

PLANNING APPLICATION REPORT



Application Number 15/01730/LBC

Date Valid 03/02/2016

Item 09

Ward St Peter & The Waterfront

Site Address LONGROOM, 1 POUND STREET, PLYMOUTH

Proposal Creation of a car park in the rear yard, with an associated access gate in the rear boundary wall

Applicant Miss Lorna Rice

Application Type Listed Building

Target Date **30/03/2016**

Committee Date

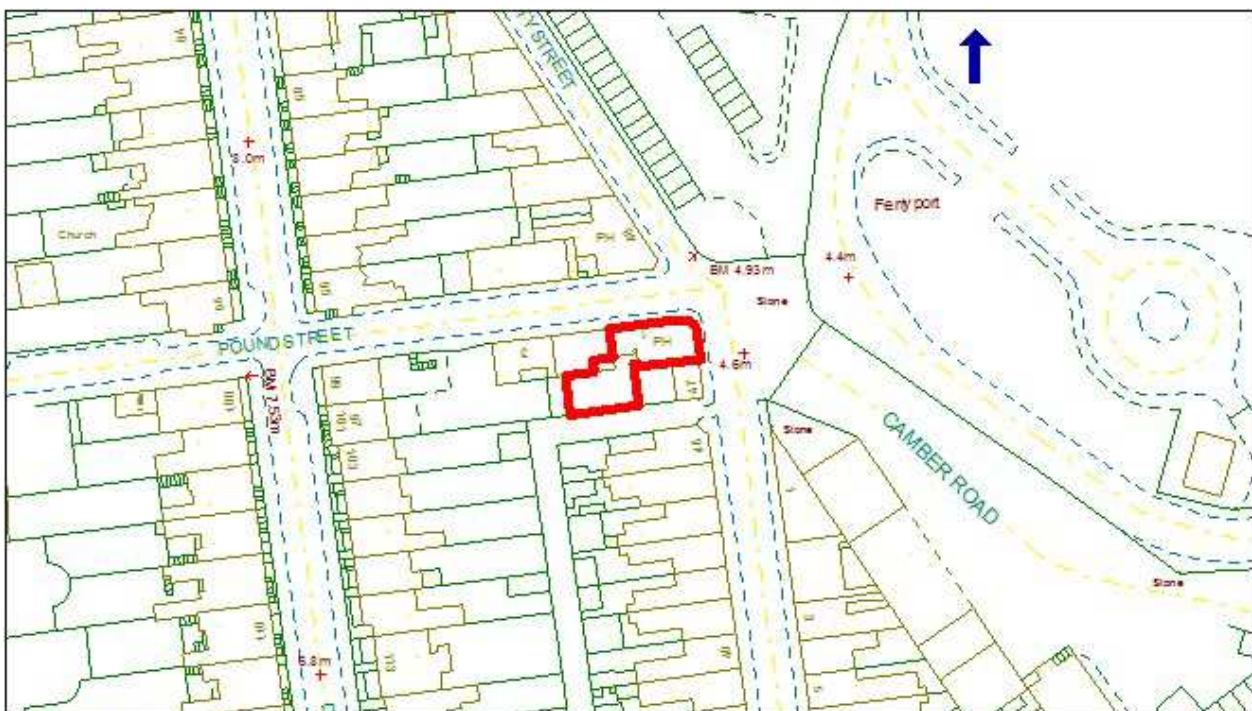
Planning Committee: 07 April 2016

Decision Category Member Referral

Case Officer Jess Maslen

Recommendation Grant Conditionally

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This application has been referred to Planning Committee by Councillor McDonald.

1. Description of site

The Longroom, 1 Pound Street is a former public house, built between 1848 and 1856 opposite one of the entrances to the Royal Marine Barracks. Listed at Grade II, the building stands within the Stonehouse Peninsula Conservation Area. The building itself is stucco with stucco detail, with the roof hidden behind the parapet. To the rear is a random rubble wall that spans the length of the garden, separating the garden from the rear service road. Currently, there is no access to the service road other than via Admiralty Street.

2. Proposal description

The proposal is to create a car parking space in the rear garden, with an associated access gate installed in the rear boundary wall.

3. Pre-application enquiry

None requested

4. Relevant planning history

04/00814/LBC Installation of glass blocks in Pound Street and Admiralty Street elevations, and in highway (cellar doors) to provide light to basement GRANTED CONDITIONALLY

96/00214/FUL Change of use and conversion of public house to dwelling house including retention of corner door GRANTED CONDITIONALLY

96/00215/LBC Conversion of public house to dwelling house including retention of corner door GRANTED CONDITIONALLY

5. Consultation responses

None requested

6. Representations

3 letters of representations were received for this application, 1 in support, 2 which objected to the application for the following planning reasons:

1. There are two existing gateways to the rear of the property;
2. The walls to the rear of this property are historic and should not be destroyed;
3. The property is subject to serious flooding and the proposed development would create a solid surface that would risk exacerbating this situation;
4. The area designated as a parking area is limited and access would be extremely restricted especially as it would open onto a service road that is in frequent use.

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). In the case of this application, it also comprises the Millbay & Stonehouse Area Action Plan.

The development plan is currently being reviewed as part of the Plymouth Plan. The Plymouth Plan-Part One was approved by the City Council in September 2015. The Plan, which incorporates draft development plan policy, has been prepared following a consultation process. As such it is a material consideration for the purposes of planning decisions.

The policies contained in National Planning Policy Framework (the Framework) and guidance in National Planning Practice Guidance (NPPG) are also material considerations which should be taken into account in the determination of planning applications. Due weight should be given to relevant policies in existing and emerging plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The Framework provides that the weight to be given to an emerging draft plan is also to be determined according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given). The Plymouth Plan is at a relatively early stage of preparation.
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given).

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.

Additionally, the following planning documents are also material considerations in the determination of the application:

- Sustainable Design Supplementary Planning Document
- Development Guidelines Supplementary Planning Document

8. Analysis

1. This application has been considered in the context of the development plan, the draft Plymouth Plan, the Framework and other material policy documents as set out in Section 7. The application turns upon policies CS02 (Design), CS03 (Historic Environment) and CS34 (Planning application considerations) of the Adopted Core Strategy of Plymouth's Local Development Framework 2006-2021 and the aims of the Council's Development Guidelines Supplementary Planning Document (2010), the relevant historic environment policy, Policy 28 (Promoting Plymouth's heritage) of Part One of the Plymouth Plan 2011-2031 and the National Planning Policy Framework (2012). The primary planning considerations in this case is the impact on the character and appearance of the listed building and Conservation area.
2. Planning consent is sought for the partial demolition of an historic wall that bounds a service lane in order to create a car parking space in the rear garden of the property.

Impact on the character and appearance of the listed building and the surrounding area

3. Although it is acknowledged that the removal of any historic component is not always acceptable, in this particular case it is considered appropriate for a number of reasons. The 1856 OS map shows a boundary wall which stretches across the whole section at the rear of this row of cottages. However, the 1892 OS map shows a gap in the wall that appears to correlate with the proposed section to be removed. By 1906 this section appears to have been rebuilt. It is evident however that the character of this wall has changed over time. There is, at the west end of this part of the garden wall, a mixture of materials including breeze block incorporated into the boundary wall. It also appears that the walls have been subject to some rebuilding perhaps through raising the height of the wall over time. Thus it is evident that, certainly during part of the building's history, there has been a gap in the wall. As such, it is considered that as long as the alterations to the boundary wall relate well to the main dwelling and character of the area then this proposal would be acceptable.
4. To ensure that the character of the remaining part of the historic wall is protected, and improved, the opening up of part of the wall would need to be carried out through the careful removal of the stonework, including the section containing breeze block; retaining the stones and then through the re-use of the existing stone a partial rebuild incorporating attractive stone quoins to the corners of the wall, to which the gates will be attached. Lime mortar, which is an appropriate material to use for historic random rubble walls, should be used (the mix of which should be agreed by condition). If this work is carried out to the specifications this would ensure that the historic wall will be refurbished and that existing inappropriate material within the wall is removed.
5. Because timber is an appropriate material to use in a Conservation Area as this traditional material respects the historic character of the area, the applicant has agreed to install timber gates leading into this car port. In this case, a bi-fold style will be used to ensure that there is plenty of space for the car to park and to close the gates easily behind it. Details of the bi-fold timber gates will be conditioned as part of this application.
6. Therefore the application is considered to comply with Policy CS02 (Design) and Policy CS03 (Historic Environment) and Policy CS34 (Planning Application Considerations) of the Council's Adopted Local Development Framework – Core Strategy 2007, as well as the guidance set out in the Sustainable Design SPD (2009) and the Development Guidelines SPD First Review 2013.

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

Under the present Community Infrastructure Levy charging schedule no CIL contribution is required for this development.

11. Equalities and Diversities

Not applicable.

12. 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 for the reasons discussed above, the proposal is considered to be acceptable and as such is recommended for approval.

13. Recommendation

In respect of the application dated **03/02/2016** and the submitted drawings Site location plan and block plan; Annotated photographs of existing wall and proposed gateway; existing floor plan and proposed floor plan; photos showing variations of gateways on service lane; design and access statement; heritage statement, it is recommended to: **Grant Conditionally**

14. 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 (LISTED BUILDING CONSENT)

(2) The works hereby permitted shall be carried out in accordance with the following approved plans: [insert plan numbers].

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance 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 Conditions

PRE-COMMENCEMENT: MORTARS, PLASTERS AND RENDERS

(3) No works shall take place until a schedule of mixes for the lime mortars 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.

Justification:

To ensure that important historic features are properly respected before construction commences.

PRE-COMMENCEMENT: GATE DETAILS

(4) No works shall take place until details of the proposed new gates 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 gate and the gate 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.

Justification:

To ensure that important historic features are properly respected before construction commences.

Informatives

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 and has imposed planning conditions to enable the grant of planning permission.