



#plymplanning

Oversight and Governance

Chief Executive's Department
Plymouth City Council
Ballard House
Plymouth PL1 3BJ

Please ask for Helen Rickman/
Jamie Sheldon
T 01752 66800
E helen.rickman@plymouth.gov.uk/
jamie.sheldon@plymouth.gov.uk
www.plymouth.gov.uk/democracy
Published 18 July 2018

PLANNING COMMITTEE

ADDENDUM REPORTS

Thursday 19 July 2018
4.00 pm
Council House, Plymouth

Members:

Councillor Stevens, Chair

Councillor Tuohy, Vice Chair

Councillors Corvid, Derrick, Johnson, Kelly, Loveridge, Morris, Neil, Nicholson, Mrs Pengelly, Smith and Winter.

Please find enclosed additional information for your consideration under agenda items 6.2, 6.3 and 6.4.

Tracey Lee

Chief Executive

Planning Committee

6.2. Units 9 & 10 Sherwell House 30 North Hill Plymouth PL4 8ET **(Pages 1 - 2)**
- 18/00830/FUL

Applicant: Sherwell House Management Ltd

Ward: Drake

Recommendation: Refuse

6.3. White Lady Road Plymouth PL9 9GA - 17/02456/FUL **(Pages 3 - 4)**

Applicant: St Mary's Church Preschool

Ward: Plymstock Radford

Recommendation: Grant Conditionally

6.4. Allotment Gardens Prince Maurice Road Plymouth PL4 7LL - **(Pages 5 - 6)**
18/00432/FUL

Applicant: Mr Gary Stirling

Ward: Efford and Lipson

Recommendation: Grant conditionally subject to S106 delegated to Service Director to refuse if timescales not met.

ADDENDUM REPORT

Planning Committee



Item Number: 1.2

Site: UNITS 9 & 10 SHERWELL HOUSE, 30 NORTH HILL, PLYMOUTH

Planning Application Number: 18/00830/FUL

Applicant: Sherwell House Management Ltd

Page: 41-52

I. Email from Applicant

The applicant, in support of their planning application has submitted an email to the Local Planning Authority, which refers to a document prepared and published by the Council in February 2017. The document entitled 'Plymouth Student Accommodation' was a draft document attached as Appendix 9 to Plymouth's Strategic Housing Land Availability Assessment published in February 2017 in advance of the Plymouth and South West Devon Joint Local Plan (JLP) pre-submission consultation (March-April 2017). Appendix 9 specifically set out the methodology for calculating Houses in Multiple Occupation (HMO) releases as a result of new purpose built student accommodation. Members will be aware the JLP Examination in Public concluded in March this year and the outcome of the Inspector's Post Hearing Findings are expected imminently.

The applicant has requested that members note Page 8 of the draft report included at Appendix 9 which states, "It is of note that HMOs can be converted back to family homes without planning permission and small HMOs with up to four occupants do not require planning permission in any part of the city".

Officers have reviewed this document as part of the assessment of this application and can advise that unfortunately, a typing error has been identified by the applicant. Officers are thankful that this has been brought to the attention of the Council. The document entitled Plymouth's Student Accommodation is under review and is currently being brought up to date and it will be amended to remove the error that has been highlighted.

Officers can therefore reiterate the position outlined in the Committee report that planning permission for the change of use from C3 Dwelling houses to C4 Houses of Multiple Occupation is required for proposals located within the Article 4 Direction Area. As stated in the officer's report, the application site is within the Article 4 Direction Area.

For clarity, officers can provided the Definitions of Use Classes C3 and C4, as clearly expressed in The Town and Country Planning (Use Classes) Order 1987 (as amended):

Class C3 Dwellinghouses - this class is formed of 3 parts:

C3(a) covers use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny,

nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child.

C3(b): up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems.

C3(c) allows for groups of people (up to six) living together as a single household. This allows for those groupings that do not fall within the C4 HMO definition, but which fell within the previous C3 use class, to be provided for i.e. a small religious community may fall into this section as could a homeowner who is living with a lodger.

Class C4 - Houses in multiple occupation

Small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.

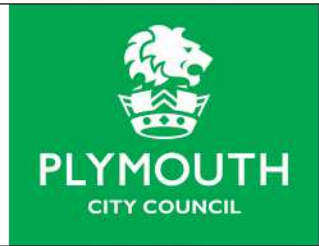
[NB: Larger Houses of Multiple Occupation providing accommodation to 7 or more occupants falls with Use Class Sui generis]

Additional public comment

A further public comment has been received supporting the officer recommendation.

ADDENDUM REPORT

Planning Committee



Item Number: 1.3

Site: White Lady Road Plymouth PL9 9GA

Planning Application Number: 17/02456/FUL

Applicant: St Mary's Church Preschool

Pages: 53 - 67

Members are advised that a revised consultation response has been received from the Council's Early Years Team, which now reads as follows:

Early Years and Childcare Team

The Early Years and Childcare Team, responsible for childcare places and sufficiency within the Council, wouldn't endorse this application as there's already an abundance of high quality and sufficient childcare within close proximity. The Team are happy to support St Mary's Church Preschool to find alternative premises in Plympton, as they are aware that St Mary's Church may terminate their current lease, leaving the pre-school without a suitable venue.

Early Years Safeguarding and Welfare Team

The Early Years Safeguarding and Welfare Team, responsible for ensuring proposed childcare provision meets the requirements for registration with Ofsted, have carried out two site visits at the proposed premises and provided two comprehensive reports to the applicant. The building presents some challenges to bring it up to the standard required for a childcare setting, for example, extensive internal refurbishment and ensuring the security of the proposed outdoor play space. This is likely to be at significant cost for the applicant. Once these requirements have been addressed however, it is entirely feasible for the premises to meet Ofsted registration requirements, subject to planning permission, as it is not dissimilar to other childcare facilities across the city. Please note the site visits focus entirely on the suitability of the premises, and does not report on the suitability or otherwise of the site in terms of meeting planning requirements - although potential obstacles and challenges are always pointed out for consideration as a matter of course on any visit.

Comment: these responses from the Early Years Teams are not considered to raise any new issues.

Members are advised also of four additional public comments. These raise the following additional matters:

1. The parking survey in the Travel Plan is inadequate. The public car park on Mayers way is well used and often congested with members of the public including dog walkers and parents dropping off and picking up disabled children at the Beckley Centre. Mayers way itself is used for parking; an increase in this activity could block access to South West Water treatment works and prejudice access for parents of disabled children.
2. The application refers to six car spaces on the parking area in front of the building, whereas the Local Highway authority response refers to five spaces being available.

Comment: for clarification the case has been assessed on the basis of five parking spaces. The comments on the usage of the public car park in Mayers way are noted, although the Local Highway Authority's recommendation is not reliant on the parking availability within that car park.

ADDENDUM REPORT

Planning Committee



Item Number: 1.4

Site: Allotment Gardens, Prince Maurice Road

Planning Application Number: 18/00432/FUL

Applicant: Mr Gary Stirling

Page: 69-110

Additional Letters of Representation

An additional 31 letters have been received, some from persons who have already made comments, raising the following additional points that have not been considered in the main report:

- This is not brownfield/derelict land
- The presence of foxes, owls and buzzards has been noted
- Rare orchids on site
- Site is a neighbourhood greenspace and should be retained
- S106 does not compensate for loss of greenspace
- Who has assessed whether the functions of greenspace will be lost
- Development contrary to DEV29 of emerging Joint Local Plan (JLP) and Paragraph 77 of National Planning Practice Guidance
- This site is not earmarked for development in the JLP
- The Seventrees site in Baring Street is more suitable for development
- The site has resisted development for 125 years
- Loss of trees will cause a landslip
- Who will maintain green roofs and walls
- Can't understand where units have been lost
- Too many flats being built houses would be better
- Are two office units required
- Prince Maurice Road already full of potholes and in disrepair and this will exacerbate problems
- Sufficient new homes are being built on large sites such as Sherford, Forder Valley etc.
- Nursery on Coleridge Road will be affected
- Have the legal issues regarding the title to the land been investigated

The main report explains the status of the site and the changes that have been made during the course of the application. Officers would agree that the previous use of the land as allotments within a built up area would not define the land as "brownfield". However the site is noted as a commitment site in the JLP, a site with planning permission that can be implemented. Clarification is also offered in the report regarding the Neighbourhood Greenspace Designation and officers can advise that Policy DEV29 of the JLP does not prevent development of neighbourhood greenspaces, the level of protection offered to these areas is not the same as for strategic and

local greenspaces. The development is also considered to comply with relevant paragraphs of the NPPF.

This site has not resisted development for 125 years and planning permission has been approved for 74 dwellings in the past, work has commenced on this application and the 74 homes could be built at any time.

Policy SPT3 of the emerging JLP notes the need for 19,000 additional homes in the City including 4,550 affordable homes. The delivery of these new homes needs to be secured through a number of sites not just the larger developments of Sherford, Forder Valley etc. and should provide for a range of different properties including both houses and flats. An allocation has been made for housing on the Seventrees site and any future planning application here will be judged on its own merits.

Officers within the Natural Infrastructure Team have carefully assessed the application and this has resulted in the submission of additional ecological and landscaping information, alongside some of the other amendments to scheme. Officers are satisfied that the development proposed will not result in a detrimental impact on protected species and biodiversity net gain will be secured. Furthermore officers also consider that the measures contained in the ecological mitigation and enhancement strategy and landscape strategy should mitigate the impacts of the development on the functions and characteristics of the site, including providing public access to the greenspaces that will be retained. Appropriate conditions have been recommended to ensure the long term maintenance of the green roofs and walls. The structural stability of the site will be fully investigated and the development will use appropriate construction methods to safeguard the site including the surrounding wall. Once the extent of engineering works are confirmed a review will take place with officers to confirm which trees need to be removed. The loss of 85-100 trees stated in the main report is considered the worst case scenario.

The provision of two small office units as part of the development is considered to be a positive addition to the proposal and could create opportunities for both new and existing residents.

Officers are unable to secure improvements to the existing condition of Prince Maurice Road through this application. Improvements to the main junction on Alexandra Road will be provided.

Officer's attention has been drawn to the presence of a nursery operating from a property on Coleridge Road. Appropriate boundary treatment will be secured for the proposed new dwellings and the impacts of the construction process will also be managed by condition. Officers do not consider that the proposals will have a negative impact on the operation of the nursery.

The issues regarding the covenants and legal title of the land are not material to the planning application.

Recommendation

The recommendation remains to grant conditionally subject to the signing of a S106 agreement with delegated authority to the Service Director to refuse should the S106 not be signed by the extended target date or another date agreed with the applicant.