

PLANNING APPLICATION REPORT

Case Officer: Graham Lawrence

Parish: Totnes **Ward:** Totnes

Application No: 2076/18/LBC

Agent/Applicant:

Mr Eric Davis
Unit 12 4 Craigie Drive
Plymouth
PL1 3JB

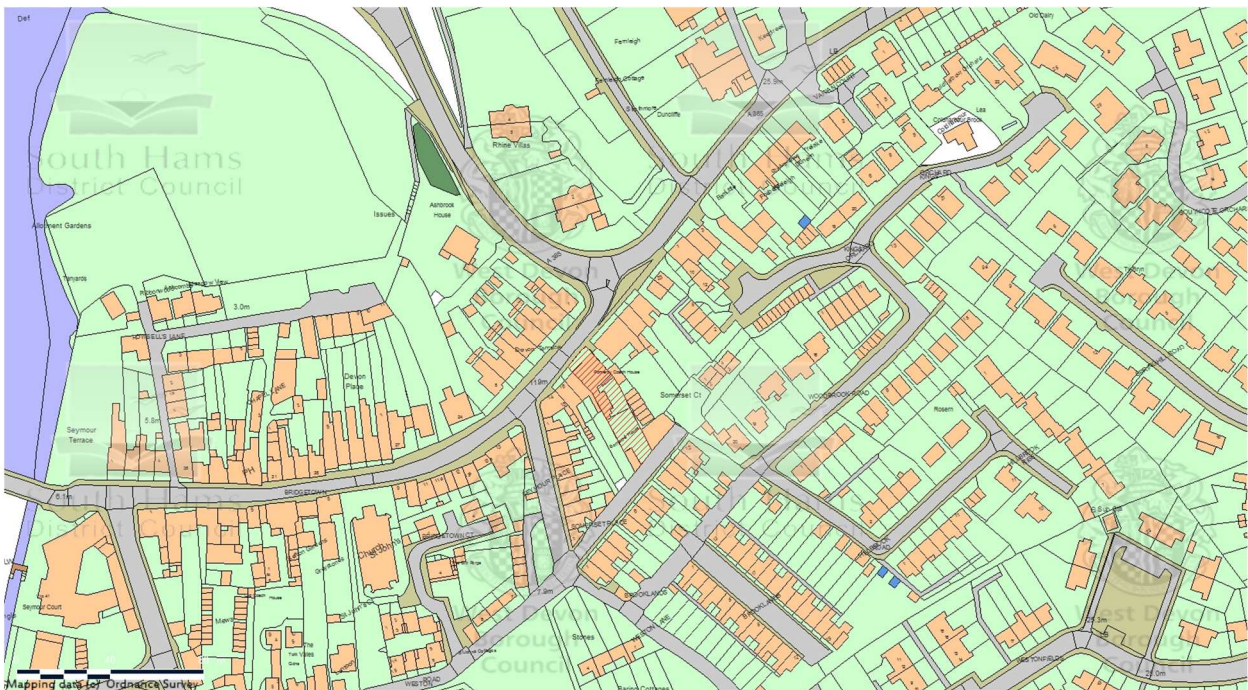
Applicant:

Mr David Goulden
2 The Old Workshops
St. Johns Terrace
Totnes
TQ9 5SX

Site Address: 18 Bridgetown, Totnes, Devon, TQ9 5BA

Development: Listed Building Consent for conversion of B1 office to C3 residential including demolition of modern extensions to listed building. Erection of detached dwelling to rear garden of property.

Reason item is being put before Committee: Cllr Birch has requested that the planning application be taken to Committee due to concerns over neighbour amenity as expressed by the representations objecting to the application. The LBC is included to ensure consistency and avoid confusion.



Recommendation: Conditional approval

Conditions:

- 1 Time limit
- 2 Accord with plans
- 3 Material details / samples
- 4 Joinery schedule
- 5 Schedule of works, including services and changes to meet building regulations
- 6 New build details (eaves, sills etc)

Key issues for consideration:

- Effect on the character and special interest of the listed building
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Site Description: The property is part of a group of quite substantial Georgian villas in Bridgetown. As well as being listed it makes a strong positive contribution to the conservation area. To the rear the building has undergone significant 20th century alterations including a poor quality extension. The building was built as a private residence but has been used as a residential home and offices in the past and this has led to some harmful alterations, including an ugly fire escape on the eastern side.

The Proposal: Conversion of B1 office to C3 residential including demolition of modern extensions to listed building. Erection of detached dwelling to rear garden of property.

Consultations:

- County Highways Authority – Standing advice applies
- Town Council – No objections

- Devon County Archaeology –

The proposed development is in an area of archaeological and historic interest relating to the medieval and post-medieval town of Bridgetown. Groundworks for the construction of the new dwelling may therefore disturb and destroy archaeological deposits.

Recording archaeology within the site would be in accordance with Joint Local Plan policy and the National Planning Policy Framework (2018) and in the absence of a mitigation strategy being submitted with the application I would advise that any consent your Authority may be minded to issue should carry the condition as worded below, based on model Condition 55 as set out in Appendix A of Circular 11/95, whereby:

'No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The development shall be carried out at all times in strict accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Planning Authority.

Reason

To ensure that an appropriate record is made of archaeological evidence that may be affected by the development'.

I would envisage a suitable programme of work being a staged programme, commencing with monitoring of any geotechnical test pits and/or the excavation of evaluation trenches and followed by further recording depending on the observed survival of archaeological deposits and the extent of proposed groundworks.

NB – The condition applies to the planning application only as it relates to groundworks, not works to the listed building covered by the LBC application.

Representations were made by four individuals or couples objecting to the proposed development, some comments were duplicated via web and letter and some multiple representations. The issues raised can be summarised as follows:-

- There is no precedent for new development in gardens.
- The lack of parking indicates over development – there is already insufficient resident on street parking in the area.
- Parking spaces are too small and vehicle manoeuvring will be impractical.
- Harm to the character of the conservation area and the setting of the listed building.
- Loss of business and employment premises.
- Noise transmission to neighbours. This will be worse in a subdivided property.
- The Design and Access Statement and plans (the volumetric plan) are misleading.
- The new build will affect the party wall with neighbour.
- Viability is not a reason to accept development.
- No direct access to the bin store for flats will lead to rubbish being left in front of the building.
- Increased height and bulk of the new build compared to the existing.
- Overlooking and loss of light to neighbour.
- Use of bin store and car park will disturb neighbours.
- Distance from flats to bin store is prohibitive and will cause problems.
- New build is not 'high quality design' and inappropriate in this location.
- Living roof will not be maintained and will become unattractive.
- There are no fire escapes for the flats.
- The proposed drainage solution cannot work as it relies on agreement of others that will not be given.

Relevant Planning History:

0339/16/FUL - Conversion of B1 office to C3 residential including demolition of modern extensions to listed building. Construction of detached dwelling to rear garden of property.
WITHDRAWN

0340/16/LBC - Conversion of B1 office to C3 residential including demolition of modern extensions to listed building. Construction of detached dwelling to rear garden of property.
WITHDRAWN

ANALYSIS

Principle of Development/Heritage impact:

The property is in a prime sustainable residential location with good facilities available on foot and access to public transport. The building was designed and built for residential use but its scale has made it unlikely to be returned to use as a single dwelling. Whilst it has had other uses, there is no reason why a well-considered return to residential use cannot be seen as an 'optimum viable use' of the designated heritage asset.

The new dwelling proposed will replace an extension of similar size but positioned to enable restoration of the rear elevation of the listed building. It is not so much development in a garden, but positive replacement of an existing structure that has harmed a listed building.

The current proposal is the result of extensive pre-application discussion with officers. Despite some harmful alterations to facilitate previous uses the interior of the building retained much of its historic plan. The desirability of preserving the best rooms and the good staircase with minimal change is why it proved impossible for the flats to have rear access to the parking area and bin stores. This is a compromise required to protect the special interest of the listed building and not something the applicant chose to do for any other reason.

Design:

The listed building will be restored with the main elevation effectively unaltered and the interior sensitively handled. The applicant has provided room-by-room plans showing how the conversion will be undertaken so as to preserve, and where applicable, reinstate features. The rear and side elevations will be enhanced.

The new build is a clean and contemporary addition which is an appropriate approach on the rear of a listed building in these circumstances. It is attached to the boundary wall which forms part of the listed building but there is no reason to anticipate harm to this as part of the works. Any demolition of historic fabric would require a further listed building consent application.

The use of a metal roof cladding enables the scale to be kept to an acceptable level. Such materials are now used regularly in heritage situations and read as a modern addition. Conditions are proposed to control the details of eaves etc which need to be well executed to ensure such a design is translated into an acceptable result.

This application has been considered in accordance with Sections 16, 17 and 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Planning Policy

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 relevant development plan policies are set out below:

South Hams LDF Core Strategy

CS9 Landscape and Historic Environment

Development Policies DPD

DP6 Historic Environment

Emerging Joint Local Plan

The Plymouth and South West Devon Joint Local Plan (the JLP) will replace the above as the statutory development plan once it is formally adopted.

Annex 1 of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- For the JLP, which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at a relatively advanced stage of preparation. The precise weight to be given to policies within the JLP will need to be determined on a case by case basis, having regard to all of the material considerations as set out on the analysis above.

PLYMOUTH AND SOUTH WEST DEVON JOINT LOCAL PLAN -: PUBLICATION

(as considered by the Full Councils end Feb/Early March 2017)

DEV21 Conserving the historic environment

DEV22 Development affecting the historic environment

Neighbourhood Plan

The NP is in development.

NPPF

189, 190, 192

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

Conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Accord with plans as submitted – to be listed in full on decision notice.
3. Prior to their installation details / samples of facing materials and of roofing materials to be used in the construction of the proposed new dwelling and those to be used in the repair of the existing building shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with those samples as approved.

Reason: In order to protect the character of the conservation area, the listed building and its setting.

4. Notwithstanding the details submitted, prior to their installation details of all new windows, doors and sills including cross-sectional drawings at a minimum scale of 1:10, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with these details and retained as such.

Reason: In the interests of protecting the special architectural and historical character of the listed building and its setting.

5. Prior to the undertaking of conversion works to the listed building a full schedule of works shall be submitted to and approved in writing by the Local Planning Authority to include the following:

- All works required to comply with the building regulations in terms of fire containment, acoustic or thermal insulation.
- Location and design of all vents, pipes, flues etc required for the installation of

services.

Reason: In the interests of protecting the special architectural and historical character of the listed building and its setting.

6. Prior to construction of the new build element above ground level full details shall be provided and agreed in writing with the local planning authority to show:
- The abutment of the new structure with the adjoining wall(s).
 - The design of the eaves, including rainwater goods in detailed sectional drawings at 1:10 minimum.

Reason: To protect historic fabric, neighbour amenity and ensure that the development complements the setting of the listed building.