

Planning & Heritage Statement



Rear extension and internal alterations

The Promenade Cafe Bar | Hoe Road | Plymouth | PL1 2PA

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1.0 Introduction

1.1 This Planning Statement has been prepared by Robert Heard (Chartered Town Planner), in support of a full planning and listed building consent application for the following scope of works:

Rear extension and internal alterations

1.2 It provides a description of the site and proposed development, an explanation of the design process and access arrangements and an analysis of the main planning issues raised by the proposals. It contains reference to both local and national planning policy and provides an overall assessment of the proposal.

2.0 Site Description

2.1 The Promenade Cafe is an existing cafe located within a single storey building on Plymouth Hoe, formerly known as The Park Keepers Lodge. It is Grade II Listed Building that also contains a garden area with outdoor seating to the front (south) and a courtyard/ service area to the rear (north). The site is bound by public toilets to the north-east and the Garden of Hope to the west.

2.2 The building was listed as Park Keepers Lodge in 1998, although in 1994 permission was granted for a change of use from dwelling house to tea rooms/cafeteria and this use has continued, through a number of owners, to the present day. The site is within The Hoe Registered Park and Garden, the Royal Citadel Scheduled Monument and The Hoe Conservation Area

2.3 Whilst the Lodge appears as a relatively simple structure, the architectural and aesthetic interest is found in its design and detailing, particularly in the ornate windows, shaped barge boards and veranda; and historically it would have been a fine residence for the park keeper, particularly given its setting on the edge of the Hoe.

2.4 The Lodge is currently in use as a cafe/bar, but it's limited size has a negative impact upon trade. Internally, there is a bar/kitchen, 2 very small seating areas and a lobby/toilet. The external seating area, which is popular during the summer months, provides much needed additional seating, but given the inclement weather, this area is only in regular use for between 3 and 4 months a year.

2.5 With regards to the context, The Hoe was designated a registered park and Garden in 2002 and the extensive entry notes the development and provides

a detailed description of the area; it is intrinsically linked with the cultural history of the city. It is also at the heart of modern Plymouth and provides space for walks, shows, events, tourism and leisure. It is particularly renowned for providing access to Plymouth's famous waterfront, which includes the Tinside Lido and many tourist attractions. Nearby to the east is the Barbican, another important part of Plymouth's historic core and a key centre for tourism and leisure. The city centre is a short walk to the north of the site.

3.0 Proposed Development

- 3.1 The proposed development comprises a lightweight glazed extension to the rear of the existing building, within the existing yard to provide a larger eating area to accommodate the growing business. The rear yard is currently under utilised, providing some limited storage space in temporary structures. It is an un-inviting and un-welcoming space.
- 3.2 The provision of additional covered dining space allows for the existing internal layout to be rationalised and provide a larger kitchen, additional (accessible) WC, staff WC, additional storage and a servery providing a takeaway service.
- 3.3 The rear wall of the adjacent public conveniences forms one boundary and the Lodge another. To the north is a fence to the Council yard and to the west is the Garden of Hope, behind an overgrown hedge. The proposal is to better utilise this space by infilling it with a lightweight glazed conservatory style building, that will provide the seating area.
- 3.4 Whilst mostly enclosed within the yard, the proposals present the opportunity for the west elevation to open out onto the Garden of Hope to provide an improved outlook and raise the quality of the built environment. The proposals are single storey with an externally accessible roof terrace that provides additional seating.

4.0 Planning History

- 4.1 The planning history is set out below:

Side and rear extension and internal alterations to building

Hoe Lodge Restaurant Hoe Road Plymouth PL1 2PA

Ref. No: 22/01119/FUL | Received: Tue 28 Jun 2022 | Validated: Thu 07 Jul 2022 | Status: Decided

Side and rear extension and internal alterations to building

Hoe Lodge Restaurant Hoe Road Plymouth PL1 2PA

Ref. No: 22/01117/LBC | Received: Tue 28 Jun 2022 | Validated: Wed 06 Jul 2022 | Status: Decided

Pre-application for internal alterations and single storey extension

Hoe Lodge Restaurant Hoe Road Plymouth PL1 2PA

Ref. No: 22/00098/MOR | Received: Mon 24 Jan 2022 | Validated: Tue 25 Jan 2022 | Status: Decided

Installation of ventilation fan assembly unit, including roof cowling

Hoe Lodge Restaurant Hoe Road Plymouth PL1 2PA

Ref. No: 03/02015/LBC | Received: Mon 01 Dec 2003 | Validated: Mon 01 Dec 2003 | Status: Decided

Demolition of porch and alterations to front and side elevation

Hoe Lodge Restaurant Hoe Road Plymouth PL1 2PA

Ref. No: 95/00731/CAC | Received: Fri 16 Jun 1995 | Validated: Fri 16 Jun 1995 | Status: Decided

Temporary siting of mobile catering unit at rear to serve indoor and outdoor cafe seating, alterations to building and provision of hard surfaced area for siting tables with umbrellas

Hoe Lodge Restaurant Hoe Road Plymouth PL1 2PA

Ref. No: 95/00730/FUL | Received: Fri 16 Jun 1995 | Validated: Fri 16 Jun 1995 | Status: Decided

Change of use of dwelling to tea rooms/cafeteria

Hoe Lodge Restaurant Hoe Road Plymouth PL1 2PA

Ref. No: 94/01277/30 | Received: Tue 25 Oct 1994 | Validated: Tue 25 Oct 1994 | Status: Decided

- 4.2 The formal comments received in relation to the pre-application enquiry submitted under reference 22/00098/MOR are attached as Appendix A to this report.

5.0 The Adopted Development Plan (DP)

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires planning applications to be determined in accordance with the provisions of the Development Plan (DP) unless material considerations indicate otherwise.

- 5.2 In this instance the Plymouth and South West Devon Joint Local Plan (adopted 2019) provides the adopted DP and contains the planning policies relevant to the determination of this application.

- 5.3 The relevant policies are as follows:

- Policy SPT1 - Delivering sustainable development
- Policy SPT2 - Sustainable linked neighbourhoods and sustainable rural communities
- Policy SPT11 - Strategic approach to the Historic Environment
- Policy PLY6 - Improving Plymouth's city centre
- Policy PLY20 - Managing and enhancing Plymouth's Waterfront
- Policy PLY21 - Supporting the visitor economy
- Policy DEV1 - Protecting health and amenity
- Policy DEV10 - Delivering high quality housing
- Policy DEV20 - Place shaping and the quality of the built environment
- Policy DEV21 Development affecting the historic environment
- Policy DEV29 - Specific provisions relating to transport
- Policy DEV35 - Managing flood risk and water quality impacts

6.0 Other Material Planning Consideration

National Planning Policy Framework 2021 (Framework)

- 6.1 The Framework sets out the Government's planning policies for England and how these are expected to be applied.

- 6.2 The Framework is an important material consideration that, on its own, is of such weight that it can justify a decision contrary to the relevant policies contained within the Development Plan. The specific parts of the framework that are relevant to the development proposals centre around the implementation of policies, decision making, previously developed land and transport.

6.3 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:

- *And adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or*
- *Specific policies in the framework indicate development should be restricted.*

The presumption in favour of sustainable development

6.4 Specifically, paragraph 11 of the Framework states that:

Plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

- a. *plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;*
- b. *strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:*

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area, or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

For decision-taking this means:

- c. *approving development proposals that accord with the development plan without delay; or*
- d. *where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:*

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

Promoting sustainable transport

6.5 Paragraph 108 notes that when considering development proposals it should be ensured that:

a) the potential impacts of development on transport networks can be addressed;

b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;

c) opportunities to promote walking, cycling and public transport use are identified and pursued;

d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and

e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

6.6 Paragraph 115 notes that:

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe

Making effective use of land

6.7 Paragraphs 123 and 124 of the Framework state that planning should:

Promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment... in a way that makes as much use as possible of previously developed or 'brownfield' land.

and

give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

Proposals affecting heritage assets

6.8 Paragraph 203 states that:

In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness*

6.9 Paragraph 212 confirms that:

Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

7.0 Assessment

- 7.1 The following assessment will consider the relevant adopted Development Plan policies, the Framework and all other material planning considerations before reaching a balanced conclusion.

JLP: Compliance with Relevant Policies

Principle of Development

- 7.2 The proposals accord with policies SPT1 (Delivering sustainable development) and SPT2 (Sustainable linked neighbourhoods and sustainable rural communities). They provide improvements and enhancements to an existing hospitality/commercial use that is sustainably located, well-connected, accessible and will improve the local choice with regards to restaurant and food uses. The extension and alterations proposed will provide a platform for the business to grow and the proposals therefore comprise sustainable development and are acceptable in principle, in accordance with policies SPT1 and SPT2.
- 7.3 The site is located within a Core Tourism Area, and Policy PLY21 (Supporting the visitor economy) addresses new development in the core tourism area. This states that *Support will be given for proposals which protect and deliver growth for Plymouth's visitor economy in its core tourism area. This area includes the waterfront stretching from Sutton Harbour / The Barbican to Royal William Yard, including the Hoe and Millbay as well as the City Centre.*
- 7.4 The proposals, whilst minor, seek to increase the tourism offer at the site and will make a positive contribution to improving the visitor economy in a core tourism area. The proposals are therefore in accordance with policy PLY21. The proposals are also in accordance with the overall spatial strategy which seeks to locate commercial uses within existing centres.
- 7.5 The pre-app response confirmed that:

*Policy PLY21 states support will be given for proposals which protect and deliver growth for Plymouth's visitor economy in its core tourism area. Proposals which help enhance Plymouth as a destination for all seasons, including the effective use of the waterfront and the City Centre for events, and which support business tourism and tourist related business development, will be supported. This pre-application is for the construction of a lightweight glazed extension to the rear of the Lodge (Grade II listed), within the courtyard area. Following a site visit, Officers note the rear courtyard is currently underutilised with limited storage space/ temporary structures and is not of any particular merit. **Officers raise no in principle objection to the proposed***

development, subject to the proposal conforming to national and local policy set out below, with particular regard given to the sensitive historic context of the site.

Residential Amenity

7.6 Policy DEV1 (Protecting health and amenity) addresses residential amenity impacts and the need for development to support good residential amenity, accessibility and in respect of larger developments, their wider health impacts. The proposals seek to extend an existing restaurant/cafe use in a tourist area that is not close to any other uses or buildings that might be negatively impacted by the extension of an existing commercial use. No significant, additional amenity impacts are therefore raised by the proposals.

7.7 The Officers pre-app report confirm that:

It is not anticipated that the proposal would have an unacceptable impact on the surrounding amenity by way of noise and disturbance. Officer's note the site is located a reasonable distance from nearby residential development as not to warrant concern.

Design

7.8 Policy DEV20 (Place shaping and the quality of the built environment) sets out the Councils approach to ensure that development helps to shape high quality and locally distinctive places and meets good standards of design. The proposals will provide an extension that is appropriate in scale, and subservient to the existing building. It is of a significantly different character to the existing building so that it clearly reads as a later addition. The proposed lightweight glazing will not detract or compete with the existing design and fenestration detailing evident on the existing Lodge building. The proposed development is modern in appearance, providing a clean, contemporary design with a simple palette of materials that are complementary to the surrounding context. Comments at pre-app stage in relation to the design are as follows:

Officers consider the glazed structure to be a suitable addition in regards to its design and note the structure would not alter or detract from the architectural and aesthetic significance of the Grade II listed building which include the ornate windows, shaped barge boards and a veranda, located to the front of the building. Proposed materials are unknown at this stage, however, Officers would expect aluminium to be marine grade to withstand the coastal elements.

- 7.9 Due to its listed status, and location within the Hoe Conservation Area, the proposals also require assessment against policy DEV21 (Development affecting the historic environment). The proposals will have a positive impact upon the fabric of this listed building. Whilst mostly enclosed within the yard, the proposed west elevation opens out onto the Garden of Hope and provides an active frontage to an area that was formerly used as a service yard for the cafe. The proposals comprise a positive but discrete addition to the small and attractive lodge building.
- 7.10 In accordance with DEV21, the proposals sustain the local character and distinctiveness of the area by retaining and improving the local historic environment. They will help secure the long term future of an existing heritage asset and help to sustain an existing local business and no conflict with DEV21 is therefore identified.
- 7.11 Further, detailed assessment of the associated heritage issues are provided in the supporting Heritage Statement by Metcalf Heritage.

Transport

- 7.12 Policy DEV29 (Specific provisions relating to transport) concerns transport issues and addresses a wide range of different types of planning application. The proposals are minor in nature and do not propose to materially intensify the use of the site with regards to transport impacts. The proposed development is also well located with regards to the provision of local services and amenities. There are multiple convenience stores, plus food and drink uses within walking distance of the site and the city centre is also within walking distance. There are also many local bus services available from Royal Parade, and the train station is nearby. The site is sustainable and well connected and there is plenty of car parking available on the Hoe.
- 7.13 The pre-app report confirmed that:

*The Highway Authority were consulted on the application and raised no objection. Officers note there are a number of public car parks and opportunity for on street parking within the local area. **The proposal complies with Policy DEV29 of the Joint Local Plan.***

Drainage

- 7.14 Drainage and surface water run-off issues are addressed in Policy DEV35 (Managing flood risk and water quality impacts). The site is located within Flood Zone 1, see basic FRA below:



Flood map for planning

Your reference	Location (easting/northing)	Created
<Unspecified>	247883/53915	21 Dec 2023 17:53

Your selected location is in flood zone 1, an area with a low probability of flooding.

You will need to do a flood risk assessment if your site is **any of the following**:

- bigger than 1 hectare (ha)
- **In an area with critical drainage problems as notified by the Environment Agency**
- identified as being at increased flood risk in future by the local authority's strategic flood risk assessment
- at risk from other sources of flooding (such as surface water or reservoirs) and its development would increase the vulnerability of its use (such as constructing an office on an undeveloped site or converting a shop to a dwelling)

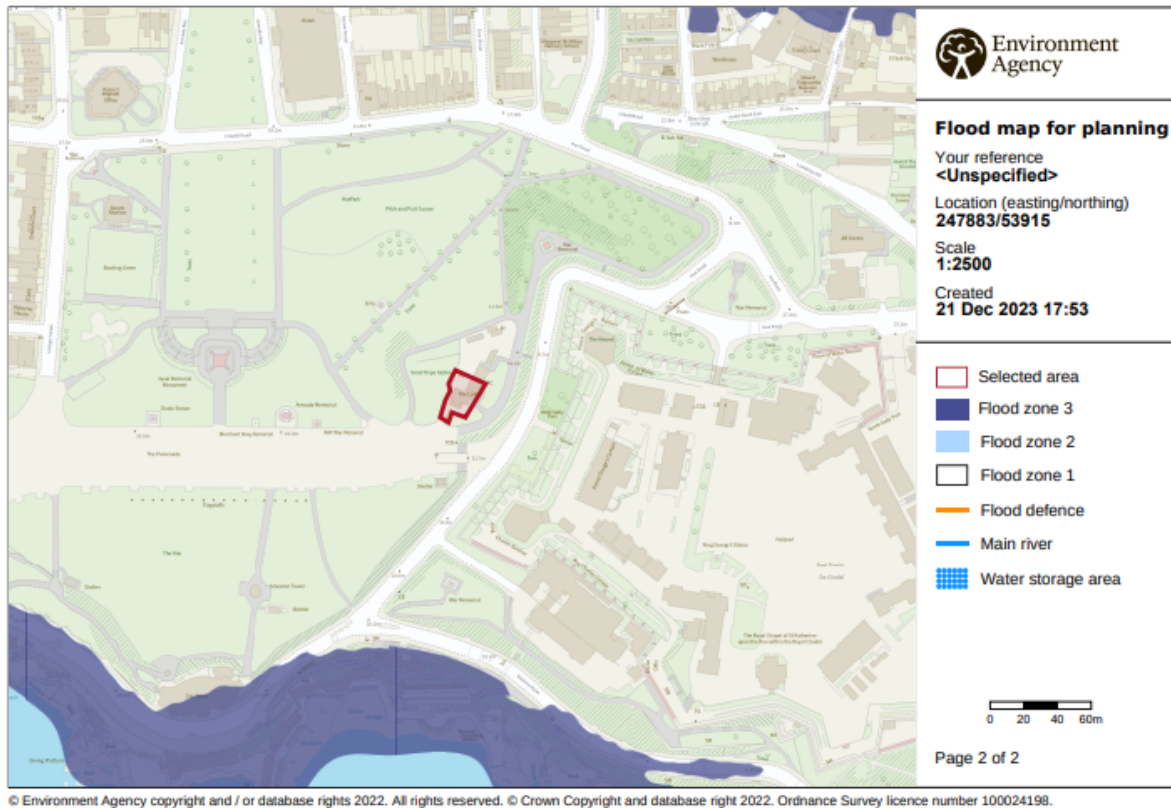
Notes

The flood map for planning shows river and sea flooding data only. It doesn't include other sources of flooding. It is for use in development planning and flood risk assessments.

This information relates to the selected location and is not specific to any property within it. The map is updated regularly and is correct at the time of printing.

Flood risk data is covered by the Open Government Licence **which** sets out the terms and conditions for using government data. <https://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>

Use of the address and mapping data is subject to Ordnance Survey public viewing terms under Crown copyright and database rights 2022 OS 100024198. <https://flood-map-for-planning.service.gov.uk/os-terms>



7.15 There is this no risk of flooding at the site. A full Flood Risk Assessment and Drainage Report by EDS Solutions is submitted in support of the proposals and provides further information on surface water disposal, in accordance with Policy DEV35 (Managing flood risk and water quality impacts) . The pre-app report confirmed that:

*The site is located in Flood Zone 1 and considered to be at a low risk from fluvial and tidal flooding. Surface water flood risk mapping indicates a low risk of flooding from a 1 in 10 year return period event. The site is located in a Critical Drainage Area where the Environment Agency considers the existing drainage system to be at or close to capacity. **The Local Lead Flood Authority were consulted on the application consider that the proposed extension would not significantly increase flood risk to or from the site.** Details of the existing and proposed surface water drainage are required in line with the Plymouth Local Flood Risk Management.*

Ventilation/Extraction

- 7.16 The proposals will utilise the existing kitchen facilities and ventilation systems.

Heritage Issues

- 7.17 An extract from the Historic England listing description for the site/building is as follows:

PLYMOUTH

SX4753 THE PROMENADE, Hoe 740-1/66/306 Park-keeper's Lodge

GV II

Park-keepers lodge. 1887-88. Stucco with stucco detail; dry slate roof with projecting eaves and verge with exposed purlins and shaped barge board; hipped roof to centre of front and sprocketed to further projection over verandah on 3 sides; cast-iron stanchions or columns and arches; stuccoed and panelled central stack with moulded cornice. Irregular T-shaped plan plus extension at rear right. Single storey; 1-window front. Canted bay window to centre of front wing with 5-bay open verandah at the front and with 3-bay returns; slender near Ionic columns, ornate spandrels and fascia. Keyed, moulded round-arched pilastered niche with coat of arms and inscription, to wall set back on the right. Return walls each with pair of windows in openings similar to those of the niche but with central mullions as near Corinthian columns. INTERIOR: not inspected. One of a good group of park buildings on the Hoe. (The Buildings of England: Pevsner N: Devon: London: 1989: 665).

- 7.18 To summarise, the building was Grade II Listed in November 1998 as a Park Keepers Lodge – English Heritage Listing Number 1386465. The Listing focuses on the Exterior features, with the internal area not inspected.
- 7.19 Policy 21 (Development affecting the historic environment) states that Development proposals will need to sustain the local character and distinctiveness of the area by conserving and where appropriate enhancing its

historic environment, both designated and non-designated heritage assets and their settings, according to their national and local significance.

- 7.20 The site lies within the Hoe Conservation Area and is a Grade II Listed Building. It is therefore important to provide the definition of “designated heritage asset” which is as follows:

Designated heritage asset: A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation

- 7.21 Paragraphs 200, 201, 203, 205, 206 and 208 of the Framework are relevant for the determination of application which affects a designated heritage asset.

- 7.22 Paragraph 200 states:

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

- 7.23 Paragraph 201 states that:

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking into account the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage assets conservation and any aspect of the proposal.

- 7.24 Paragraph 203 states:

In determining planning applications, local planning authorities should take account of:

a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) The desirability of new development making a positive contribution to local character and distinctiveness

7.25 Paragraph 206 states:

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- *grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*

- *assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional*

7.26 It is pertinent to note that there is no mention of Conservation Areas in paragraph 200 of the Framework, above. Therefore, it can be concluded that Conservation Areas are not deemed as an “asset of the highest significance” and subsequently paragraph 200 of the Framework is not applicable in this instance.

7.27 Paragraph 208 states:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

7.28 With regards to impact upon the fabric of the listed building, the physical alterations proposed are mainly limited to the rear of the building, the most significant of which is the proposed extension. This will significantly improve

the fenestration on the western elevation of the building and will also obscure views of the public toilets from the Good Hope Garden. This will have a positive impact upon the character and appearance of the area.

- 7.29 The proposed works are critical to the longer term retention of the building at in an active commercial/hospitality use, due to the limited internal seating and following long periods of inclement weather, which renders the external seating area unusable. The impact of Covid 19 on the hospitality sector is also a factor, and the proposals will provide the business with much needed internal seating and additional covers. This is required to ensure the business remains sustainable throughout the winter months and is in accordance with the objectives of para 203 of the NPPF to sustain and enhance the significance of heritage assets and putting them to viable uses consistent with their conservation status.
- 7.30 The proposals ensure that the future of an important Grade II Listed heritage asset is preserved with necessary and sympathetic external extension and internal alterations, retaining the significance, character, setting and local distinctiveness of the building whilst protecting the character and appearance of the Conservation Area.
- 7.31 Furthermore, detailed assessment of the heritage implications of the proposals are provided in the supporting Heritage Assessment by K Metcalfe Heritage Limited.

8.0 Conclusion

- 8.1 This statement has explained the proposed development and its associated impacts. It has also provided an analysis of all relevant national and local planning policy and other material considerations. It has demonstrated that the proposed development is sustainable development in accordance with the aims and objectives of the Framework. It is also compliant with local policies contained within the Joint Local Plan and will contribute to the preservation of an important listed building and the future of the existing hospitality business at the site.
- 8.2 The proposals to introduce additional covered seating at the site through a contemporary glazed extension are supported by the adopted DP and the Framework, as discussed above, and therefore should be approved in accordance with paragraph 11 of the Framework. Furthermore, the proposals will ensure that a significant heritage asset is retained and its long term future secured. There are social, economic and environmental benefits resulting from the proposals which carry substantial weight in its favour and it should therefore be approved without delay.