

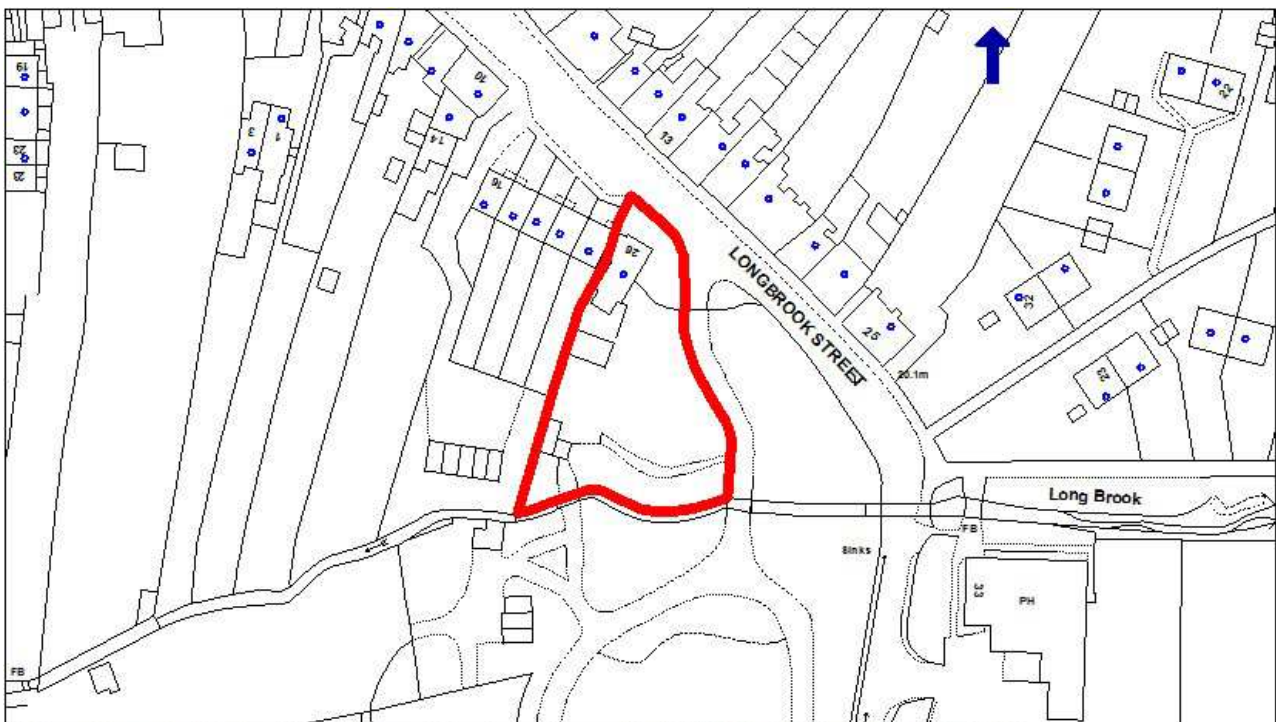
# PLANNING APPLICATION REPORT



<b>Application Number</b>	14/01145/LBC	<b>Item</b>	03
<b>Date Valid</b>	25/07/2014	<b>Ward</b>	Plympton Erle

<b>Site Address</b>	26 LONGBROOK STREET PLYMOUTH		
<b>Proposal</b>	Demolish C20 kitchen extension. Alterations and renovation of cottage and outbuilding. Infill extension behind existing rubble walls and extension of outbuilding		
<b>Applicant</b>	Mr Steve Vitali		
<b>Application Type</b>	Listed Building		
<b>Target Date</b>	<b>19/09/2014</b>	<b>Committee Date</b>	<b>Planning Committee: 11 September 2014</b>
<b>Decision Category</b>	Member Referral		
<b>Case Officer</b>	Liz Wells		
<b>Recommendation</b>	Grant Conditionally		

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This report should be read in conjunction with the application for planning permission, reference 14/01144/FUL.

This application has been referred to Planning Committee by the Cllr Beer.

### **1. Description of site**

26 Longbrook Street is a detached residential property. It is a grade II listed building. The listing description describes it as a house or farmhouse, probably dating back to the 17<sup>th</sup> Century, remodelled as a cottage ornée in the 19<sup>th</sup> Century. It is likely it was extended when it was remodelled as a 'cottage ornée' or decorated cottage, around the same time as the adjacent St Elizabeth's House was built (also Grade II). In more recent years, 26 Longbrook Street has been interpreted by some as a lodge to St Elizabeth's although historic maps would not support this. Both buildings lie within the Plympton St Maurice Conservation Area.

### **2. Proposal description**

Demolish 20<sup>th</sup> Century kitchen extension. Alterations and renovation of cottage and outbuilding. Infill extension behind existing rubble walls and extension of outbuilding.

The proposed extensions are detailed in the report 14/01144/FUL.

Changes to the main house proposed include reinstating two former openings in the rear of the cottage and the insertion of two rooflights in the rear roofslope of the main roof. To the existing outbuilding the proposal includes re-roofing in slate with rooflights in the front (facing the garden) roofslope, the insertion of a new access to the rear (house side), the insertion of and the replacement of the existing windows facing the garden and removal of internal shelving units.

### **3. Pre-application enquiry**

The proposal follows a number of pre-application discussions relating to two storey extensions to the house and a much larger single storey extension – refused by two previous applications - and a proposal for a more contemporary extension to the outbuilding. Officers did not support these schemes due to their scale and bulk fundamentally changing the character of the listed building and its setting.

### **4. Relevant planning history**

- 13/01284/FUL - Single storey side extension including link to existing outbuilding - REFUSED
- 13/01286/LBC - Demolition of existing flat roof kitchen, conversion of outbuilding, extension to link house and outbuilding to form additional accommodation - REFUSED
- 12/00847/FUL – Two storey extension and single storey conservatory/dining room (existing outbuilding and kitchen removed)
- 12/00848/LBC - Demolition of outbuilding, two storey extension and associated internal alterations to listed building

Tree works application:

- 11/01868/TPO, conditionally APPROVED the removal of three trees and pruning of one. Some trees protected by Conservation Area status and some by Tree Preservation Order.

## 5. Consultation responses

English Heritage – do not wish to offer any comment on this occasion.

## 6. Representations

Three letters of representation have been received from nearby residents. Two letters is in full support, and the other commenting about the proportions of the lodge house.

## 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 1 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.

## 8. Analysis

### 1. Policy context / Main considerations

1.1 The application turns on policy CS03 of the adopted Core Strategy and on the National Planning Policy Framework. The main consideration in assessing this application is the impact on the listed building (a designated heritage asset). Other issues relate to the planning application, 14/01144/FUL.

1.2 The previous application was refused on the basis of the significant and detrimental impact on the character of the listed building and its setting area by virtue of its scale, design, position and orientation. The outbuilding is curtilage listed by association to the main house. The refusal reason detailed that the proposal fails to preserve or enhance the character of the listed building, which it is that of a small cottage/lodge, and the character of the outbuilding, which is that of a vernacular, ancillary building of unclear function, contrary to local and national policies. Consideration needs to include whether the previous reason for refusal has been overcome with this revised application.

## 2. Design/impact on building

2.1 The proposal has been much reduced in scale compared to previous schemes and significant work has been carried out to improve the understanding of the existing outbuilding and to address the principal concerns that officers previously had relating to overdevelopment and disproportionate scale. Officers consider that the current proposal overcomes the previous reason for refusal and has an acceptable impact on the existing buildings in principal. However, to ensure the details and quality of materials are appropriate to preserve the quality of the listed building, Officers recommend appropriate conditions to require further details for approval relating to the following aspects of the proposal:

- i. proposed flat roof details.
- ii. proposed replacement roof of outbuilding, sample of slates to be used.
- iii. all new and replacement/restored joinery details, including windows doors and roof lights.
- iv. proposed repair of 'wall linings' in the existing house.

2.2 In connection with the recommended conditions Officers note:

- i. Officers would favour greater use of glass on this than is proposed in order to make it as transparent and unobtrusive as possible. For the same reason the visible support members for the roof, especially along the 'clerestory', should be as slim as possible.
- ii. no works are proposed to the existing roof structure of the outbuilding. The proposed rooflights in the southern 'outbuilding' appear to be set horizontally. Officers consider vertical set would be less disruptive. If any structural element needs replacing this must be on a strictly 'like for like' basis or a further LBC will be needed.
- iii. 'conservation' rooflights are proposed but details required to ensure their appearance is acceptable.
- iv. wall linings should be on an 'as existing' or restored basis.

## **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**

Not applicable to this application.

## **11. Planning Obligations**

Not applicable to this 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 policy and national guidance and specifically preserves and enhances the listed building. The proposal is therefore recommended for approval subject to conditions for further details and materials to be submitted for approval.

## 13. Recommendation

In respect of the application dated **25/07/2014** and the submitted drawings LO1, LO2, LO2R, LO3, EX01, EX02, EX03, GA1, GA2, GA2R, GA3, GA4, GA5 and accompanying photomontages GA6, GA7, GA8, design and access statement, historical evolution report, heritage statement, bat survey, flood mitigation letter, parking statement and land registry document, it is recommended to: **Grant Conditionally**

## 14. Conditions

### CONDITION: TIME LIMIT FOR COMMENCEMENT (1)

(1) The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason:

To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

### CONDITION: APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: LO1, LO2, LO2R, LO3, EX01, EX02, EX03, GA1, GA2, GA2R, GA3, GA4, and GA5 and accompanying 'Schedule of Works' listed in part 7 of the Heritage Statement.

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.

## **Pre-commencement Conditions**

### **PRE-COMMENCEMENT: FLAT ROOF DETAILS**

(3) No works shall take place until further details of the flat roof including the clerestorey glazing bars and integral roof lights (with cross sections at 1:5 scale and 1:1 moulding details) have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

#### **Reason:**

To ensure that the details of the proposed work do not conflict with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

### **PRE-COMMENCEMENT CONDITION: USE OF NATURAL SLATE**

(4) The roof shall be clad using natural slate, fixed with nails, not clips. A sample of the slate shall be submitted to and approved in writing by the Local Planning Authority before any works commence.

#### **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, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

### **PRE-COMMENCEMENT: ROOFLIGHTS**

(5) No works shall take place until details of the proposed rooflights have been submitted to and approved in writing by the Local Planning Authority. The rooflights shall be of a flush fitting conservation type. The works shall be carried out strictly in accordance with the approved details.

#### **Reason:**

To ensure that the details of the proposed work do not conflict with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

### **PRE-COMMENCEMENT: JOINERY DETAILS**

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

#### **Reason:**

To ensure that the details of the proposed work do not conflict with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

#### **PRE-COMMENCEMENT: DOOR DETAILS**

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

#### **Reason:**

To ensure that the details of the proposed work do not conflict with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

#### **PRE-COMMENCEMENT: MORTARS, PLASTERS AND RENDERS**

(8) No works shall take place until a schedule of mixes for all mortars, plasters and renders to be used has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved schedule.

#### **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, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

#### **PRE-COMMENCEMENT: TRIAL AREA FOR WALL FINISH**

(9) With regards to the stone wall extension to the existing outbuilding, no works shall take place until a trial area of not more than 1 square metres has been prepared in a previously agreed location and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with that approved trial area.

#### **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, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

### **INFORMATIVE**

#### **INFORMATIVE: CONDITIONAL APPROVAL (1)**

(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 with the Applicant including pre-application discussions and has negotiated amendments to the application to enable the grant of planning permission.

**INFORMATIVE: (2) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION**

(2)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).