the surrounding area. Other material planning considerations include transport and parking and impact upon the character and appearance of the area and amenity.

Principle

1.3 The proposed dual use of the building as a Political Organisation Office and as D2 (Leisure and Assembly), is not considered to be significantly different in terms of levels of use as the existing Community Centre. The proposed traffic movements associated with the proposed use are likely to be similar to that of the existing use. Hours of operation are also considered to be similar to that of the existing use and would be unlikely to be significantly detrimental to the character of the area which is mainly residential.

1.4 Suitable conditions could be attached to ensure that the hours of use do not have a significant impact upon the residents of neighbouring properties.

Transport

1.5 The existing and proposed uses are similar in nature and would be unlikely to generate vehicles trips significantly above that of the existing D2 use. The Local Highways Authority recommend a condition to ensure that adequate cycle storage is provided and shall remain available in perpetuity.

Character and Appearance

1.6 The application site falls within the Hoe Conservation Area. However there are no alterations proposed to the external elevations and therefore the character and appearance of the area is unaffected by the proposal.

1.7 The re-use of the existing building which is currently vacant is considered to be sustainable. Therefore the proposal is considered to be in accordance with the NPPF which follows a presumption in favour of sustainable development.

9. Human Rights

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.

10. Local Finance Considerations

None

11. Planning Obligations

No Planning obligations have been sought in respect of the application.

12. Equalities and Diversities

None

13. Conclusions

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with the Local Development Framework Core Strategy 2007 policies; CS02 (Design), CS03 (Historic Environment), CS05 (Development of Existing Sites), CS28 (Local Transport Considerations) and is considered to be compliant with National Planning Policy Framework and Planning Practice Guidance.

14. Recommendation

In respect of the application dated **30/04/2014** and the submitted drawings Drawing No. 2014.010.00A, Drawing No. 2014.010.00, Drawing No. 2014.010.01, it is recommended to: **Grant Conditionally**

15. 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.

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 2014.010.00A, Drawing No. 2014.010.00, Drawing No. 2014.010.01.

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, and paragraphs 61-66 of the National Planning Policy Framework 2012.

CYCLE STORAGE

(3) The secure area for storing cycles 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:

To ensure that there are secure storage facilities available for occupiers of or visitors to the building and to comply with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 of Plymouth City Council's Local Development Framework and the National Planning Policy Framework 2012.

HOURS OF CONSTRUCTION AND DEMOLITION

(4) Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:30 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 of Plymouth City Council's Local Development Framework and the National Planning Policy Framework 2012.

INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

(1) The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

INFORMATIVE: CONDITIONAL APPROVAL (NO NEGOTIATION)

(2) 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: RESIDENT PARKING PERMIT SCHEME

(3) The applicant should be made aware that the property lies within a resident parking permit scheme which is currently over-subscribed. As such the development will be excluded from obtaining permits and purchasing visitor tickets for use within the scheme.