

PLANNING APPLICATION REPORT



Application Number 14/01740/LBC

Date Valid 18/09/2014

Item 03

Ward Stoke

Site Address I BERKELEY COTTAGES, COLLINGWOOD ROAD PLYMOUTH

Proposal Replacement fireplace in lounge

Applicant Mr Oliver Gibbins

Application Type Listed Building

Target Date

13/11/2014

Committee Date

**Planning Committee: 20
November 2014**

Decision Category Member/PCC Employee

Case Officer Liz Wells

Recommendation Grant Conditionally

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This application has been referred to Planning Committee because the applicant is an employee of the Council.

1. Description of site

1 Berkeley Cottages is a semi-detached residential property in the Stoke are of the city. The pair of properties are Grade II listed buildings.

2. Proposal description

Listed building consent for replacement fireplace in lounge.

The submitted details show that the existing fire place is a modern replacement with glass front and polished metal surround. The proposal it to replace with cast iron fireplace along with restoration of the fire surround within the existing marble mantel piece.

3. Pre-application enquiry

No formal pre-application discussions.

4. Relevant planning history

No relevant planning history for this property. The property was listed in November 1998.

5. Consultation responses

No external consultees requested or received.

6. Representations

No letters of representation 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.

8. Analysis

- (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, and is considered to be compliant with National Planning Policy Framework guidance. The most relevant policy is CS03.
- (2) Having looked at this application and all the information provided; the removal of the modern fireplace insert and the repairs seem to be a very positive step to restore some character to the lounge. Although the proposed new fireplace insert is slightly late in date and possibly a little more decorative than the original would have been, (the new ones dates from 1912 whereas the building dates from circa 1840's), the style will work well in this property and will far more in-keeping than what is there now.

Officers therefore recommend approval of these works.

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

Not applicable for this proposal.

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 will

preserve and enhance the character of this listed building. The proposal is therefore recommended for approval.

14. Recommendation

In respect of the application dated **18/09/2014** and the submitted drawings site location plan, floor plan, dimensioned photographs as existing and as proposed and accompanying schedule of works and supporting heritage statement, it is recommended to: **Grant Conditionally**

15. Conditions

CONDITION: TIME LIMIT FOR COMMENCEMENT (LBC)

(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: site location plan, floor plan, dimensioned photographs as existing and as proposed and accompanying schedule of works and supporting 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.

Informatives

INFORMATIVE: UNCONDITIONAL APPROVAL - APART FROM TIME LIMIT AND APPROVED PLANS

(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 and has granted planning permission.