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Democratic Support

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PLANNING COMMITTEE

ADDENDUM REPORTS

Thursday 15 January 2015

4 pm

Council House, Plymouth (Next to the Civic Centre)

Members:

Councillor Stevens, Chair

Councillor Tuohy, Vice Chair

Councillors Mrs Bowyer, Darcy, Sam Davey, K Foster, Mrs Foster, Jarvis, Morris, Nicholson, Stark, Jon Taylor and Kate Taylor.

PLEASE FIND ATTACHED ADDENDUM REPORTS FOR CONSIDERATION UNDER AGENDA ITEM NOS. 6.3, 6.4 AND 6.5.

Tracey Lee

Chief Executive

PLANNING COMMITTEE

6.3 311 HEMERDON HEIGHTS, PLYMOUTH 14/02054/FUL (Pages 1 - 2)

Applicant: Mr Mark Secker
Ward: Plympton St Mary
Recommendation: Grant Conditionally

6.4 FORMER MEGABOWL, PLYMOUTH ROAD, PLYMOUTH 14/01281/FUL (Pages 3 - 4)

Applicant: Lidl UK
Ward: Plympton Erle
Recommendation: Grant Conditionally

6.5 DRAKE'S ISLAND, PLYMOUTH 14/00001/FUL AND 14/00002/LBC (Pages 5 - 6)

Applicant: Rotolok (Holdings) Ltd
Ward: St Peter & The Waterfront
Recommendation: Minded to refuse subject to final negotiation with the applicant on issues related to the impact on protected species and flood risk

ADDENDUM REPORT

Planning Committee



Item Number: 6.3

Site: 311 Hemerdon Heights

Planning Application Number: 14/02054/FUL

Applicant: Mr Mark Secker

Pages: 27-34

Condition 3 (Restrictions on permitted development) to be edited to include only Class A.

Conditions

RESTRICTIONS ON PERMITTED DEVELOPMENT

(3) Notwithstanding the provisions of Article 3 and Class A of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no enlargements, improvements or other alterations, shall be constructed to the extended dwelling hereby approved.

Reason:

In order to future safeguard the impact on neighbour amenity and the impact to the character of area, in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120-123 of the National Planning Policy Framework 2012.

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ADDENDUM REPORT

Planning Committee



Item Number: 6.4

Site: Former Megabowl, Plymouth Road

Application Number: 14/01281/FUL

Applicant: Lidl UK

Pages: 35-60

Further Information Received

The applicant has submitted an amended site layout plan and a landscaping plan. The plans show a reconfigured 'staff only' car park arrangement in the Home Bargains service yard. Four (x4) spaces have been relocated. The Highways Officer has no objections to this amendment which is considered acceptable.

Correction

There is an error in the wording of Condition 13 which should read:

(13) No development approved by this permission shall be commenced until the ground floor level of the proposed buildings to 'Maod' datum has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved level.

Reason:

To ensure the ground floor of the buildings are sufficiently elevated above the flood level in the Tory Brook, in accordance with Policy CS21 (Flood Risk) of the City of Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Recommendation

The recommendation is the same as the report with an amendment to the list of plans to include the amended plans, the above amendment to Condition 13 and an amendment to Informative 4 to reference the new plan number and amend the parking spaces required for customer parking as follows:

CONDITION – APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1122 01, 1122 02, 1122 03, **1122 04/B**, 1122 05, 1122 06, 1122 08/A, 1122 09, 1122 10, 1129/B, 1130/C, **1131/E**,

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 : GROUND FLOOR LEVEL OF BUILDING

(13) No development approved by this permission shall be commenced until the ground floor level of the proposed buildings to 'Maod' datum has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved level.

Reason:

To ensure the ground floor of the buildings are sufficiently elevated above the flood level in the Tory Brook, in accordance with Policy CS21 (Flood Risk) of the City of Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE: PARKING

(4) With regard to condition 15 the applicant is advised that the parking layout submitted should reflect that shown on drawing **I 122-04-Rev B** however notwithstanding the details shown on the plan the parking spaces closer to the entrance of Plymouth Road should be for staff parking only, namely those spaces set out along the north side of the building facing the entrance/exit of Plymouth Road, and **numbered 5 to 12**.

ADDENDUM REPORT

Planning Committee



Item Number: 6.5

Site: Drake's Island, Plymouth

Application Numbers: I4/00001/FUL & I4/00002/LBC

Applicant: Rotolok (Holdings) Ltd

Pages: 61-80

Further Information Received

The applicant has now submitted an amended plan for the Casemates building, showing removal of bed spaces in the lower level Torpedo Room. The applicant's hope is that this change will be sufficient to remove the Environment Agency (EA) flood risk objection to the scheme. The EA objection relates to concerns about the hazard posed by waves potentially throwing rocks through the window of this lower level hotel accommodation and causing rapid flooding of the room. The revised plans have been sent to the EA and officers have been told that the EA are considering these and will respond shortly.

Further Negotiations

As anticipated in the report, one final meeting was held between the Assistant Director for Strategic Planning and Infrastructure and the applicant, to try and find a solution to the outstanding issues. The Assistant Director reports that it was a very constructive meeting, with the applicant stating his willingness to resolve the outstanding issues as follows:

1. Flood risk issue: The applicant said he was now willing to remove lower level bed spaces from the Casemates Torpedo Room in the hope that this would address the EA's concerns. As above, this drawing has been received from the applicant and has been sent to the EA for their consideration and officers await the EA's response.
2. Impact on Special Area of Conservation (SAC) - risks of damage to eelgrass beds from boats: The applicant has agreed to sign up to a management plan to protect and monitor the eelgrass beds and stated that he is willing to offer funding for the creation of a by-law to protect the eelgrass beds, should the applicant's own management plan for the eelgrass beds prove unsuccessful. Such an agreement would be sufficient to resolve this issue.
3. Impact on the Special Protection Area (SPA) – little egret colony: The applicant has stated that he is willing to enter into an agreement to pay for off-site mitigation.

Conclusion

It is very positive that the applicant has personally stated a willingness to try and resolve the three key outstanding issues.

Recommendation

Unfortunately, officers cannot recommend approval until the above outstanding issues have been formally resolved and, importantly, until the applicant has prepared and submitted details of an appropriate off-site mitigation package, supported by evidence, to allow a Habitat Regulations Assessment to be prepared, consulted upon and reported to a subsequent Planning Committee.

In light of the recent developments outlined above, officers wish to change the recommendation. The recommendation is now *“to defer to allow negotiations to continue, to resolve outstanding issues in respect of flood risk, impacts on the Special Protection Area (SPA) and impacts on the Special Area of Conservation (SAC) and for officers to prepare and consult upon a Habitat Regulations Assessment”*.