



#plymplanning



**Democratic and Member Support**

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Published 15 November 2017

## PLANNING COMMITTEE

### ADDENDUM REPORTS

Thursday 16 November 2017

2.00 pm

Council House, Plymouth

**Members:**

Councillor Wogens, Chair

Councillor Mrs Bridgeman, Vice Chair

Councillors Ball, Sam Davey, Fletcher, Kelly, Morris, Mrs Pengelly, Riley, Sparling, Stevens, Tuohy and Winter.

Please find enclosed addendum reports in relation to agenda item numbers 6.1 and 6.2.

**Tracey Lee**

Chief Executive

## **Planning Committee**

### **1.1. 58 Shaw Way Plymouth PL9 9XH - 17/01782/FUL (Pages 1 - 2)**

Applicant: Mr Boote  
Officer: Mr Mike Stone  
Ward: Plymstock Radford  
Recommendation: Grant Conditionally

### **6.2 Peirson House Mulgrave Street Plymouth - 17/01826/S73 (Pages 3 - 6)**

Applicant: Devcor (Plymouth) Ltd  
Officer: Mr Simon Osborne  
Ward: St Peter and The Waterfront  
Recommendation: Grant Subject to S106 Obligation with delegated authority to Assistant Director for Strategic Planning & Infrastructure to refuse if timescales are not met

# ADDENDUM REPORT

Planning Committee



**Item Number: 6.1**

**Site: 58 Shaw Way, Plymouth, PL9 9XH**

**Planning Application Number: 17/01782/FUL**

**Applicant: Mr Boote**

**Pages: 5 – 12.**

Since the Case Officer's report was written two additional letters of representation has been received. The letter raises the following concerns which have already been addressed in the Officer's Report.

- A similar application has already been refused and the refusal reasons still stand.
- Insufficient information on the design of the side porch.

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# ADDENDUM REPORT

Planning Committee



**Item Number: 6.2**

**Site: PEIRSON HOUSE, MULGRAVE STREET PLYMOUTH**

**Application Number: 17/01826/S73**

**Applicant: Devcor (Plymouth) Ltd**

**Pages: 39 – 44.**

## **Correction**

The officer report incorrectly states that the number of proposed parking spaces is 32. The correct number is 33.

## **Consultee comments**

Following the re-advertisement of the application due to amendments the following consultee comments have been received:

Historic England - Do not wish to add anything to their previous comments.

Public Protection Service – No further comments.

Police Architectural Liaison Officer – No further comments

Hoe Neighbourhood Forum – maintain their objections on the following grounds:

- Impact on the Conservation Area and Heritage Assets
- Reduction in quality - no Design and Access Statement has been submitted with the s73 application.
- Impact on residential parking including the impact on existing on-street parking spaces and concerns regarding the vehicle tracking diagrams.
- Impact of refuse collection including the ability to collect refuse from the east side of the building due to on-street parking spaces.
- Impact on road safety due to the above.
- Viability, s106 and affordable housing contribution.

The concerns of the Hoe Neighbourhood Forum have largely already been addressed in the officer report. The additional highway concerns are addressed below. As this is a s73 application to amend a previous scheme it is considered that a fresh Design and Access Statement was not required. As mentioned in the officer report it is considered that the submitted drawings contain appropriate levels of detail to adequately assess the proposed amendments.

### Public Comments

A further 12 objections have been received following re-advertisement of the application due to the amendments referred to in the report. The majority of these state that their previous objections have not been addressed. Other issues raised include:

1. Highways - Concerns regarding tracking diagrams, existing parking spaces and vehicle access/refuse access.
2. Assisted living parking spaces are inadequate.
3. Loss of wildlife
4. Loss of daylight
5. No explanation of how the undercroft parking will be ventilated.

Taking each point in turn:

1. Highways Issues include:
  - Issues with the Wheel Tracking Plans.
  - Vehicle access and egress to the development including for refuse collection and a fire appliance.
  - Vehicle circulation around the development site through Mulgrave Street, and conflict with on-street parking bays.
  - Poor visibility to the north due to on-street parking when a car driver is emerging from Mulgrave Street onto Athenaeum Street.

The Wheel Tracking Plans were requested and submitted to demonstrate that a car would still be able to use and enter and leave the basement car park without conflict with the on-street car parking on the opposite side of the road, and for nothing more than that, specifically because the position of the car park entrance/exit into the basement car park has been repositioned by approximately 3 metres further to the north in the amended proposal. With regard to access to the car park all other aspects remain as previously approved. Although the Wheel Tracking Plans show wheel tracks extending into Mulgrave Street west and over-sailing the existing on-street parking bays there, this has no significance, and no changes are intended to the on-street car parking bays.

In respect of the comment made regarding the width of the car shown on the wheel tracking plans, it may be seen from the plans that there is space either side of the indicated wheel tracks in the entrance area which would allow a slightly larger car to also make the same turning manoeuvre.

Refuse collection is proposed from the east side of the building, via Lockyer St and Mulgrave Street east, where a refuse lorry would be able to get within the required 25 metres of the Bin Store to meet the requirements of the Council's SPD guidance and the relevant Building Regulations. The Council's waste collection service has confirmed that although not ideal the waste collection would be a practical option from the east side of the building as proposed, and the same would apply to fire access. However in order to ensure the required dropped curbs and yellow lines are in place condition I3 has been amended to read (addition in bold):

*I3 PRE-OCCUPATION: ACCESS/HIGHWAY IMPROVEMENTS (GRAMPIAN)*

The use hereby permitted shall not commence until the process to explore and implement as agreed appropriate proposed access improvements to the existing highway has begun in accordance with the further details to be submitted and approved in writing by the Local Planning Authority. This shall comprise of an area of carriageway hatching at the junction of Notte Street & Athenaeum Street, a potential one-way Traffic Regulation Order for Mulgrave Street & Alfred Street Lane (north), and **joining up the gap in the double yellow lines across what is the existing but redundant entrance to Pierson House car park. It will also include the provision of dropped kerbs in the footway on the east side of the proposed building clear of the on-street car parking bays to provide for the safe movement and collection of the waste bins.**

Reason:

*In the interests of highway and pedestrian safety in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.*

In respect of general street conditions and vehicle circulation around the development site through Mulgrave Street, conflict with on-street parking bays, and poor visibility to the north (due to on-street parking) when a car driver is emerging from Mulgrave Street onto Athenaeum Street, all remain unchanged by this current application, and have been properly considered in the balance and determined as part of the already consented development scheme. It would be inappropriate to revisit those elements simply because they have once again been reiterated and raised as concerns in public comments. It should be noted that those same concerns and issues have also been considered by a High Court Judge as part of a Judicial Review application associated with the already consented scheme (application 16/00154/FUL). At the oral hearing to consider the grounds of the Judicial Review application the Judge concluded (as summarised by the councils barrister) that the tracking diagram did not purport or need to show all features such as parking and double yellow lines. The committee had been shown slides of the surrounding streets and it could not be said they were under any false impression as to the nature of those streets. In respect of refuse vehicle access, the refuse vehicle did not need to circumnavigate the service lanes in any event given the refuse vehicle could just reverse down Mulgrave St West as it does at present. To the extent that access was needed around the service lanes, those lanes would not be narrowed by the proposal and the Council was therefore entitled to conclude that movement along these lanes would continue to be satisfactory, as it was at present. The Judge described this ground of appeal as “wholly unarguable”.

2. The proposal does not include any assisted living accommodation. However in accordance with policy requirements the applicant has confirmed that 20% of the units will be compliant with M4 ( 2) (Accessible and Adaptable) of the building regulations which is secured by condition. It is understood that the regulations do not require these units to have a parking space. The applicant has indicated that the 33 parking spaces will not be allocated to any particular unit and therefore it is understood the specifications regarding parking spaces will not apply.
3. The impact on wildlife was considered in full on the consented scheme where it was deemed acceptable. The officer report stated:

*‘Habitats on the site are considered to have no or little intrinsic ecological value and therefore the ecological impacts of the development are not considered to be significant.’*

The proposal also carries forward the ecological mitigation required by the previous consent and secured by condition.

It is considered that the current application does not significantly alter this situation, however it should be noted that the amount of landscaping and vegetation at the rear the building has increased in the current proposal.

4. Loss of daylight has been addressed in the report.
5. The floor plans show proposed locations of plant. The details of the ventilation system will be dealt with through the building control process.

### **Recommendation**

The recommendation is the same as in the report with the amendment to condition 13 detailed above.