



#plymplanning

**Oversight and Governance**

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

Please ask for Joshua Longstaff  
T 01752 668000  
E [democraticsupport@plymouth.gov.uk](mailto:democraticsupport@plymouth.gov.uk)  
[www.plymouth.gov.uk/democracy](http://www.plymouth.gov.uk/democracy)  
Published 14 April 2025

## PLANNING COMMITTEE

Thursday 24 April 2025  
4.00 pm  
Council Chamber, Council House

**Members:**

Councillor Stevens, Chair  
Councillor Penrose, Vice Chair  
Councillors Allen, Mrs Bridgeman, Darcy, Freeman, Goslin, McCarty, McNamara, Ney, M.Smith, Sproston and Ms Watkin.

Please find below additional information relating to items: **6.1, 6.2, 6.3, 6.4, 6.5, 7 and 8.**

**Tracey Lee**

Chief Executive

## Planning Committee

- 6.1. 24/01556/FUL - 27 Whiteford Road, PL3 5LU **(Pages 1 - 10)**  
Applicant: Mr Andrew Pascoe  
Ward: Compton  
Recommendation: Grant Conditionally
- 6.2. 25/00454/FUL - 25 Homer Rise, PL9 8NE **(Pages 11 - 18)**  
Applicant: Mr Beech and Ms Pennack  
Ward: Plymstock Dunstone  
Recommendation: Grant Conditionally
- 6.3. 25/00274/FUL - 11 Derry Avenue, PL4 6BH **(Pages 19 - 26)**  
Applicant: Mr Hicks  
Ward: Drake  
Recommendation: Grant Conditionally
- 6.4. 24/01455/FUL - Land Adjacent to 38 Parsonage Way, PL4 0LY **(Pages 27 - 44)**  
Applicant: Ms Susan Beesley  
Ward: Sutton and Mount Gould  
Recommendation: Grant Conditionally
- 6.5. 24/01479/FUL - The Old Dairy School Lane, PL7 1NQ **(Pages 45 - 54)**  
Applicant: Mr Nathan Stonecliffe  
Ward: Plympton Erle  
Recommendation: Grant Conditionally

## 7. Planning Application Decisions Issued **(Pages 55 - 72)**

The Service Director for Strategic Planning and Infrastructure, acting under powers delegated to him by the Council, will submit a schedule outlining all decisions issued from 12 March 2025 to 11 April 2025 including –

- 1) Committee decisions;
- 2) Delegated decisions, subject to conditions where so indicated;
- 3) Applications withdrawn;
- 4) Applications returned as invalid.

Please note that these Delegated Planning Applications are available to view online at:  
<http://www.plymouth.gov.uk/planningapplicationsv4/welcome.asp>

## **8. Appeal Decisions**

**(Pages 73 - 74)**

A schedule of decisions made by the Planning Inspectorate on appeals arising from the decision of the City Council will be submitted. Please note that these Delegated Planning Applications are available to view online at:

<http://www.plymouth.gov.uk/planningapplicationsv4/welcome.asp>

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# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	24/01556/FUL	<b>Item</b>	01
<b>Date Valid</b>	13.12.2024	<b>Ward</b>	COMPTON
<b>Site Address</b>	27 Whiteford Road Plymouth PL3 5LU		
<b>Proposal</b>	Reduce the width of existing decking and build a patio in rear garden, with the construction of steps from the decking to patio and a new garage		
<b>Applicant</b>	Mr Andrew Pascoe		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	07.02.2025	<b>Committee Date</b>	24.04.2025
<b>Extended Target Date</b>	25.04.2025		
<b>Decision Category</b>	PCC Employee		
<b>Case Officer</b>	Ethan Bell		
<b>Recommendation</b>	Grant Conditionally		



**This Application has been brought before committee as the applicant is an employee of PCC**

### **1. Description of Site**

27 Whiteford Road is an end of terrace dwellinghouse in the Compton ward and Mannamead Conservation Area. The dwellinghouse was constructed in the early 20th century, well after the main period of Victorian construction of the linear residential street. The front and principal elevation faces north, making copious use of a limestone cladding. The southern aspect of the property is elevated above a garden enclosed by limestone walls with mature planting which is in keeping with the character of the Conservation Area.

### **2. Proposal Description**

Reduce the width of existing decking and build a patio in rear garden, with the construction of steps from the decking to patio and a new garage.

The existing garage is approximately 2.4m height to the eaves with a ridge height of 3.9m, 3.4m in width and a depth of 5.5m. The proposed garage will rotate the apex of the garage roof 90 degrees to match the garage roof of the adjoining neighbour's garage (no.25 Whiteford Road). The development will re-use the existing artificial slate roof tiles where possible. The rebuilt garage will be approximately 5.5m wide, 5.4m deep, with an eaves height of 2.47m and a ridge height of 3.9m.

The raised decking and steps were granted planning permission with application 15/00040/FUL. The existing rear extension opens up onto the raised decking, which is approximately 1.7m above garden level. The steps down are proposed to change so that the patio at garden level can be accessed directly. A 1.8m high, 4m wide and 3m deep staircase will be placed in the central part of the raised decking, with the patio at the bottom wrapping around the stairs to encompass approximately 6m depth and 11m width of the current garden space. As a result of this, the raised decking will have a depth reduced by approximately 0.37m and in width by approximately 0.54m. With the garden level slightly sloped, the ground will be levelled to allow for the patio to be flat, with different levelling required on different areas (maximum rising in ground level by 0.35m to 0.45m at the highest point).

### **3. Pre-application Enquiry**

24/01382/HHR - Pre-application to demolish existing garage, Rebuild larger garage, orientation rotated 90 degrees, width, height and apex to be similar, construct free-standing garden room, reduce (by approx 540mm) width of existing decking and construct patio.

(The garden room aspect of the development has been removed from the application)

The proposal was supported in principle, subject to appropriate mitigation including a bat and bird survey, as well as tree protection measures.

### **Relevant Planning History**

15/00040/FUL - Single storey rear extension - Granted conditionally

Nothing else relevant.

### **5. Consultation Responses**

Natural Infrastructure - No in principle objections, subject to conditions including the provision of a bat box, no material storage or machinery operations within the Root Protection Areas (RPAs) of onsite trees and a condition requiring the replacement of the retained trees in line with DEV28.

Historic Environment - No objections due to negligible harm to the Conservation Area.

Highway Authority - No objections

South West Water - No surface water strategy details were provided with this planning application. Please note that a discharge into the ground (infiltration) is South West Water's favoured method and meets with the Run-off Destination Hierarchy. Should this method be unavailable, SWWW will require clear evidence to demonstrate why the preferred methods listed within the Run-off Destination Hierarchy have been discounted by the applicant.

### **6. Representations**

None received.

### **7. Relevant Policy Framework**

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. For the purposes of decision making, as on March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park).

Other material considerations include the policies of the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG) and National Design Guidance. Additionally, the following planning documents are also material considerations in the determination of the application:

- o The Plymouth and South West Devon Supplementary Planning Document (SPD) (2020) and the Town and Country Planning (General Permitted Development) (England) Order 2015.

### **8. Key Issues/Material Considerations**

1. This application has been considered in the context of the development plan, The Framework and other material policy documents as set out in Section 7. The application turns upon policies DEV1 (Protecting health and amenity), DEV20 (Place shaping and quality of the built environment), DEV21 (Development affecting the historic environment), DEV29 (Specific provisions relating to transport) and DEV32 (Delivering low carbon development) of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

2. The material planning considerations for this planning application are:

- o Design
- o Residential amenity
- o Historical environment
- o Trees and biodiversity
- o Provision of parking
- o Climate emergency

### **Principle of Development**

3. Joint Local Plan policies indicate that the proposal is acceptable in principle.

### **Negotiations Undertaken**

4. The original plans submitted were considered acceptable and have thus been considered.

### **Visual Impact**

5. Officers have considered the visual impact of the development against the guidance in the SPD and consider it acceptable.

6. Firstly, the proposed garage will be constructed with rendered blockwork walls to match the rear and side elevation of the main house, with an artificial slate roof that matches the existing garage roof. The applicant mentioned re-using the existing artificial tiles and replacing them on the new garage roof if possible. These materials are deemed appropriate for the nature of the garage, with it set to the rear of the property backing onto a service lane. Whilst natural slate roof tiles are usually required in Conservation Areas, the existing garage having artificial slate tiles and the frequency of the artificial tiles on the surrounding detached garage roofs mean in this instance, it is viewed as an appropriate material on balance.

7. Consequently, the visual impact from this development will be minimal, especially as garages along this service lane vary in materials and lack a uniform design. The garage will not be overbearing and will be in keeping with the surrounding buildings within the Mannamead Conservation Area. The



shared limestone boundary wall and limestone wall to the rear will be preserved with no alterations, however the existing interior limestone wall that forms the eastern side elevation of the garage will be unsuitable for the new garage. As such, the garage will be detached from this limestone wall. Officers have no concerns with the visual implications of this.

8. The reduction in the width and depth of the raised decking warrants no concerns from a visual standpoint, with the new external steps appearing well integrated into the existing structure that was granted consent under application 15/00040/FUL. These steps will potentially be visible by some of the elevated rear windows from the houses along Thorn Park (to the south of Whiteford Road), however the design of the steps is of no concern visually, with glass panels installed at 1.1m around the decking and steps to comply with building regulations BS6180. The patio, with it being minimally above garden level, will have a negligible visual impact on the surrounding area or on the house in general, with paving slabs seen as an appropriate material.

9. On balance, the development has been assessed to abide by DEV20 of the JLP with no adverse visual impacts identified.

### Amenity

10. Officers have considered the impact on neighbouring amenity against the guidance in the SPD and consider it acceptable. The new garage, patio and other external alterations are not considered to give rise to any adverse impacts on neighbouring light, outlook or privacy.

11. With the patio at a height minimally above garden level, there are no potential amenity issues highlighted from this aspect of the development. The alterations to the decking with the new steps will be visible from the adjoining neighbour no.25's rear tenement windows as well as potentially some of the elevated rear windows along the dwellings south of Whiteford Road. With a substantial distance from the steps to the next property window, there is clearly no breach in any 45 degree rule and no dwelling will be impacted adversely regarding access to light and outlook. With the rear decking already existing, the addition of the new steps would not create any additional harm in terms of privacy, as trees flank the shared boundary wall with no.29. Additionally, no.25's garden is already slightly overlooked by the raised terrace area but no notable harm is assessed from the addition of the steps.

12. The new garage will be in a similar style and footprint to the adjoining neighbour in no.25. The eastern side elevation of the garage will be closest to the boundary wall shared with no.25, and be of a similar depth to their garage. No windows are proposed on the eastern side elevation, but 2 windows are proposed on the garage that will look out onto the garden of No.27. This garage will not adversely impact access to light, privacy or outlook for any of the neighbouring properties. At worst, the roof may be visible from no.25 and no.29's gardens as it will be higher than the shared boundary wall. However, this will not be harmful to visual amenity, with the garage maintaining its current height and materials.

13. Therefore, on balance, the proposal is considered acceptable and to be in accordance with policy DEV1 of the Joint Local Plan.

### Historical Environment

14. A heritage statement was provided in support of the proposed development. Retaining the limestone wall was essential to the developments acceptability, and is supported by officers. The proposed garage and alterations in the garden have been appropriately designed using appropriate materials for the location of the development, with Historic Environment officers agreeing there will be negligible harm created to the Mannamead Conservation Area. As such, the proposal is deemed to comply with DEV21 of the JLP.

### Trees and Biodiversity

15. The proposal is considered to comply with policies DEV26 and DEV28 of the JLP, preserving biodiversity and trees onsite. A bat and bird survey was conducted by an ecologist that confirmed no bats were present, meaning the garage can be safely demolished and rebuilt. It was recommended this demolition took place in winter months due to the gaps in the roof tiles that could be used as transitory summer roost for bats. In the interest of enhancing wildlife, a bat and bird box will be conditioned, ensuring an enclosed bat box within the site.

16. The applicant expressed that the development will include retaining three on site trees (One category B apple tree and two category C conifers, as highlighted on the Tree Plan uploaded on '04.04.2024'). To ensure compliance with DEV28, it will be conditioned that no materials will be stored on Root Protection Areas of the onsite trees, and trees that die within 5 years of the completion of the garage should be replaced. These conditions were recommended by the Natural Infrastructure team, and officers are supportive of such conditions to enhance and protect biodiversity.

### Provision of parking

17. The highway authority have been consulted and raised no in principle objections as the garage increasing in width will help add to off-street parking to the rear of the property. With Whiteford Road an already congested street with no parking restrictions in place, this improved garage is seen as a net benefit with the potential to reduce parking demand on the road and provide future capacity to have an EV charging point. The 'proposed garage and site plan' document also refers to an electric operated roller garage door which will not protrude into the lane facing the garage wall. Upon assessment of the proposed garage and with the local highways authority consultation response, the development is deemed to comply with DEV29 of the JLP.

### Climate Emergency Considerations

18. This Climate Emergency Planning Statement responds directly to the Climate Emergency declarations issued across Plymouth and South West Devon and identifies exactly what all new development should do to meet the challenge of climate change. It builds on existing planning policies set out within the Plymouth and South West Devon Joint Local Plan and its supplementary planning document, embraces new standards and proposes new requirements. Officers have assessed the submitted Climate Emergency Compliance Form. The submitted details, including the potential future solar panel and potential for EV charging, are as such are considered acceptable for the scale of the development and the development abides by DEV32 of the JLP.

### Other Considerations

19. Officers consider there are no other material planning considerations relevant to this planning application.

## **9. Human Rights**

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

## **10. Local Finance Considerations**

None.

### **11. Planning Obligations**

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Planning obligations not required due to the nature and size of proposal.

### **12. Equalities and Diversities**

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

### **13. Conclusions and Reasons for Decision**

The development does not pose any unacceptable adverse impacts on street scene, and neighbouring amenity and is therefore compliant with policies DEV1, DEV20, DEV21, DEV26, DEV28, DEV29 and DEV32 of the Joint Local Plan. Therefore, and having taken account of the NPPF and s38(6) of the Planning and Compulsory Purchase Act 2004, officers have concluded that the proposal accords with policy and national guidance and is therefore recommended for conditional approval.

### **14. Recommendation**

In respect of the application dated 13.12.2024 it is recommended to Grant Conditionally.

### **15. Conditions / Reasons**

The development hereby permitted shall be carried out in accordance with the following approved plans:

#### **1      CONDITION: APPROVED PLANS**

Location Plan 12122024 received 12/12/24

Proposed Plans 12122024 received 12/12/24

Proposed South Elevation 13122024 received 13/12/24

Existing and Proposed Garage Elevations 17012025 received 17/01/25

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with the Plymouth & South West Devon Joint Local Plan 2014–2034 (2019).

#### **2      CONDITION: COMMENCE WITHIN 3 YEARS**

The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

### **3      CONDITION: TREE REPLACEMENT**

If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policy DEV28 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and are subsequently properly maintained, if necessary by replacement.

### **4      CONDITION: ECOLOGICAL ENHANCEMENT MEASURES**

#### **PRE-FIRST USE**

Prior to the first use of the development hereby approved, 1. no. enclosed bat and bird box will be constructed within the fabric of the proposed garage. Evidence of this box within the building is to be submitted and approved in writing to the Local Planning Authority.

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Joint Local Plan Policies SPT12 & DEV26 and paragraphs 187, 192, 193 in the NPPF (2024).

### **5      CONDITION: STORAGE OF MATERIALS AND CONSTRUCTION MACHINES**

During construction work, no building materials or construction machinery shall be stored or operated on within the Root Protection Areas (RPAs) of retained trees.

Reason:

To ensure that trees retained are protected during construction work and thereafter are properly maintained, if necessary by replacement, in accordance with Policy DEV28 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

## **INFORMATIVES**

### **1      INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION**

The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

### **2      INFORMATIVE: CONDITIONAL APPROVAL (NO NEGOTIATION)**

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and the National Planning Policy Framework, the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

### **3 INFORMATIVE: BATS AND BIRDS**

Bats and birds are protected under the Wildlife & Countryside Act 1981 and the Countryside and Rights of Way Act 2000, it is an offence to deliberately or recklessly disturb them or damage their roosts or habitat. Therefore, close inspection of the trees should be undertaken prior to the commencement of works to determine if any bats or birds reside in the trees. No works should occur while birds are nesting which may be at any time between the month of March to September inclusive; if bats are present works should cease until the applicant has obtained further advice from Natural England on 0845 601 4523 or email [wildlife@naturalengland.org.uk](mailto:wildlife@naturalengland.org.uk). Further advice on bats is available from The Bat Conservation Trust 0845 1300 228.

### **4 INFORMATIVE: NESTING SEASON**

It is an offence under the Wildlife and Countryside Act 1981 to damage to destroy the nest of any wild bird while it is in use or being built and it is also an offence to disturb many species of wild bird while nesting. The months to avoid are between March and August.

### **5 INFORMATIVE: BIODIVERSITY NET GAIN**

In accordance with The Biodiversity Gain Requirements (Exemptions) Regulations 2024, Householder applications are exempt from Biodiversity Net Gain requirements and therefore this application is not subject to the mandatory Biodiversity Gain condition.

### **6 INFORMATIVE: COUNCIL CODE OF PRACTICE**

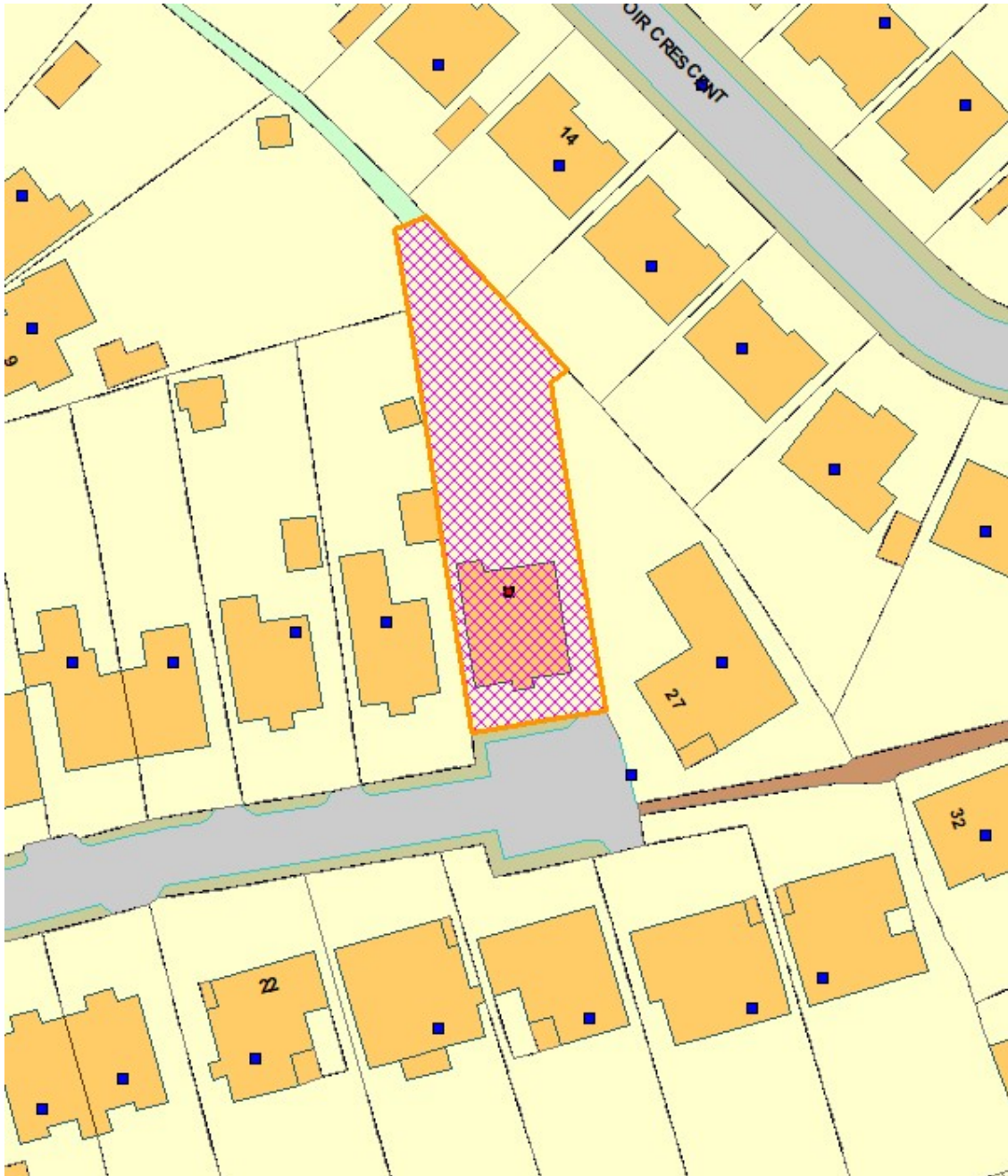
The applicant is directed to the Council's Code of Practice by the Public Protection Service (Control of Pollution and Noise from Demolition and Construction Sites):  
<https://www.plymouth.gov.uk/sites/default/files/ConstructionCodeOfPractice.pdf>

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# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	25/00454/FUL	<b>Item</b>	02
<b>Date Valid</b>	19.03.2025	<b>Ward</b>	PLYMSTOCK DUNSTONE
<b>Site Address</b>	25 Homer Rise Plymouth PL9 8NE		
<b>Proposal</b>	Single storey rear extension with raised deck		
<b>Applicant</b>	Mr Beech & Ms Pennack		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	14.05.2025	<b>Committee Date</b>	24.04.2025
<b>Extended Target Date</b>	N/A		
<b>Decision Category</b>	PCC Employee		
<b>Case Officer</b>	Ethan Bell		
<b>Recommendation</b>	Grant Conditionally		



**This Application has been brought before committee as the applicant is an employee of PCC**

### **1. Description of Site**

25 Homer Rise is a detached bungalow in the Plymstock Dunstone ward.

### **2. Proposal Description**

Single storey rear extension with rear raised decking area. The extension itself will be approximately 5.1m high to the flat roof measured from the garden level. Despite this, the flat roof will match the eaves height of the bungalow, which is approximately 3.5m above ground level at the principal elevation. The extension will be around 2.8m deep and 9.5m wide, matching the width of the existing dwellinghouse. The rear decking will be elevated to ground floor level, roughly 2.2m above the garden level at its lowest point and 1.4m above at its highest point. This decking will protrude approximately 3.8m, matching the width of the extension and main dwellinghouse (9.5m). An



external staircase from the decking to the garden will allow access to the garden space, which will face west to east and extend 2.7m in width with a height of 1.4m. A 1.8m privacy screen is proposed on the western and eastern side elevation of the terrace, as well as solar panels at the rear of the garden.

### **3. Pre-application Enquiry**

No enquiry.

### **4. Relevant Planning History**

Nothing relevant.

### **5. Consultation Responses**

South West Water - Having reviewed the applicant's current information as to proposed surface water disposal for its development, please note that method proposed to discharge into the ground (infiltration) is acceptable and meets with the Run-off Destination Hierarchy.

### **6. Representations**

One letter of representation was received, neutral to the planning application. They expressed interest in the privacy screens which were originally only included on one side elevation, but have since been conditioned on both side elevations of the raised deck to maximise privacy. The location of the onsite solar panels were also questioned, which can be seen on the approved plans '471\_004 REV 4' at the rear of the garden.

### **7. Relevant Policy Framework**

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. For the purposes of decision making, as on March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park).

Other material considerations include the policies of the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG) and National Design Guidance. Additionally, the following planning documents are also material considerations in the determination of the application:

- o The Plymouth and South West Devon Supplementary Planning Document (SPD) (2020)

### **8. Key Issues/Material Considerations**

1. This application has been considered in the context of the development plan, The Framework and other material policy documents as set out in Section 7. The application turns upon policies DEV1 (Protecting health and amenity), DEV20 (Place shaping and quality of the built environment), and DEV32 (Delivering low carbon development) of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Policy Framework.

2. The material planning considerations for this planning application are:

- Design
- Residential amenity
- Climate emergency

## Principle of Development

3. Joint Local Plan policies indicate that the proposal is acceptable in principle.

## Negotiations Undertaken

4. The original plans submitted were considered acceptable and have thus been considered.

## Visual Impact

5. Officers have considered the visual impact of the development against the guidance in the SPD and consider it acceptable.

6. Firstly, the proposed extension will have painted rendered walls, with uPVC double glazed windows and doors, with a flat EPDM roof (or similar). These materials are deemed appropriate for the nature of the site and will have a minimal impact on the surrounding area visually due to the position at the rear of the property. Flat roofed extensions are usually resisted and seen as contrary to the SPD guidance, mainly through paragraph 13.12, which states "Flat roofs will be discouraged where they are not a feature of the original house although they can sometimes be acceptable at the rear of properties, particularly where they are not prominent and help to reduce the height of an extension". In this case, the flat roof is to the rear of the property and is not in a prominent location, one that can only be potentially visually seen from the rear dormer windows of 18 Reservoir Crescent to the north and from the rear of no.23 and no.27 Homer Rise. Despite this, there are no concerns from a visual perspective from the rear extension due to the minimal size, the well-integrated design and appropriate materials that will be complementary to the main dwellinghouse.

7. The rear raised decking and external steps are appropriately sized and an integrated privacy screen on the western side boundary will be integrated into the design of the decking. It appears from the plans that the balustrading and railings surrounding the terrace and the external staircase will comprise of glass panels. Officers have no concerns with these materials due to the hidden nature of the site at the rear of the property, which will only be visible from potentially 3 other dwellings.

8. On balance, the development has been assessed to abide by DEV20 of the JLP with no adverse visual impacts identified.

## Amenity

9. Officers have considered the impact on neighbouring amenity against the guidance in the SPD and consider it acceptable. The single storey rear extension and raised decking area is not considered to give rise to any adverse impacts on neighbouring light, outlook or privacy.

10. The single storey rear extension has been assessed against DEV1 of the JLP and it is highlighted that there is no breach in a 45 degree guidance with the closest neighbour no.23 set in front of the no.25, at a slightly higher elevation and with a gap of approximately 3m to the neighbouring house. As such, with no windows proposed on the side elevations, the extension is on balance acceptable and will not adversely contribute to losses in privacy, outlook or access to light.

11. The new raised decking will have a slightly greater risk of adversely impacting privacy though. To mitigate this risk of overlooking and privacy, a privacy screen will be conditioned on the western boundary, preserving amenity with the closest neighbour (no. 23). To the north of the proposed decking, there are no concerns from a privacy perspective with the view mainly being the gardens of some of the neighbouring properties. No habitable windows are directly visible from the decking northwards due to the properties along Reservoir Crescent being considerably set down in sight, with only the roofs visible. As such, 18 Reservoir Crescents rear dormer windows have some

potential to overlook onto the new terrace area, but with this distance at approximately 23m, the harm is assessed as less than substantial. From the eastern side of the terrace, there is some potential for overlooking onto the rear of no.27 due to the set backed position of the new decking area. However, on balance, with a privacy screen conditioned to this side elevation, this risk is mitigated.

12. Therefore, on balance, the proposal is considered acceptable and to be in accordance with policy DEVI of the Joint Local Plan.

### Climate Emergency Considerations

13. This Climate Emergency Planning Statement responds directly to the Climate Emergency declarations issued across Plymouth and South West Devon and identifies exactly what all new development should do to meet the challenge of climate change. It builds on existing planning policies set out within the Plymouth and South West Devon Joint Local Plan and its supplementary planning document, embraces new standards and proposes new requirements. Officers have assessed the submitted Climate Emergency Compliance Form. The submitted details, including solar pv panels to achieve a MIN of 1kw onsite renewable energy, are as such are considered acceptable for the scale of the development and the development abides by DEV32 of the JLP.

### Other Considerations

14. Officers consider there are no other material planning considerations relevant to this planning application.

## **9. Human Rights**

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

## **10. Local Finance Considerations**

None.

## **11. Planning Obligations**

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Planning obligations not required due to the nature and size of proposal.

## **12. Equalities and Diversities**

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

## **13. Conclusions and Reasons for Decision**

The development does not pose any unacceptable adverse impacts on street scene, and neighbouring amenity and is therefore compliant with policies DEVI, DEV20, and DEV32 of the Joint Local Plan.

Therefore, and having taken account of the NPPF and s38(6) of the Planning and Compulsory Purchase Act 2004, officers have concluded that the proposal accords with policy and national guidance and is therefore recommended for conditional approval.

### **14. Recommendation**

In respect of the application dated 19.03.2025 it is recommended to Grant Conditionally.

### **15. Conditions / Reasons**

The development hereby permitted shall be carried out in accordance with the following approved plans:

#### **1      CONDITION: APPROVED PLANS**

GA Plans and Elevations (Existing) 471\_004 Rev 4 received 08/04/25  
GA Layout Plans (Proposed) 471\_005 Rev 4 received 08/04/25  
Building Elevations (Proposed) 471\_006 Rev 4 received 08/04/25  
Site Location Plan 471\_001 Rev 1 received 19/03/25

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with the Plymouth & South West Devon Joint Local Plan 2014–2034 (2019).

#### **2      CONDITION: COMMENCE WITHIN 3 YEARS**

The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

#### **3      CONDITION: PRIVACY SCREEN**

##### **PRE-FIRST USE**

There shall be 1.8m high obscure glass privacy screen on the western and eastern side of the raised decking area, as per the approved details in the proposed plans (Drawing '471\_004 REV 4', '471\_005 REV 4' and '471\_006 REV 4') received 8 April. The approved screens shall be installed prior to first use of the balcony and shall thereafter remain in situ. For the avoidance of doubt the glazing shall have an obscurity rating of not less than 4.

Reason:

To ensure privacy is provided to the neighbouring properties in accordance with Policy DEVI of the Plymouth and South West Devon Joint Local Plan 2014-2034 and Section 12 of the National Planning Policy Framework.

**4      CONDITION: SOLAR PANELS**

**PRE-FIRST USE**

Prior to occupation of the extension hereby approved, the solar PV panels with a minimum installed capacity of 1KW, as indicated on the approved plans '471\_005 REV 4', shall be installed. The panels shall then remain in situ in perpetuity, replacing or repairing them when necessary.

Reason:

In order to promote on-site renewable energy systems and ensure a reduction in carbon emissions in line with policy DEV32 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and paragraph 7.3 of the Plymouth and South West Devon Climate Emergency Planning Statement (2022).

**INFORMATIVES**

**1      INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION**

The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

**2      INFORMATIVE: CONDITIONAL APPROVAL (NO NEGOTIATION)**

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and the National Planning Policy Framework, the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

**3      INFORMATIVE: BIODIVERSITY NET GAIN**

In accordance with The Biodiversity Gain Requirements (Exemptions) Regulations 2024, Householder applications are exempt from Biodiversity Net Gain requirements and therefore this application is not subject to the mandatory Biodiversity Gain condition.

**4      INFORMATIVE: COUNCIL CODE OF PRACTICE**

The applicant is directed to the Council's Code of Practice by the Public Protection Service (Control of Pollution and Noise from Demolition and Construction Sites):

<https://www.plymouth.gov.uk/sites/default/files/ConstructionCodeOfPractice.pdf>

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# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	25/00274/FUL	<b>Item</b>	03
<b>Date Valid</b>	17.02.2025	<b>Ward</b>	DRAKE
<b>Site Address</b>	11 Derry Avenue Plymouth		
<b>Proposal</b>	Single storey rear extension to HMO to create additional bedroom		
<b>Applicant</b>	Mr Hicks		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	14.04.2025	<b>Committee Date</b>	24.04.2025
<b>Extended Target Date</b>	25.04.2025		
<b>Decision Category</b>	Councillor Referral		
<b>Case Officer</b>	Ethan Bell		
<b>Recommendation</b>	Grant Conditionally		



**This Application has been brought before committee as it has been referred by Councillor Ricketts**

### **1. Description of Site**

11 Derry Avenue is a terraced dwellinghouse in the Drake ward. The dwellinghouse has been an established 5-bedroom HMO for at least the last 15 years, as demonstrated on the previous consent 24/01465/EXUS that established the existing use of the property as a lawful HMO (Use Class C4)

### **2. Proposal Description**

The proposal seeks to erect a single storey rear extension to create an additional bedroom and enlarged indoor amenity spaces. The result of this additional bedroom will make the dwelling a 6 bedroom HMO, still falling under the C4 Use Class.

The extension will be approximately 8m deep, 4m wide, and 3.5m high to the flat roof. As a result of the development, the kitchen will increase from approximately 2.2m to 3.4m in length, with the



width maintained. A new en-suite bedroom, around 4m in length and 3.5m in width, will be created which will back out onto the service lane. This outdoor space to the rear of the property is likely utilised as a hardstand for parking currently considering there is no rear boundary wall, meaning a lack of privacy if the space was used for communal space. The retained outdoor amenity space remaining will be by a 1.4m wide by 12.1m deep paved area to the north of the extension. This space will likely provide space for bin storage during non-collection days.

### **3. Pre-application Enquiry**

No enquiry.

### **4. Relevant Planning History**

24/01465/EXUS - Establish the existing use as a 5-bed HMO (Class C4) - LDC issued

### **5. Consultation Responses**

South West Water - 'Having reviewed the applicant's current information as to proposed surface water disposal for its development, please note that method proposed to discharge into the ground (infiltration) is acceptable and meets with the Run-off Destination Hierarchy.'

Community Connections - Made general comments for consideration, and stated the need for adequate insulation, and heating to be fitted to reduce the risk of excess cold and Damp & Mould to the room and the adjoining rooms to the main part of the property.

Public Protection - No objections, subject to a condition on the hours of construction

Highway Authority - No objection, subject to a condition for bicycle storage.

Parking Division - The new development will be excluded from the issue of parking permits, including business permits and visitor tickets.

Lead Local Flood Authority - No objection

Low Carbon Team - 'Given the limited nature of these works we acknowledge that the proposals are very minor and to request additional climate mitigation would be disproportionate in this case.'

### **6. Representations**

One letter of representation by Councillor Ricketts stating; "This is more back inappropriate outside space development that needs to be refused. We have an article 4 direction in place because of overcrowding in Drake Ward and surrounds."

### **7. Relevant Policy Framework**

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. For the purposes of decision making, as on March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park).

Other material considerations include the policies of the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG) and National Design Guidance. Additionally, the following planning documents are also material considerations in the determination of the application:

- o The Plymouth and South West Devon Supplementary Planning Document (SPD) (2020)

### **8. Key Issues/Material Considerations**

1. This application has been considered in the context of the development plan, The Framework and other material policy documents as set out in Section 7. The application turns upon policies DEV1 (Protecting health and amenity), DEV11 (Houses in Multiple Occupation in the Plymouth Article 4 Direction Area), DEV20 (Place shaping and quality of the built environment), DEV29 (Specific provisions relating to transport) and DEV32 (Delivering low carbon development) of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Policy Framework.

2. The material planning considerations for this planning application are:

- o Design
- o Neighbour and occupant amenity
- o Transport
- o Climate emergency

#### Principle of Development

3. Joint Local Plan policies indicate that the proposal is acceptable in principle.

#### Negotiations Undertaken

4. The original plans submitted were considered acceptable and have thus been considered.

#### Article 4 and HMO use

5. There is no change of use from this development with the dwelling remaining a C4 dwellinghouse (5 to 6 bed), making the Article 4 Direction irrelevant in this case. The article 4 direction was implemented to prevent the lawful change in use class from a C3 dwellinghouse to a C4 dwellinghouse within specific areas of the city. As this property is an established 5-bed HMO (covered by a lawful development certificate distributed for application 24/01465/EXUS) which will change to a 6-bed HMO, no change of use will occur from the development with the dwelling remaining a C4 dwellinghouse.

6. As such, the proposal is consistent with DEV11 of the JLP and the extension will be the topic to consider in this application.

#### Visual Impact

7. Officers have considered the visual impact of the development against the guidance in the SPD and consider it acceptable.

8. Firstly, the proposed extension will have rendered walls, with uPVC double glazed windows and doors to match the existing dwellinghouse, with a flat EPDM/GRP roof. These materials are deemed appropriate for the nature of the site and will have a minimal impact on the surrounding area visually due to the position at the rear of the property. Flat roofed extensions are usually resisted and seen as contrary to the SPD guidance, mainly through paragraph 13.12, which states "Flat roofs will be discouraged where they are not a feature of the original house although they can sometimes be acceptable at the rear of properties, particularly where they are not prominent and help to reduce the height of an extension". This is judged to be the case with 11 Derry Avenue, with the extension in a fairly hidden location to the rear of the dwellinghouse. The visual impact as such is assessed to be minimally harmful to the surrounding area, with many other houses backing onto the service lane (eg. No.2, no.8, no.12, no.30 and no.32 Welbeck Avenue) utilising their rear hardstand/garden area for similar extensions.

9. Therefore, on balance, the development has been assessed to abide by DEV20 of the JLP with no significantly detrimental visual impacts identified that would warrant refusal.

### Neighbouring and Occupant Amenity

10. Officers have considered the impact on neighbouring amenity against the guidance in the SPD and consider it acceptable. The single storey rear extension is not considered to give rise to any adverse impacts on neighbouring light, outlook or privacy.

11. The single storey rear extension has been assessed against DEV1 of the JLP and it is highlighted that whilst the development is not strictly consistent with the 45 degree guidance, the flat roof helps minimise the prominence of the extension in comparison to the adjoined no.9 which is deemed to be the most impacted dwellinghouse by the development. In addition, with the extension to the north of no.9's garden, officers recognise that the development will not adversely contribute to a loss of daylight for the rear doors of no.9. In addition no public comments have been received from the neighbouring properties.

12. Derry Avenue and parallel streets are naturally congested rows of terraced houses with limited privacy, and in this case, the flat roofed extension is being positioned in a location that benefits from little to no privacy, with no boundary wall at the rear opening up onto a back alley/service lane utilised for bin collection and rear parking. However, following the development, this will increase interior space and communal facilities for the other residents in the HMO, and utilise the likely wasted rear garden which has little privacy. Even after the development, some garden space will be retained for bin storage as well as bicycle storage. Whilst the proposed windows do not pose the greatest view backing up onto the service lane, they will help provide the room with sufficient natural light. With its elevation around 1.85m above the service lane level, this will mean passing by vehicles and individuals will have a low potential of being able to see through the window, helping protect privacy and general amenity.

13. Paragraph 4.158 of the SPD highlights that extensions to existing HMOs will need to demonstrate that occupants have good access to public green space to mitigate for limited amenity space at the application site, where outdoor amenity space is restricted. 11 Derry Avenue is in a part of the city supported by strong public transport connections, being a 5 minute walk away from the Plymouth railway station and 2 minute walkway from a bus stop providing easy access to the city centre and the northern corridor of the city. The location is in a sustainable location close to the university, the city centre, the station and communal spaces. Whilst the proposal results in the loss of outdoor amenity space of around 11.87m<sup>2</sup>, the quality of amenity space is not the highest with it being an exposed hardstand, and good quality amenity space is available within walking distance. For example, Houndiscombe Park is a 4 minute walk away, Drakes Place and reservoir is a 6 minute walk away, Central Park is roughly a 10 min walk and so is Addison Park. So whilst the development will result in roughly 18.87m<sup>2</sup> of amenity space, officers believe this is not sufficient grounds for refusal due to the current quality of the amenity space and the location of the dwelling in a sustainable location.

14. Furthermore, there is not considered to be any rise in noise and disturbance from one additional bedroom, particularly due to the area being a popular location for student lettings. The new bedroom is designed with an en-suite, thus satisfying the requirements for an additional bathroom in a 6-8 person household. The proposed bedroom will be approximately 11.7m<sup>2</sup> with a 2.47m<sup>2</sup> en-suite bathroom. As such, under the licensed HMO standards for Plymouth and national space standards, the room is a sufficient size to be occupied by 2 people aged over 10 years old with a shared lounge and kitchen, yet it is recommended the additional room should be occupied by a single household. With an increased kitchen size and no additional demand for bathrooms or WC's due to the en-suite, officers are satisfied with the internal amenity space following the development.

15. Therefore, on balance, the proposal is considered acceptable and to be in accordance with policy DEVI of the Joint Local Plan.

### Transport

16. The local highways team were consulted and provided no in principle objections to the proposal, subject to the provision of bicycle storage. They noted whilst in most cases the loss of an off street parking space wouldn't be supported, with the Controlled Parking Zone that is enforced 10 hours a day, 6 days a week along with the range of sustainable transport available from the site, in this case, the loss of the one parking space wouldn't be sufficient grounds for refusal. The bicycle storage will be conditioned to the application to promote cycling with the loss of the rear amenity space which was likely utilised for parking a vehicle. The applicant should also be aware of the parking permit exclusion created as a result of the development, due to the proposed development being within a controlled permit parking zone. As such, the proposal is consistent with DEV29 of the JLP.

### Climate Emergency Considerations

17. This Climate Emergency Planning Statement responds directly to the Climate Emergency declarations issued across Plymouth and South West Devon and identifies exactly what all new development should do to meet the challenge of climate change. It builds on existing planning policies set out within the Plymouth and South West Devon Joint Local Plan and its supplementary planning document, embraces new standards and proposes new requirements.

18. Officers have assessed the submitted Climate Emergency Compliance Form. The submitted details, mainly just a new efficient heating system and the use of locally sourced materials, are considered acceptable for the scale of the development. Whilst no further climate mitigation is regrettable, the size of the extension does not warrant any significant mitigation and therefore the development abides by DEV32 of the JLP. The development is also exempt from Biodiversity Net Gain as the area impacted is a concreted area, and is not considered to be 25 square metres of on-site habitat.

### Other Considerations

19. Officers consider there are no other material planning considerations relevant to this planning application.

## **9. Human Rights**

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

## **10. Local Finance Considerations**

None.

## **11. Planning Obligations**

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Planning obligations not required due to the nature and size of proposal.

## **12. Equalities and Diversities**

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

## **13. Conclusions and Reasons for Decision**

The development does not pose any unacceptable adverse impacts on street scene, and neighbouring amenity and is therefore compliant with policies DEV1, DEV10, DEV11, DEV20, and DEV32 of the Joint Local Plan. Therefore, and having taken account of the NPPF and s38(6) of the Planning and Compulsory Purchase Act 2004, officers have concluded that the proposal accords with policy and national guidance and is therefore recommended for conditional approval.

## **14. Recommendation**

In respect of the application dated 17.02.2025 it is recommended to Grant Conditionally.

## **15. Conditions / Reasons**

The development hereby permitted shall be carried out in accordance with the following approved plans:

### **1      CONDITION: APPROVED PLANS**

Proposed Plans and Elevations J683 - 15-01 received 17/02/25

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with the Plymouth & South West Devon Joint Local Plan 2014–2034 (2019).

### **2      CONDITION: COMMENCE WITHIN 3 YEARS**

The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

### **3      CONDITION: CYCLE PROVISION**

The building shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for a minimum of 3 bicycles to be securely parked. The secure area for storing bicycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy DEV29 of the Plymouth and South West Devon JLP 2019.

## INFORMATIVES

### **I    INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION**

The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

### **3    INFORMATIVE: CONDITIONAL APPROVAL (NO NEGOTIATION)**

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and the National Planning Policy Framework, the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

### **4    INFORMATIVE: RESIDENT PARKING PERMIT SCHEME**

The applicant should be made aware that the property lies within a resident parking permit scheme which is currently over-subscribed. As such the development will be excluded from obtaining permits and purchasing visitor tickets for use within the scheme.

### **5    INFORMATIVE: COUNCIL CODE OF PRACTICE**

The applicant is directed to the Council's Code of Practice by the Public Protection Service (Control of Pollution and Noise from Demolition and Construction Sites):  
<https://www.plymouth.gov.uk/sites/default/files/ConstructionCodeOfPractice.pdf>

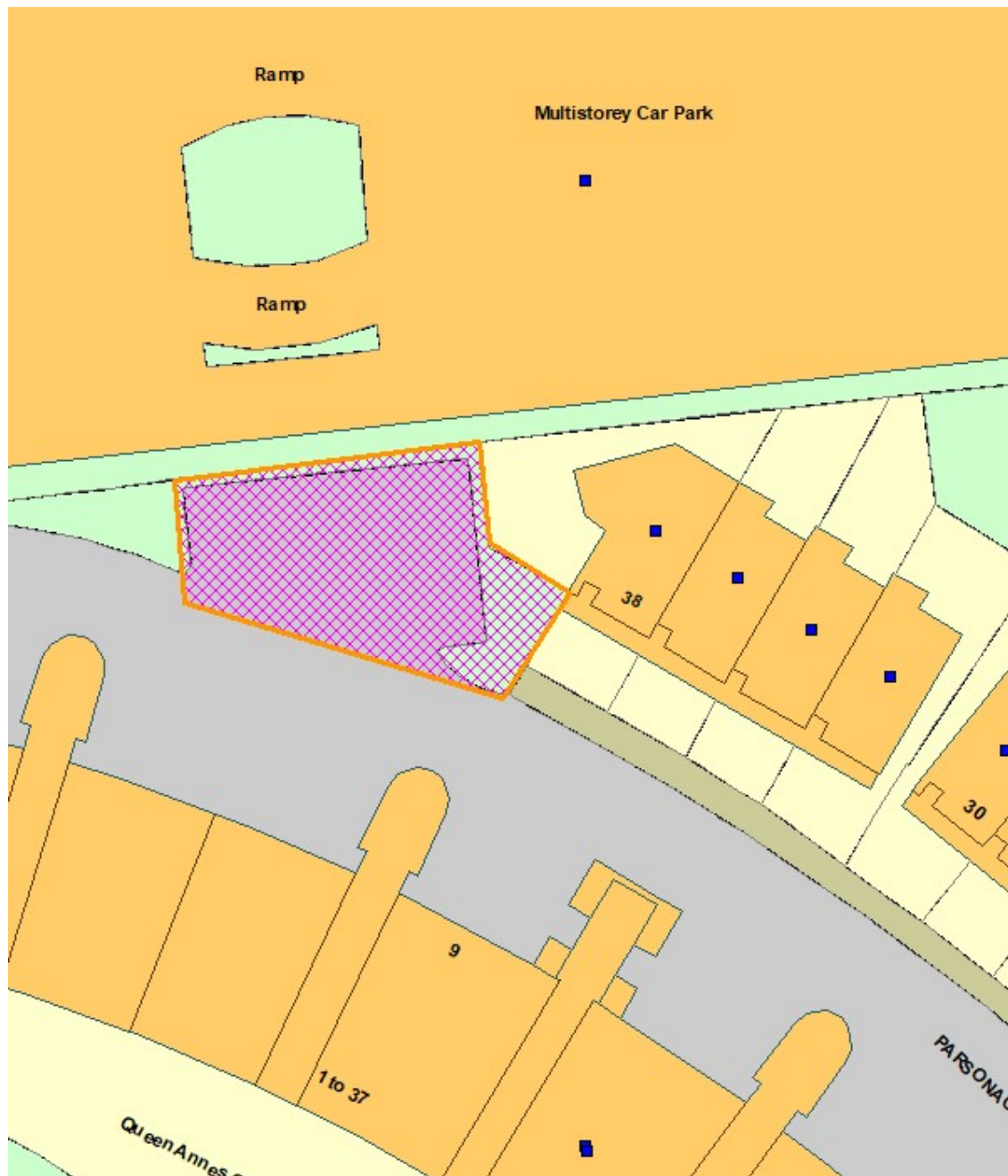
### **6    INFORMATIVE: BIODIVERSITY NET GAIN**

In accordance with The Biodiversity Gain Requirements (Exemptions) Regulations 2024, applications are exempt from Biodiversity Net Gain requirements where a development impacts less than 25 square metres of on-site habitat and therefore this application is not subject to the mandatory Biodiversity Gain condition.

# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	24/01455/FUL	<b>Item</b>	04
<b>Date Valid</b>	05.11.2024	<b>Ward</b>	SUTTON AND MOUNT GOULD
<b>Site Address</b>	Land Adjacent To 38 Parsonage Way Plymouth PL4 0LY		
<b>Proposal</b>	Erection of 1 no. detached dwelling (Class C3)		
<b>Applicant</b>	Ms Susan Beesley		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	31.12.2024	<b>Committee Date</b>	24.04.2025
<b>Extended Target Date</b>	28.02.2025		
<b>Decision Category</b>	Councillor Referral		
<b>Case Officer</b>	Mr Sam Lewis		
<b>Recommendation</b>	Grant Conditionally		



The application has been referred to the Planning Committee by Cllr. Sue Dann.

### **1. Description of Site**

The site is a patch of land at the western end of Parsonage Way - much of which is paved and used for parking. 38 Parsonage Way sits to the east of the site, with the Queen Anne Terrace flats sitting to the south. The site falls within the Sutton and Mount Gould ward of the city.

### **2. Proposal Description**

The proposal seeks to erect 1 no. part single-storey, part two-storey dwelling on the site, which would be served by a private garden and 2 no. off-road parking spaces. 2 no. of the wider site's parking spaces are proposed to be retained but these fall outside of the scope of the application.

At the longest point, the dwelling is proposed to be approx. 8.7m wide at ground floor level and approx. 6m wide at first floor level. The dwelling is proposed to be approx. 8.8m deep, which



includes a front stairwell protrusion measuring approx. 1.7m beyond the main front elevation. The dwelling is proposed to be approx. 7.7m tall to the ridge - with a pitched roof proposed. The garden is proposed to sit to the east of the dwelling, alongside the proposed parking spaces and cycle parking. The dwelling is proposed to be finished in render, topped with a zinc roof, and include aluminium doors/windows. Solar PV panels and an air-source heat pump are proposed to serve the property, alongside an EV charging point.

The above measurements are taken from amended plans which were submitted following concerns being raised by Officers relating to the amenity impacts of the original proposal - which was taller than proposed now. The scheme was re-advertised following the receipt of the amended plans.

### **3. Pre-application Enquiry**

Pre-application advice was given to the applicant via 24/00263/MOR. Whilst Officers raised no in-principle objections to the development of the site, they noted that for a scheme to be considered acceptable it should not have a significant impact on the amenity of neighbouring properties.

### **4. Relevant Planning History**

00/01047/FUL - Demolish warehouses (Parr St.) and develop, with allotment land, with 5 to 7 storey residential units (38), retain allotments (reduced extent), provide public parkland, provide turning head to Parr St (Granted Conditionally).

10/00198/FUL - Redevelopment of site and erection of 17no 3 bed terraced houses and 6no 2 bed apartments with associated car parking and landscaping (Withdrawn).

10/00499/FUL - Redevelopment of site and erection of 17 no 3 bed terraced houses and 6 no 2 bed apartments with associated car parking and landscaping (Granted Conditionally).

17/00808/FUL - Detached dwelling (Withdrawn).

### **5. Consultation Responses**

Highway Authority - Raised no in-principle objections and considered that the loss of parking would not be a significant enough reason to recommend refusal of planning permission. Recommended conditions relating to the remaining parking spaces, a Construction Traffic Management Plan (CTMP), and a Highway Dilapidation Survey.

Environmental Health Team - Raised no in-principle objections and recommended conditions relating to the reporting of unexpected contamination and the provision of an Construction Environmental Management Plan (CEMP).

Natural Infrastructure Team - Raised no in-principle objections, noting that the BNG proposals are considered to be acceptable. A proposed tree was re-located on amended plans following the team's advice.

Environment Agency - No response received.

Waste Services - No objections.

Lead Local Flood Authority - Considered that further information should be submitted relating to the ownership of the existing on-site drainage alongside information relating to how the remaining part of the site would drain.

## **6. Representations**

Letters of representation have been received from 49 individuals - 48 of which objected to the scheme, whilst one expressed a neutral view. Some individuals submitted multiple letters, and the scheme was re-advertised following amended plans being submitted. The material concerns raised include:

- The site was reserved for parking as part of a previous planning approval;
- Design impacts including scale, building line, and relationship to other properties;
- Amenity impacts on neighbouring properties (including privacy impacts, massing, loss of light, and noise from the air-source heat pump);
- Ground contamination concerns;
- Traffic and parking impacts;
- Disruption and noise during construction.

These issues will be discussed in detail in Section 8 of this report. Additionally, the following non-material issues have been raised:

- Party Wall Act-related issues and other private land/utility concerns;
- A request to ensure that development on the site does not take place until proposed cladding replacement to the adjacent flats has taken place.

## **7. Relevant Policy Framework**

Section 70 of the Town and Country Planning Act 1990 requires that regard be had to the development plan, national development management policies, local finance and any other material considerations. Section 38(5B) of the Planning and Compensation Act 2004 sets out that the determination of any matter under the Planning Acts must be made in accordance with the development plan and any national development management policies, taken together, unless material considerations strongly indicate otherwise. For the purposes of decision making, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 (2019) (JLP) is part of the development plan for Plymouth City Council. The Plymouth & South West Devon Joint Local Plan 2014 - 2034: Supplementary Planning Document (2020) (SPD) sets out guidance relating to the implementation of the policies of the JLP.

The relevant policies and/or provisions of the following documents also have the potential to be material to the consideration of the application: National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG), National Design Guidance, the Plymouth and South West Devon Climate Emergency Planning Statement (2022) (CEPS), and the Joint Local Plan Five Year Review Report (2024).

Following adoption of the Joint Local Plan, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG) of their choice to monitor their housing requirement at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the Five-Year Housing Land Supply (5YHLS) assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change. On 12 December 2024, MHCLG published the HDT 2023 measurement. This confirmed the Plymouth, South Hams, and West Devon's joint measurement as 113% and that there are no policy consequences.

A 5% buffer is required to be applied for the purposes of calculating a 5YHLS at the whole plan level. As a result of the new standard method set out in the PPG, and the housing provisions of the NPPF, the combined authorities are only able to demonstrate a 2.53year housing land supply. This means that the presumption in favour of sustainable development set out in paragraph 11d of the NPPF applies for decision-making purposes, and that planning permission should be granted unless the specific circumstances set out in sub-points (i) or (ii) in the same paragraph are satisfied.

Additionally, the following planning documents are also material considerations in the determination of the application:

- o Technical Housing Standards: Nationally Described Space Standards (March 2015).

## **8. Analysis**

8.1 This application has been considered in the context of the development plan, the NPPF, and other material considerations as set out in Section 7.

8.2 The JLP policies relevant to this application are SPT1 (Delivering sustainable development), SPT2 (Sustainable linked neighbourhoods and sustainable rural communities), SPT3 (Provision for new homes), DEV1 (Protecting health and amenity), DEV2 (Air, water, soil, noise, land and light), DEV7 (Meeting local housing need in the Plymouth Policy Area), DEV9 (Meeting local housing need in the Plan Area), DEV10 (Delivering high quality housing), DEV20 (Place shaping and the quality of the built environment), DEV26 (Protecting and enhancing biodiversity and geological conservation), DEV29 (Specific provisions relating to transport), DEV31 (Waste management), DEV32 (Delivering low carbon development), and DEV35 (Managing flood risk and water quality impacts).

### **8.3 Principle of Development**

8.3.1 Prior to considering the specifics of the proposal, Officers must first consider the acceptability of developing the land in principle. Many of the letters of representation received flag a condition relevant to the land relating to its retention for parking. As such, the view has been expressed that development of the site should not be permitted. The condition in question is Condition 6 of 00/01047/FUL which states:

*The building shall not be occupied until the car parking area shown on the approved plans has been drained and surfaced in accordance with the details submitted to and approved by the Local Planning Authority, and that area shall not thereafter be used for any purpose other than the parking of vehicles.*

*Reason: To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway.*

8.3.2 00/01047/FUL permitted the Queen Anne Terrace development which preceded the housing development on Parsonage Way. The condition covered the site and other parking areas throughout the wider development of the flats - some of which no longer exist due to the houses which have since been built. Crucially, in the context of this application at least, the condition did not specify an end user for the parking area (e.g. residents of/visitors to the flats) - merely only that the space should be used for such. The site is in private ownership and is currently chained off - meaning that only the owner of the land can park there. Officers are unsure how long this has been the situation - but are aware of correspondence relating to this condition taking place back in 2016 in relation to an enforcement investigation. As such, it is likely that the site has not been 'open' for a wider parking use for some time - although it is noted that under previous ownership of the land the spaces were available to be parked in.

8.3.3 The fact that the site is chained off and used privately is not a breach of Condition 6 of 00/01047/FUL, something which was confirmed by the Local Planning Authority in 2016. Officers are not aware of any planning breaches relating to the site - and during both site visits undertaken as part of this scheme (pre-app and this current application) the land was being used for parking. Despite what was allowed under previous ownerships, no one apart from the owner of the site has a right to park there from a planning perspective and there is no planning mechanism by which the land could be 'opened up' for unrestricted parking for residents/visitors. As such, the site is generally lightly parked - so, in practice, the loss of the spaces is not considered to be sufficiently harmful to warrant a refusal of planning permission. It is noted that two spaces would be retained for the owner

of the land to continue parking on - and these spaces fall outside of the scope of the application. As such, the de facto parking situation on the site would not significantly change should the scheme go ahead.

8.3.4 The Highway Authority have accepted such in their consultation response and the application was also accompanied by a Transport Technical Note which, despite containing some conjecture regarding local car ownership and makes assumptions which are disputed in many of the letters of representation, is helpful in setting out the current situation and use of the site. The key consideration here, though, is the wording of the condition and the actual reality of the situation - which has been set out above. It is considered, then, that the loss of the parking area, which the Local Planning Authority have no power to make available for a wider use, would not be sufficiently harmful to warrant a refusal of planning permission. Additionally, as an overarching consideration, Officers must also consider the recently updated NPPF paragraph 125c which states:

*Planning policies and decisions should...give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.*

8.3.5 Officers consider that the above NPPF paragraph applies to this site - and the issues discussed in this section of the report would not lead to substantial harm. As such, no in-principle objections are raised by Officers with regard to developing the land.

### 8.4 Need for Housing Development

8.4.1 The publication of the updated NPPF on 12th December 2024, alongside new guidance, sets out a new standard method to calculate local housing need with the clear aim of increasing housing delivery nationally. Policy SPT3 of the JLP sets an overall housing requirement for the Plan Area of 26,700 dwellings (net), which is 1,335 per annum for the Plan Period between 2014 and 2034.

8.4.2 The new standard method, however, identifies a housing need for the Plan Area of 2,643 dwellings per annum. The LPA therefore accepts that, given the provisions of paragraph 62 of the PPG and paragraph 34 of the NPPF, SPT3 is now out of date.

8.4.3 The extent of the shortfall in relation to the 5YHLS is such that significant weight needs to be given to the provision of new housing in the planning balance.

### 8.5 Visual Impacts

8.5.1 Officers consider that the proposal is acceptable on design grounds, and that the overall visual impact of the proposal would not be significant. Parsonage Way is a private road with a gated access - with the site also screened from view from nearby public spaces by Queen Anne Terrace to the south and by a large multi-storey car park to the north. As such, views of the site itself are limited to Parsonage Way itself and from windows of nearby properties. Parsonage Way is made up of modern-looking terraced properties with a mixture of pitched and flat roofs (largely the former). There are no contemporary detached properties on the street, although Parsonage Way does provide access to an older property to the west of the site which sits some distance from the site. Whilst detached properties are not a part of the street's character, then, Officers do not consider that the proposal would have a significant visual impact. Following changes made to reduce its overall height, it would be similar in scale to the nearby terraced properties - slightly taller than the shorter end terrace property and slightly shorter than the rest. As such, the scale of the property is considered to be in-keeping with the local scale of development.

8.5.2 It has been flagged in some of the letters of representation received that the proposal would sit forward of the building line of Parsonage Way. The terraced properties are set back from the road,

with parking spaces in between, which would not be the case with the proposed property - which would have parking to one side and part of the property closer to the street. The main front elevation would be set back from the street, though, and the shape of the site means that a design similar to the nearby properties would not be possible. The site also somewhat turns the corner - providing separation between the proposed dwelling and the terrace. The proposed dwelling would be seen on its own, then, rather than in line as part of the terrace - so this difference in building line is not considered to be significant, and not comparable to poor quality front garden development as suggested in some of the letters of representation. Bike and bin storage is also proposed, but limited detail has been provided relating to them. Their locations are considered to be acceptable in principle, despite being prominent, but the provision of final details relating to the design of both has been conditioned below. The scale of them would, again, not be comparable to erecting a garage forward of a front elevation - as stated in some of the letters of representation.

8.5.3 With the overall scale of the development considered to be in-keeping with the rest of the street, the material finishes which again would be in-keeping, and the general secluded nature of the site, Officers consider that the scheme would not have a significant visual impact in line with DEV20 of the JLP.

### 8.6 Amenity Impacts

8.6.1 This section of the report will consider the impact of the proposal on the surrounding residents as well as the enjoyment of it by its future occupiers.

8.6.2 A number of amenity-related concerns have been raised in the letters of representation received. From visiting the site, it is considered that the property which would be most impacted by the proposal would be 38 Parsonage Way, immediately to the east of the site. No. 38 is shorter than the rest of the terrace but has additional floorspace at ground and first floor level on the western side - with windows that overlook the application site. Officers will first consider the amenity impacts on no. 38 before turning to other properties.

8.6.3 The scheme originally proposed showed a taller property with a ridge height of approx. 9.4m. Following a site visit, Officers considered that the original proposal would have had a significantly harmful impact on the amenity of no. 38. The applicant then amended the scheme in an attempt to overcome the concerns. Whilst Officers still consider that there would be an impact on the amenity of no. 38 as a result of the amended scheme, these impacts are not considered to be significantly harmful enough to warrant a refusal of planning permission. When considering how close development should sit in relation to neighbouring windows to limit outlook and light impacts, Figure 23 of the SPD advises that there should be a 12m gap. The ground floor element of the property would be approx. 8.8m away from no. 38's windows, whilst the first floor would be approx. 12m away. Officers acknowledge that the scheme as a whole would not therefore strictly comply with the guidance. The main single storey element of the property is proposed to be approx. 3.2m high, although parapet walls at the northern and southern ends would be higher. Whilst this would be closer to no. 38's windows than the SPD recommends, it is the bulk of the proposal as a whole which would have the impact - and the addition of the single storey element is not likely to significantly contribute to the outlook and light impacts in and of itself. It is also noted that there are existing boundary treatments between no. 38's ground floor window and the single storey element of the scheme, lessening any specific impacts, whilst no. 38's first floor window would be higher than the proposed single storey element. The reduction in the height of the proposal further mitigates these impacts.

8.6.4 In further consideration of outlook and light, Officers have assessed the scheme in the context of the 25-degree guideline set out in Figure 26 of the SPD. Using the BRE standard, the height of the proposal would breach the line by approx. 55cm. The line would also extend approx. 1.2m into the proposed dwelling. Should this triangular portion of the roof be removed, the scheme would comply

with the 25-degree guideline. Given that doing so would only remove a small portion of the proposed property's roof, it is not considered that doing so would significantly alter the impacts of the proposal on no. 38. The main bulk of the property would be essentially the same, with the chamfered roof corner not likely to materially affect the amount of light no. 38 would receive. The breach of the 25-degree rule is considered to be minor and not significantly harmful enough to insist that changes be made to the design, which would leave the proposed property with a lop-sided roof.

8.6.5 Turning to privacy, the first-floor windows which would look towards no. 38 are proposed to be obscure glazed. This means that there would be no opportunities for overlooking of no. 38's garden or into its windows. A condition has been added below to ensure that these windows are indeed obscure glazed - as well as non-opening - to protect neighbouring privacy. It has been noted that there would be views possible between the ground floor French doors of the proposed dwelling and the first-floor window of no. 38. Officers consider that the angle between the two would mean that any views between them would be limited. To further protect the amenity of no. 38 more widely, Officers have added a condition to remove the proposed property's permitted development rights - to ensure that no harmful additional windows or extensions are added at a later date. An additional storey would not be able to be added under permitted development, as has been mentioned in some of the letters of representation, as this permitted development right does not apply to properties built after 28th October 2018. Finally, in relation to no. 38, it is acknowledged that the removal of the grassed area to the east of the site would mean that the parking spaces which would serve the proposed dwelling would be close to the shared boundary. This is typical of the street, though, with the parking areas for each terraced property adjacent to each other.

8.6.6 Looking now at the amenity impacts the proposed dwelling would have on the flats to the south, Officers consider that such impacts would not be significant. It has been flagged in some of the letters of representation that the windows of the proposed dwelling and of the flats would be less than the recommended distance apart as set out in paragraph 13.19 of the SPD. Officers consider, though, that the opportunities for mutual overlooking between these windows would be limited due to the angle of the proposed dwelling compared to the flats. The proposed windows would directly face one of the flats' stairwells rather than onto the main rear elevation itself - meaning that views between the two sets of windows would be obscured by this angle. The distance between the flats' windows and the proposed property would exceed the 12m distance previously detailed, too, and due to the flats' being significantly larger than the proposed property no other amenity impacts are considered to occur.

8.6.7 Concerns have also been raised more generally relating to the noise which would be generated by the proposed air-source heat pump. Air-source heat pumps can be installed within the curtilages of residential properties under permitted development. As such, the noise which the proposed air-source heat pump may generate is not considered a harmful impact - as similar impacts could be caused without the need for planning permission. Officers note the air-source heat pump is proposed to be installed on the rear elevation, away from the boundary with no. 38, therefore any noise generated is unlikely to result in harm to current background noise levels.

8.6.8 Turning now to the level of amenity which the proposed property would provide its future occupiers, Officers consider that it would be acceptable. The floorspace over the two proposed storeys would be approx. 86.3sqm which exceeds the space set out in the Nationally Described Space Standards for a 2-bed 4-person property. All of the main habitable rooms would be served by windows - meaning that they would receive light and outlook comparable to the local area (which is very constrained due to the flats to the south and the car park to the north). Excluding the parking area, the property would be served by approx. 75.3sqm of outdoor amenity space. This is below the 100sqm recommended for a detached property in Table 11 of the SPD - but is typical of, and likely exceeds, garden sizes in the area. Bike and bin storage are proposed as set out previously.

8.6.9 It is noted that the Environmental Health Team recommended a condition relating to a CEMP being provided. Officers consider that the Council's existing Code of Practice relating to construction would be sufficient in this case to minimise amenity impacts during any construction, particularly with a CTMP conditioned, and an Informative below has been added accordingly. A condition has been added relating to the reporting of any unexpected ground contamination, though, as recommended by the Environmental Health Team in line with the recommendations of the submitted Phase I Environmental Desktop Report. No specific contamination concerns have been flagged by the Environmental Health Team.

8.6.10 Officers are therefore of the view that the amended scheme is acceptable on amenity grounds. The proposed property would have an impact on the light and outlook on 38 Parsonage Way, but based on the SPD guidance and the local circumstances these impacts are not considered to be sufficiently harmful to warrant a refusal of planning permission - referring again to NPPF paragraph 125c. The scheme is also considered to provide a suitable level of amenity for future occupiers. The scheme is therefore considered to accord with DEV1, DEV2, and DEV10 of the JLP.

### 8.7 Highway Impacts

8.7.1 The acceptability of the loss of the existing on-site parking area has already been discussed above, so this section of the report will focus on the parking and wider transport impacts of the proposed development itself. 2no. parking spaces are proposed for the dwelling, both of which would accord with the dimensions set out in Table 29 of the SPD. Given the number of bedrooms proposed, 2no. parking spaces is considered to be sufficient - meeting the recommended provision set out in Table 30 of the SPD. As mentioned above, bike storage is also proposed - with the final details relating to such conditioned below.

8.7.2 2no. parking spaces are proposed to be retained to the west of the site for the landowner to park on - although they fall outside of the red line of the development. The Highway Authority recommended that the proposed dwelling should be set further away from these spaces but consider that they would still be useable as proposed. The Highway Authority recommended that these remaining spaces be conditioned to allow their free use for local residents/visitors - but given that the spaces are not currently conditioned in such a manner implementing such now is not considered to be reasonable.

8.7.3 It has been flagged that local residents would lose the ability to park alongside the front of the site should the development go ahead - but Officers do not consider this to be a harmful impact. This has only likely been possible due to how the site is currently used - and such parking likely leads to conflict between those parking on the street and those parking on the site in any case.

8.7.4 Letters of representation have raised that there is no footway proposed along the front of the proposed dwelling. The terrace has a footway along the front of it, which stops before the site. Given that the road is a dead end, with only one further property beyond the site, Officers do not consider this to be a significant issue. The road is only used by residents and visitors, so it not likely to be very busy, and has clear visibility. As such, anyone walking to the proposed property from the end of the footway would be visible to any car driving on the road. Those accessing the property at the western end of the street currently need to walk in the road in any case - so the proposal is no different in this regard. The Highway Authority did not raise this as a concern, either.

8.7.5 The additional traffic that 1no. additional dwelling would generate would not be significant in the context of the residential street. Given the constrained nature of the site, though, a poorly-managed construction site could lead to impacts on local residents during the build - so conditions have been added below relating to both a CTMP and a Highway Dilapidation Survey. With these conditions in place, the scheme is considered to accord with DEV29 of the JLP.

### 8.8 Biodiversity Net Gain and Ecology Impacts

8.8.1 Due to an area of grassland which would be lost, the mandatory BNG condition is considered to be applicable. The metric provided shows that the scheme would lead to a 29.29% net gain - provided through the garden of the property proposed. This would include 1 no. tree planted to the north of the site, alongside a lawned area and some planting beds. The Natural Infrastructure Team was consulted on the scheme and raised no objections - although the tree's location was moved at their recommendation. As the scale of the enhancements are considered to be non-significant in BNG terms - there is no requirement to secure the enhancements for 30 years, which would not be possible given that the enhancements in this case would all be part of the site's garden. Nevertheless, a condition relating to a Landscape and Ecological Management Plan (LEMP) has been included below to ensure that the landscaping throughout the site is implemented and has some protection going forward.

8.8.2 The scheme is therefore considered to accord with DEV26 of the JLP and would provide a suitable net gain relating to national BNG legislation.

### 8.9 Climate Emergency Considerations

8.9.1 SAP calculations have been provided to show that the proposed property would accord with DEV32 of the JLP and the CEPS to reduce carbon emissions by over 20% in excess of Buildings Regulations requirements. Solar PV panels and an air-source heat pump are proposed to help enable this. The heat pump is shown on the plans, but the PV panels are not. The proposals in terms of low carbon mitigation are considered to be acceptable in principle but a condition relating to the provision of the final details relating to such, particularly the PV panels, has been added below - alongside the provision of an as-built SAP Assessment.

### 8.10 Other Matters

8.10.1 The site falls within a Critical Drainage Area, so the Lead Local Flood Authority were consulted on the proposed drainage system. The site is not noted as being at particular risk from surface water flooding, and the proposal includes on-site attenuation which would connect into the area's wider surface water drainage system. The site's current drainage system also connects into such. The wider site's drainage system, though, appears to be privately owned and is not managed by South West Water. As such, Officers have discussed this with the applicant as there are concerns relating to the implementability of the proposed drainage should the owner of the system not allow the connection. The applicant considers that the title deeds of the land allow for the right to use the on-site drainage system and to make connections into such - alongside changes to existing arrangements. Officers have seen the relevant wording and consider it sufficient to allay the concerns - although it is noted that private land matters are not for Officers to consider. A condition has been added to ensure that the proposed drainage is implemented prior to the property being occupied. It is noted that the scheme would not significantly increase the area of non-permeable surfacing around the site - as it is noted that the parking area is proposed to be permeable.

8.10.2 It has been flagged that services which serve other nearby properties run under the site. This is not a material planning consideration so forms no part of the recommendation being made. The applicant would be responsible for re-directing/re-providing any services which would be impacted by the development, though, at their cost and they should discuss such with the impacted properties and providers as part of the process.

### 8.11 Planning Balance

8.11.1 Paragraph 11d and footnote 8 of the NPPF state that, where the policies which are most important for determining the application are out-of-date (including where the Local Planning Authority (LPA) cannot demonstrate a 5YHLS, or where the HDT indicates that the delivery of housing was substantially below the housing requirement over the previous three years) planning permission should be granted unless at least one of two exceptions set out in sub paragraphs (i) and



(ii) are met. Given the significant shortfall in the JLP's 5YHLS assessment, it is considered that the most important policies are out-of-date and therefore, unless either of the exceptions apply, the NPPF says that planning permission should be granted.

8.11.2 Exception (i) relates to whether the application of NPPF policies that protect a pre-specified list of assets of particular importance provide a strong reason for refusal. These are set out in footnote 7.

8.11.3 Exception (ii) relates to whether any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Footnote 9 sets out the NPPF policies that this particularly relates to.

8.11.4 It is acknowledged that the LPA do not currently have a 5YHLS, however, in this instance no conflict has been identified against the development plan. The proposal is considered sustainable development, providing 1 no. dwelling in an accessible location, close to services and facilities, and providing a good standard of accommodation whilst not significantly prejudicing the amenity of existing residents or the wider area. Officers do not consider that the scheme would significantly breach any of the identified planning policies, SPD guidance, or wider NPPF paragraphs. In fact, the updated NPPF heavily supports brownfield re-development for residential use as referenced via paragraph 125c. Whilst impacts have been identified, particularly in relation to amenity, these are not considered to lead to substantial harm as set out in NPPF paragraph 125c. As such, the scheme is recommended for conditional approval.

## **9. Human Rights**

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

## **10. Local Finance Considerations**

The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended). Additionally, the proposal underwent a Habitat Regulations Assessment (HRA) to ascertain whether there would be an impact on the Tamar Estuary Marine Site. The scheme would trigger an additional sum of money to be paid.

## **11. Planning Obligations**

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Planning obligations are not required due to the size of the proposal.

## **12. Equalities and Diversities**

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

### **13. Conclusions and Reasons for Decision**

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal is acceptable. It is considered sustainable development, providing 1 no. dwelling in an accessible location, close to services and facilities, and providing a good standard of accommodation whilst not significantly prejudicing the amenity of existing residents or the wider area. Officers do not consider that the scheme would significantly breach any of the identified JLP policies, SPD guidance, or wider NPPF paragraphs. In fact, the updated NPPF heavily supports brownfield re-development for residential use as referenced via paragraph 125c. Whilst impacts have been identified, particularly in relation to amenity, these are not considered to lead to substantial harm as set out in NPPF paragraph 125c. As such, the scheme is recommended for conditional approval.

### **14. Recommendation**

In respect of the application dated 05.11.2024 it is recommended to Grant Conditionally.

### **15. Conditions / Reasons**

The development hereby permitted shall be carried out in accordance with the following approved plans:

#### **1      CONDITION: APPROVED PLANS**

Proposed Ground Floor Plan 446 P-101 Rev B received 21/01/25  
Proposed First Floor Plan 446 P-102 Rev A received 21/01/25  
Proposed Roof/Block Plan 446 P-104 Rev A received 21/01/25  
Proposed Landscaping Plan 446 P-105 Rev A received 21/01/25  
Proposed South Elevation 446 P-120 Rev A received 21/01/25  
Proposed East Elevation 446 P-121 Rev A received 21/01/25  
Proposed North Elevation 446 P-122 Rev A received 21/01/25  
Proposed West Elevation 446 P-123 Rev A received 21/01/25  
Proposed Sections - AA + BB 446 P-200 Rev A received 21/01/25  
Proposed Section - CC 446 P-201 Rev A received 21/01/25  
Existing Site Location + Block Plan 446 P-001 received 03/11/24

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with the Plymouth & South West Devon Joint Local Plan 2014–2034 (2019).

#### **2      CONDITION: COMMENCE WITHIN 3 YEARS**

The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

### **3      CONDITION: HIGHWAY DILAPIDATION SURVEY**

#### **PRE-COMMENCEMENT**

No works shall commence until the applicant has undertaken a Highway Dilapidation Survey and it has been approved in writing by the Local Planning Authority. The survey shall assess the existing condition of all highway infrastructure adjoining the site which will be impacted upon through the construction activities associated with the development hereby approved. This shall also include routes to and from the site being used by construction traffic. The scheme shall then proceed in line with the approved survey.

**Reason:**

To ensure that any damage to the existing highway infrastructure arising from the construction of the proposed development is properly recorded and addressed by the developer on completion of the works in the interests of the safety of all users of the highway in accordance with policy DEV29 of the Plymouth & South West Devon Joint Local Plan 2014-2034 (2019).

**Justification:** To ensure that the current highway condition can be suitably recorded and ensure that any damage caused by the development is made good.

### **4      CONDITION: CONSTRUCTION TRAFFIC MANAGEMENT PLAN**

#### **PRE-COMMENCEMENT**

No development shall commence until there has been submitted to and approved in writing by the Local Planning Authority a Construction Traffic Management Plan (CTMP). The said CTMP shall include details relating to the detailed programme of works; details of construction vehicle movements including number, type and size of vehicles; construction operation hours; routes being used by construction vehicles and contractor parking arrangements. The works hereby proposed shall then be carried out strictly in accordance with the approved CTMP.

**Reason:**

To ensure that the traffic impacts associated with the construction phase of the works does not lead to adverse impacts upon the operation of the Local Road Network in accordance with policy DEV29 of the Plymouth & South West Devon Joint Local Plan 2014-2034 (2019).

**Justification:** To limit impacts on neighbouring residents during the build.

### **5      CONDITION: PROVISION OF PARKING AREA**

#### **PRE-OCCUPATION**

The dwelling hereby approved shall not be occupied until each parking space shown on the approved plans is constructed, drained, surfaced, and made available for use for residents of/visitors to the approved dwelling - and thereafter that space shall not be used for any purpose other than the parking of vehicles.

**Reason:**

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with policy DEV29 of the Plymouth & South West Devon Joint Local Plan 2014-2034 (2019).

**6 CONDITION: CYCLE PROVISION**

PRE-OCCUPATION

The dwelling hereby approved shall not be occupied until space has been laid out within the site in accordance with final details to be submitted to and approved in writing by the Local Planning Authority for a minimum of 2no. bicycles to be securely parked. The secure area for storing bicycles shown on the approved plan shall then remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

In order to promote cycling as an alternative to the use of private cars and ensure that the bike store has an acceptable appearance in accordance with policies DEV20 and DEV29 of the Plymouth & South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

**7 CONDITION: BIN STORAGE**

PRE-OCCUPATION

The dwelling hereby approved shall not be occupied until space has been laid out within the site and made available for use for the storage of bins, in accordance with final details to be submitted to and approved in writing by the Local Planning Authority. This area shall remain available for its intended purpose and shall not be used for any other purpose without the written consent of the Local Planning Authority. Bins shall be stored in this area at all times except for collection day.

Reason:

To prevent street clutter and polluting effects from refuse storage and ensure that the bin store has an acceptable appearance in accordance with policies DEV1, DEV2, DEV20, and DEV31 of the Plymouth & South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

**8 CONDITION: ELECTRICAL VEHICLE CHARGING PROVISION**

PRE-OCCUPATION

The dwelling hereby approved shall not be occupied until 1 no. EV charging point, as shown on the approved plans, has been installed and is in working order. This charging point shall be retained in perpetuity.

Reason:

In order to promote sustainable and low carbon modes of transport in accordance with policies DEV29 and DEV32 of the Plymouth & South West Devon Joint Local Plan 2014-2034 (2019).

**9 CONDITION: PLANTING/SOFT LANDSCAPING**

PRE-OCCUPATION

Prior to the dwelling hereby approved first being occupied, the agreed planting scheme as set out in P-105-A Rev A shall be fully implemented.

Reason:

To ensure that suitable landscaping is provided in line with policies DEV26 and DEV28 of the Plymouth & South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

**10 CONDITION: LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN**

PRE-OCCUPATION

Prior to occupation of the dwelling hereby approved a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Plan should clearly identify areas of management responsibility and outline in detail how each element of the landscape will be managed and maintained. The site shall then be managed in accordance with the approved LEMP unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that the proposed planting is implemented and that the wider site is suitably managed in line with policies DEV26 and DEV28 of the Plymouth & South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

**11 CONDITION: LOW CARBON MITIGATION MEASURES**

PRE-OCCUPATION

The dwelling hereby approved shall not be occupied until full details of the proposed low carbon mitigation measures, include PV panels and an air source heat pump, have been submitted to and approved in writing by the Local Planning Authority and these have been installed/implemented in accordance with the approved details and are in working order. These measures shall then be maintained in perpetuity, and replaced as and when necessary.

Reason:

In order to promote on-site renewable energy systems, ensure a reduction in carbon emissions in line with policies DEV26 and DEV32 of the Plymouth & South West Devon Joint Local Plan 2014-2034 (2019) and the Plymouth and South West Devon Climate Emergency Planning Statement (2022).

**12 CONDITION: AS-BUILT SAP ASSESSMENT**

PRE-OCCUPATION

Prior to the occupation of the dwelling hereby approved, an as-built SAP Assessment shall be submitted to and approved in writing by the Local Planning Authority which demonstrates that the scheme has achieved regulated carbon emissions levels of 20% less than that required by Building Regulations Part L.

Reason:

To ensure that the scheme provides sustainable and low carbon development in line with policy DEV32 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the Plymouth and South West Devon Climate Emergency Planning Statement (2022).

**13      CONDITION: SURFACE WATER DRAINAGE**

**PRE-OCCUPATION**

The development shall not be occupied until the surface water drainage solution shown in the Flood Risk Assessment & Surface Water Drainage Strategy (submitted on 3rd November 2024) has been implemented in full. No changes shall then be made to it unless approved in writing by the Local Planning Authority.

Reason:

To ensure that the site can suitably deal with on-site surface water and limit localised flooding to the wider area in line with policies DEV29 and DEV35 of the Plymouth and South West Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

**14      CONDITION: UNEXPECTED CONTAMINATION**

In the event that contamination of ground conditions is found when carrying out the approved development that was not previously identified, expected or anticipated, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
  - adjoining land
  - groundwaters and surface waters
  - ecological systems
  - archaeological sites and ancient monuments; and
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the environment, future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors; and to avoid conflict with policies DEV1 and DEV2 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

**15 CONDITION: OBSCURE GLAZING**

As depicted on approved plan P-102-A Rev A, the east-facing windows at first floor level shall at all times be obscure glazed (which shall have an obscurity rating of not less than level 5) and non-opening, unless the parts that open are above 1.7m from floor level.

Reason:

In order to protect the privacy enjoyed by the occupiers of the adjacent property in accordance with policy DEVI of the Plymouth & South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

**16 CONDITION: RESTRICTIONS ON PERMITTED DEVELOPMENT**

Notwithstanding the provisions of Article 3 and Classes A, B, E, and F of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be inserted into the property hereby approved, no extensions shall be erected, no alterations/additions shall be made to the property's roof, no outbuildings/other structures shall be erected, and no additional hard surfaces shall be created without first getting consent from the Local Planning Authority.

Reason:

In order to prevent loss of privacy, light, and outlook to neighbouring dwellings in line with policy DEVI of the Plymouth & South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

**INFORMATIVES**

**I INFORMATIVE: (CIL LIABLE) DEVELOPMENT LIABLE FOR COMMUNITY INFRASTRUCTURE CONTRIBUTION**

The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended). Details of the process can be found on our website at [www.plymouth.gov.uk/CIL](http://www.plymouth.gov.uk/CIL). You can contact the Local Planning Authority at any point to discuss your liability calculation; however a formal Liability Notice will only be issued by the Local Planning Authority once "planning permission first permits development" as defined by the CIL Regulations. You must ensure that you submit any relevant forms and get any pre-commencement details agreed before commencing work. Failure to do so may result in surcharges or enforcement action.

Further information on CIL can be found on our website here:

<https://www.plymouth.gov.uk/planninganddevelopment/planningapplications/communityinfrastructurelevy>

More information and CIL Forms can be accessed via the Planning Portal:

[https://www.planningportal.co.uk/info/200126/applications/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/5)

More detailed information on CIL including process flow charts, published by the Ministry of Housing, Local Communities and Government can also be found here:

<https://www.gov.uk/guidance/community-infrastructure-levy>

## **2 INFORMATIVE: CONDITIONAL APPROVAL (NEGOTIATION)**

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and the National Planning Policy Framework, the Council has worked in a positive and pro-active way with the Applicant, including pre-application discussions, and has negotiated amendments to the application to enable the grant of planning permission.

## **3 INFORMATIVE: PROPERTY RIGHTS**

Applicants are advised that this grant of planning permission does not over-ride private property rights or their obligations under the Party Wall etc. Act 1996.

## **4 INFORMATIVE: COUNCIL CODE OF PRACTICE**

The applicant is directed to the Council's Code of Practice by the Public Protection Service (Control of Pollution and Noise from Demolition and Construction Sites):

<https://www.plymouth.gov.uk/sites/default/files/ConstructionCodeOfPractice.pdf>

## **5 INFORMATIVE: BIODIVERSITY GAIN PLAN REQUIRED**

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) A Biodiversity Gain Plan has been submitted to the Local Planning Authority; and
- (b) The Local Planning Authority has approved the plan.

The Local Planning Authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required, in respect of this permission would be Plymouth City Council.

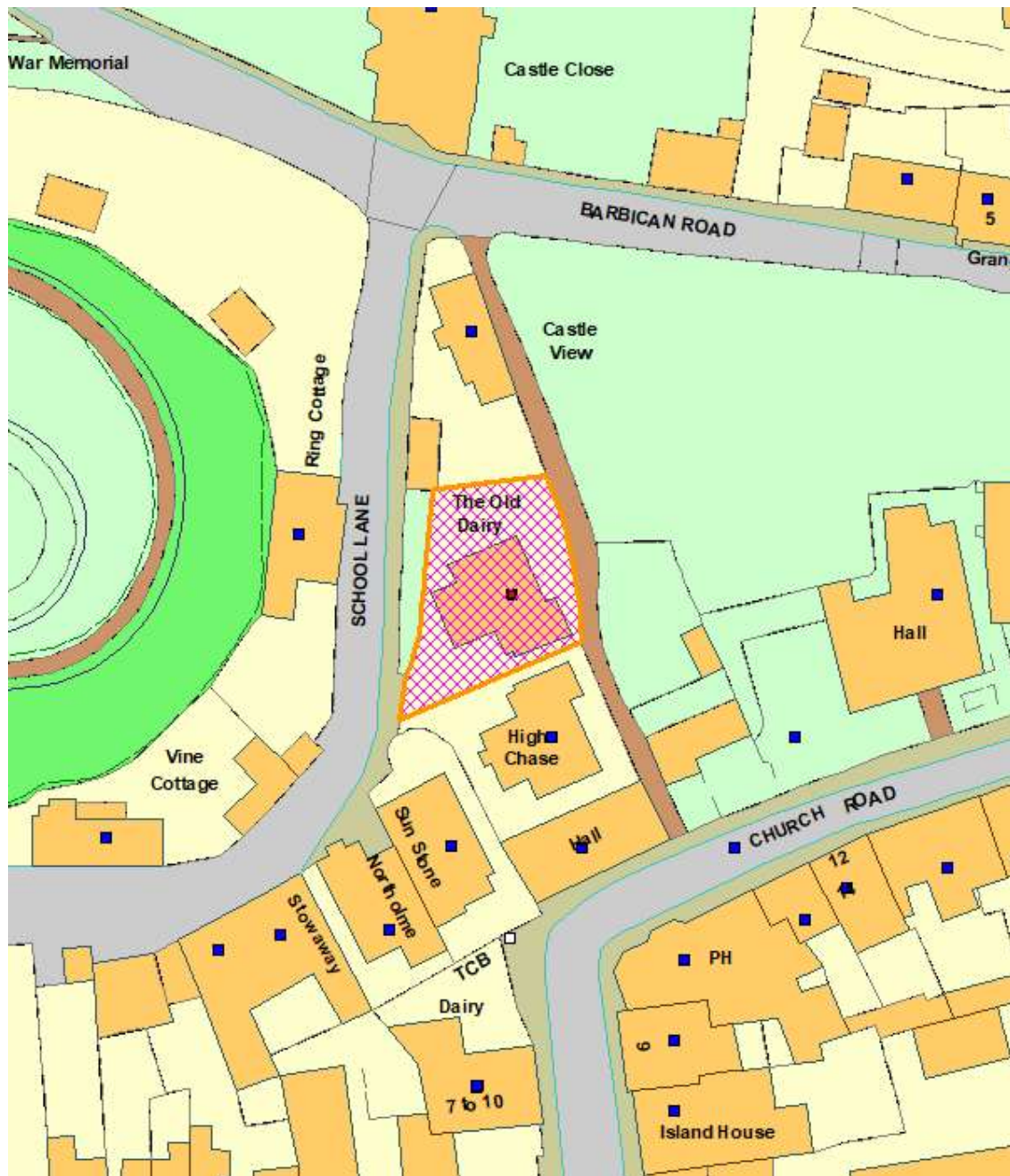
Based on the information available this permission is considered to be one which will require the approval of a Biodiversity Gain Plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.



# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	24/01479/FUL	<b>Item</b>	05
<b>Date Valid</b>	13.11.2024	<b>Ward</b>	PLYMPTON ERLE
<b>Site Address</b>	The Old Dairy School Lane Plymouth PL7 INQ		
<b>Proposal</b>	Partial reduction of western boundary wall		
<b>Applicant</b>	Mr Nathan Stonecliffe		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	08.01.2025	<b>Committee Date</b>	24.04.2025
<b>Extended Target Date</b>	30.04.2025		
<b>Decision Category</b>	Councillor Referral		
<b>Case Officer</b>	Luke Valentine		
<b>Recommendation</b>	Grant Conditionally		



This application has been referred to the Planning Committee by Cllr. Terri Beer.

### **1. Description of Site**

The Old Dairy is a two-storey, detached dwelling located in the Plympton Erle ward of the city.

The site is situated within the Plympton St Maurice Conservation Area.

The dwelling is late 20th Century, however the limestone and rough-coursed rubble boundary wall dates to the late 18th to early 19th Century and is typical of the walled gardens of the period.

### **2. Proposal Description**

Partial reduction of western boundary wall.

The application asserts that the south section of the western boundary wall proposed to be removed is unstable and represents a danger to both the applicant and the public.

### **3. Pre-application Enquiry**

No pre-application enquiry associated with this application.

### **4. Relevant Planning History**

87/01819/FUL - Erection of two detached and two link detached houses with integral garages -  
Granted conditionally

23/01097/FUL - Removal of first floor box dormer / bay window and replacement with small balcony, x1 new first floor front window, alterations to existing window openings, relocation of steps and installation of wooden cladding at first floor level. - Grant Conditionally

### **5. Consultation Responses**

Urban Design Officer - No Comment

Historic Environment Officer - No Objection

### **6. Representations**

The Local Authority have received 8 letters of representation opposing the application on the following grounds:

- o Unacceptable impact on the character of the conservation area
- o Unconvincing justification for the works
- o Unacceptable impact on neighbouring amenity and outlook
- o Unacceptable impact on previously agreed planning consents

### **7. Relevant Policy Framework**

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. For the purposes of decision making, as of March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park).

Other material considerations include the policies of the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG), National Design Guidance, the Plymouth and South West Devon Climate Emergency Planning Statement (CEPS) 2022, and the Joint Local Plan Five Year Review Report, 2024. Additionally, the following planning documents are also material considerations in the determination of the application:

- o The Plymouth and South West Devon Supplementary Planning Document (SPD) (2020).
- o Plympton St Maurice Conservation Area Appraisal and Management Plan (CAAMP) (2008)

### **8. Key Issues/Material Considerations**

1. This application has been considered in the context of the development plan, the Framework and other material policy documents as set out in Section 7.

2. This application turns upon policies: DEV1 (Protecting health and amenity), DEV20 (Place shaping and quality of the built environment), and DEV21 (Development affecting the historic environment) of the adopted Joint Local Plan.

3. The material planning considerations for this application are:
- o Visual Impact and Impact on Conservation Area
  - o Residential amenity

Negotiations Undertaken

4. The original plans submitted were considered acceptable in-principle and the assessment is based on the initial submission.

Visual Impact and Impact on the Character of the Conservation Area

5. DEV 21 of the JLP requires development to sustain local character and distinctiveness of the area and conserve or enhance its historic environment, heritage assets and their settings according to their national or local significance.

6. The NPPF 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 account of the available evidence and any necessary expertise.

7. 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 asset's conservation and any aspect of the proposal.

8. Paragraph 210 states:

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.

9. Paragraph 212 states:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

10. Paragraph 213 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:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) 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.

11. The Town Planning (Listed Buildings and Conservation Areas) Act 1990 requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

12. This is a requirement of the act itself meaning that when considering these proposals, great weight must be given to the impact of the proposals on the character and appearance of the Conservation Area.
13. The proposal is to partially demolish a section of the boundary wall measuring approximately 7.7 metres in width from the south end and 1.5 metres height.
14. The newly created wall end would be capped with blockwork to match the existing and retain the 45-degree angle of the existing wall. The wall coping will be finished in lime putty to match the existing.
15. The application is supported by a Structural Engineering Report. The report found that the section of the wall the applicant proposes to remove currently leans inward, with a typical measurement of 60mm over 1800mm. In contrast, the rest of the wall measures between 10 to 20mm over 1800mm.
16. The report asserts that this movement likely results from the combination of traffic vibrations, plant growth, and the sites topography.
17. It concludes that the wall, as a whole, is vulnerable, if theoretically stable, and that the identified section should be removed as a safety measure.
18. The boundary wall is a surviving remnant of a garden wall dating back to the late 18th to 19th century. The wall is typical to high walled gardens of the period.
19. The wall is limestone with rough-course rubble bonded with a lime mortar and is typical to the vernacular of the area.
20. Whilst the wall is not listed, the CAAMP identifies the survival of the historic local limestone walls as a key characteristic of the Conservation Area.
21. Furthermore, whilst the Old Dairy site is not specifically identified in the CAAMP as making a positive contribution to the conservation area, it should be noted that the omission of any building, feature, or space from the CAAMP should not be taken to mean it has no value to the Conservation Area.
22. Officers acknowledge that the wall in question adds to the tight and enclosed streetscape and provides a vertical street surface which provides character to both School Lane and the Conservation Area.
23. Officers have consulted the Historic Environment Officer (HEO) who has raised no objection to the application nor recommended any conditions.
24. It is the view of HEO that the proposed works would be at the very lowest end of less than substantial harm and result in only minimal loss of character to the Conservations Area.
25. Officers concur with this view, noting that the majority of the wall will remain in situ, retaining the sense of enclosure along School Lane.
26. The reduced section of wall will still measure between 2.2 and 2.7 metres in height on the street side. This height would be in line with, or exceed, other historic limestone walls throughout the Conservation Area and, consequently, would not represent a significant degradation of the Conservation Area's character.

27. As per the paragraph 215 of the NPPF (2024), where a development proposal will lead to less than substantial harm, it must be weighed against the public benefit.

28. As noted by the HEO, the loss of the section of wall would be balanced by the works to make good the remaining south and west facing walls of the historic garden as part of the wider scope of the works.

29. These works have been undertaken and serve to better preserve the remaining elements of the boundary wall against further degradation, protecting its presence within the existing streetscape. The works will also remove a potential danger to members of the public.

30. Furthermore, officers have established that it is the intention that the recovered stone will be retained and utilised for further projects within the historic garden.

31. It should be noted that while officers have no reason to believe this will not occur, due to the unknown nature of such works, this has not been secured by condition and therefore may not take place.

32. Finally, officers have queried with the applicant whether repair would be an alternative to the proposed partial demolition. The applicant has advised that whilst remedial repair works have been undertaken, including the clearing of vegetation and repair of loose stonework, it is their view that the wall is too dangerous and further repair works are not a valid path forwards and that they feel that this is supported by the submitted Structural Engineering Report.

33. Whilst officers may not agree that the submitted report fully precludes potential repair, on balance, officers consider that the benefits of the scheme outweigh the harm.

34. The public good achieved through the removal of a potentially dangerous element of the wall, together with the work to make good the remaining north and west facing walls of the historic garden would be proportionate to outweigh the less than substantial harm caused to the character of the character of the Conservation Area.

35. Consequently, officers conclude that the proposal complies with policy DEV20 and DEV21 of the JLP.

#### Amenity

36. Officers have considered the impact of the development on neighbouring amenity against the guidance in the SPD and consider it acceptable.

37. Officers do not consider that the proposal would create a breach of the 45-degree guideline, nor would it create a materially greater level of overlooking.

38. It is noted that a letter of representation raised concerns about potential overlooking into the east facing window and rear garden of Ring Cottage.

39. Officers consider that the removal of the wall would not create a level of overlooking that would be materially greater than that which would be expected for two facing properties, or for a window facing onto a principal highway.

40. Furthermore, the letter of representation raised concerns regarding a historic planning consent and the proposal's potential impact on said consent should it be revisited. Officers have reviewed

the relevant planning consent, 18/01431/PRDE, and do not consider that the removal of the wall section would have any impact on its viability.

41. The proposed works have therefore been considered against the development guidance in terms of natural light levels, privacy and outlook and concluded to be acceptable and in accordance with policy DEVI of the JLP.

## Climate Emergency Considerations

42. Officers have assessed the submitted Climate Emergency Compliance Form. Given the scale of the works under this household planning application, mitigation measures should be proportionate to the scale of the development proposed.

43. Officer merit the potential retention and reuse of the recovered stone and have conditioned this.

44. Therefore, by virtue of the scale of the works, the details as submitted are acceptable in this instance.

## Response to Deferral Reasons

45. The reason for deferral is set out below with commentary.

*A detailed account from a professional confirming what repair options have been explored with regards to the section of wall the applicant proposes to remove, along with a justification for why each option has been considered unviable.*

46. The applicant has submitted further comments by a qualified structural engineer confirming that they have considered strengthening the wall either through buttresses or by thickening it.

47. However, both considered options would necessitate excavating the foundations of the vulnerable wall. It is the view of the structural engineer that neither of these options could be safely undertaken due to the risk of collapse.

48. Once the wall has been lowered, work will be undertaken to repair, cap, and make good the remaining section of the wall.

## **9. Human Rights**

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

## **10. Local Finance Considerations**

N/A.

## **11. Planning Obligations**

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Planning obligations not required due to the nature and size of proposal.

## **12. Equalities and Diversities**

This planning application has therefore had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

## **13. Conclusions and Reasons for Decision**

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004, and The Town Planning (Listed Buildings and Conservation Areas) Act 1990 and, for the reasons given in this report, have concluded that the proposal accords with policy and national guidance (specifically JLP Policies DEV1, DEV20, and DEV21). The proposal is therefore recommended for conditional approval.

## **14. Recommendation**

In respect of the application dated 13.11.2024 it is recommended to Grant Conditionally.

## **15. Conditions / Reasons**

The development hereby permitted shall be carried out in accordance with the following approved plans:

### **1      CONDITION: APPROVED PLANS**

Location Plan 11112024 received 11/11/24

Block/Site Plan and Photographs 312/GA/01 received 11/11/24

Existing and Proposed Elevation 312/GA/03 received 11/11/24

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with the Plymouth & South West Devon Joint Local Plan 2014–2034 (2019).

### **2      CONDITION: COMMENCE WITHIN 3 YEARS**

The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

## **INFORMATIVES**

### **1      INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION**

The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).



**2 INFORMATIVE: PROPERTY RIGHTS**

Applicants are advised that this grant of planning permission does not over-ride private property rights or their obligations under the Party Wall etc. Act 1996.

**3 INFORMATIVE: COUNCIL CODE OF PRACTICE**

The applicant is directed to the Council's Code of Practice by the Public Protection Service (Control of Pollution and Noise from Demolition and Construction Sites):

<https://www.plymouth.gov.uk/sites/default/files/ConstructionCodeOfPractice.pdf>

**4 INFORMATIVE: SUPPORTING DOCUMENTS**

The following supporting documents have been considered in relation to this application:

- Heritage Statement
- Design and Access Statement
- Structural Engineering Report / Brody Forbes (21/01/2025)

**5 INFORMATIVE: HEO RECOMMENDATION**

The Historic Environment Officer has recommended the use of NHL lime mortar as an alternative lime putty mortar. Whilst lime putty mortar is acceptable, NHL lime mortar is harder wearing and less likely to wash out.

**6 INFORMATIVE: UNCONDITIONAL APPROVAL (APART FROM TIME LIMIT AND APPROVED PLANS)**

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and the National Planning Policy Framework, the Council has worked in a positive and pro-active way and has granted planning permission.

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# Planning Applications Determined Since Last Committee

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
12/03/2025	Agreed Condition Details	24/01372/CDM	Mr Stephen Tortora	Condition Discharge: Condition 3 (Surface Water Drainage) of application 21/01254/FUL	35 Emma Place Plymouth PL1 3QT	Mr Sam Lewis
12/03/2025	Agreed Condition Details	24/01599/CDM	Mark Lovell	Condition Discharge: Condition 12 (Community Use Agreement) of application 24/01381/S73	Brickfields Sports Centre 80 Madden Road Plymouth PL1 4NE	Mr Daniel Thorning
12/03/2025	Agreed Condition Details	25/00160/CDMLB	Plymouth City Council	Condition Discharge: Listed Building Condition 12 (Lounge Bar) of application 23/00311/LBC	The Guildhall Royal Parade Plymouth PL1 2EL	Helen Blacklock
12/03/2025	Grant Conditionally	25/00124/FUL	Mr Timothy Johns	Glazed rear porch	Reservoir House, Admiralty Road Stonehouse Plymouth PL1 3RS	Joanna Churchill
12/03/2025	Grant Conditionally	25/00166/FUL	Mr & Mrs Prowse	Removal of outbuildings and the construction of a single-storey rear extension.	47 Faringdon Road Plymouth PL4 9EP	Ethan Bell
12/03/2025	Grant Conditionally	25/00228/LBC	Mr Timothy Johns	Glazed rear porch	Reservoir House, Admiralty Road Stonehouse Plymouth PL1 3RS	Joanna Churchill
13/03/2025	Agreed Condition Details	24/01665/CDM	Mrs Victoria Stickson	Application to discharge condition 5 (updated travel plan) of planning decision 22/02024/FUL	Marine Academy Plymouth Trevithick Road Plymouth PL5 2AF	Mr Jon Fox
13/03/2025	Agreed Condition Details	25/00189/CDM	Mr Ronald Kung	Condition Discharge: Condition 4 (Updated Management Plan) of application 23/01388/S73	43 Sutherland Road Plymouth PL4 6BN	Mr Macauley Potter

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
13/03/2025	Agreed Condition Details	25/00190/CDM	Mr David Justin	Application to discharge condition 4: surface water drainage, of planning application 22/00283/FUL	Slipway Cover, HMNB Devonport Keyham Plymouth PL2 2DQ	Mr Jon Fox
13/03/2025	Grant Conditionally	25/00086/FUL	Mars Wrigley	Erection of Waste Water Treatment Plant (WWTP) (part retrospective)	45 Estover Road Plymouth PL6 7PR	Mr Macauley Potter
14/03/2025	Agreed Condition Details	25/00380/CDM	University Hospitals Plymouth NHS Trust	Biodiversity Net Gain Plan Condition Discharge of application 25/00123/FUL	Derriford Hospital Derriford Road Plymouth PL6 8DH	Joanna Churchill
14/03/2025	Grant Conditionally	25/00090/FUL	G&T Plymouth Properties	Change of use from E(f) nursery to C4 HMO with 6 Bedrooms	66 Saltash Road Keyham Plymouth PL2 1QS	Mr Macauley Potter
17/03/2025	Agreed Condition Details	25/00334/CDC	Deana Powell	Compliance with conditions of application 15/01626/FUL	12 Ambleside Place Plymouth PL6 8EN	Mr Simon Osborne
17/03/2025	Grant Conditionally	25/00031/LBC	Mr Sean Harrison	Replacement lead valleys to central roof slopes	60 Southside Street Plymouth PL1 2LA	Mr Sam Lewis
18/03/2025	Grant Conditionally	24/01661/S73	University Hospitals Plymouth NHS Trust	Variation of Conditions 1 (Approved Plans) of application 23/01321/S73 Relating to extension of the existing hospital to provide a new emergency Department, inc. Facilities for imaging, emergency surgery and interventional Radiology (permission 21/02000/FUL10)	Derriford Hospital Derriford Road Plymouth PL6 8DH	Ms Marie Stainwright
18/03/2025	Grant Conditionally	25/00172/FUL	Mr Simon Bond	Construction of a single-storey rear extension and a new front porch	22 Barndale Crescent Plymouth PL6 6PJ	Luke Valentine

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
19/03/2025	Agreed Condition Details	25/00205/CDM	University Hospitals Plymouth NHS Trust	Condition Discharge: Condition 23 (External Lighting) of application 24/00548/S73	Derriford Hospital Derriford Road Plymouth PL6 8DH	Helen Blacklock
19/03/2025	Grant Conditionally	24/01517/FUL	Mr Davis	New dwelling	2 Gill Park Plymouth PL3 6LX	Mr Macauley Potter
19/03/2025	Grant Conditionally	24/01550/FUL	Mr Niamtullah Shir Alam	Change of use from barbers (Class E) to hot-food takeaway (Sui Generis) and shop front alterations and new extraction ventilation system.	99 Mayflower Street Plymouth PL1 1SD	Joanna Churchill
20/03/2025	Agreed Condition Details	25/00273/CDM	Plymouth City Council	Condition Discharge Condition 8 (Platform Lifts),15 (Ceiling Works), and 19 (WC Details) of Listed Building Consent application 23/00311/LBC	The Guildhall Royal Parade Plymouth PL1 2EL	Helen Blacklock
20/03/2025	Agreed Condition Details	25/00355/CDM	Patrick Goudkuil	Condition Discharge: Condition 3 (Archaeological Assessment) of application 23/00774/FUL	Regimental Training Wing Hoe Road Plymouth	Mr Sam Lewis
20/03/2025	Grant Conditionally	25/00033/FUL	VIVO Defence Services Ltd	Change of use of storage unit (Class B8) to office (Class E), alterations to mechanical ventilation and associated works	Royal Citadel, Hoe Road Plymouth PL1 2PD	Miss Emily Godwin
20/03/2025	Grant Conditionally	25/00105/S73	Mr Lawson	Variation of Condition 4 (Ventilation and Extraction) and Condition 6 (Hours Open to Customers) of application 23/01456/FUL to provide the ventilation and extraction details and change the opening hours	1 Candlewick Lane Plymouth PL4 OFF	Miss Amy Thompson
20/03/2025	Grant Subject to S106 Obligation - Full	24/00775/FUL	Mrs Gina Small	Creation of Country Park and associated development to support public access and nature enhancement	Land At Wixenford Saltram Estate Plympton PL7 1UH	Miss Amy Thompson

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
21/03/2025	Approved	25/00059/TCO	Miss Lucy Rowland	T1 & T2 Sycamore. Crown reduction T3 Spruce - Remove	Gill Park Plymouth	Alan Rowe
21/03/2025	Approved	25/00235/TCO	Mr Daniel Hunt	T1 - Chestnut. Reduce in height by 2m, Reduce crown spread by 2.5m on all aspects and balance accordingly, crown lift over highways to 5.5m	Flat 1, 48 Valletort Road Plymouth PL1 5PN	Alan Rowe
21/03/2025	Agreed Condition Details	25/00145/CDM	University Of Plymouth	Condition Discharge: Condition 3 (Demolition Traffic Management Plan), 4 (Construction Environmental Management Plan), 5 (Bird and Bat Boxes) and 8 (Post Demolition layout) of application (24/01484/FUL)	Hepworth House University Of Plymouth Plymouth PL4 8AA	Joanna Churchill
21/03/2025	Grant Conditionally	24/01201/FUL	Himanshu Sharma	Proposed conversion of existing dwelling into 6no. self-contained flats, extension to hardstand and associated alterations (part-retrospective)	18 Woodland Terrace Greenbank Road Plymouth PL4 8NL	Miss Emily Godwin
21/03/2025	Grant Conditionally	24/01662/S73	University Hospitals Plymouth NHS Trust	Variation of Condition 1 (Approved plans) of application: 23/01637/FUL	Derriford Hospital Derriford Road Plymouth PL6 8DH	Joanna Churchill
21/03/2025	Grant Conditionally	25/00044/TPO	Mr Michael Foster	Pollard tree	2 The Folly Plymouth PL9 8TZ	Alan Rowe
21/03/2025	Grant Conditionally	25/00081/FUL	Maureen Biss	Replacement patio doors	Flat 1, 216 Citadel Road Plymouth PL1 3BB	Joanna Churchill
21/03/2025	Grant Conditionally	25/00164/TPO	South West Water	Canopy lifting to 4.5m and trimming back of any encroaching bushes/shrubs to provide a clear access route	Pathway Through Holt Wood, Adj. Sewage Pumping Station Plymouth	Alan Rowe

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
21/03/2025	Grant Conditionally	25/00225/TPO	Mr & Mrs Rhodes	Fell Sycamore	74 Grantley Gardens Plymouth PL3 5BS	Alan Rowe
21/03/2025	Grant Conditionally	25/00239/TPO	Taylor	T1 - Maple - Fell to ground level and replace with native whip	23 St Maurice View Plymouth PL7 1FQ	Alan Rowe
21/03/2025	Grant Conditionally	25/00241/TPO	Mr Perry	Various remedial tree work	1 Willow Walk, Glenholt Park Glenfield Road Plymouth PL6 7NJ	Alan Rowe
25/03/2025	Grant Conditionally	25/00129/FUL	Capt Richard Allan	Change of Use: From Dwelling House Class C3(a) to Commercial Business and Service Use Class E(c) (i) (ii) (iii) and Uses which can be carried out in a residential area without detriment to its amenity Classes E(g) (i) (ii)	58 Dukes Cottages Turnquay Plymouth PL9 7NN	Helen Blacklock
25/03/2025	Grant Conditionally	25/00144/FUL	Mr Rikki Bentham	Single storey rear extension	305 Southway Drive Plymouth PL6 6QN	Luke Valentine
25/03/2025	Grant Conditionally	25/00278/FUL	Mr & Mrs Rees	Proposed balconies to first floor front elevations	34, 35 & 36 Barton Road Plymouth PL9 9RQ	Joanna Churchill
26/03/2025	Non-material Minor Amendment Agreed	25/00054/AMD	Taylor Wimpey (Exeter)	Non-material Amendment: Internal alterations to make wheelchair accessible units and lifetime home units into standard residential units, external alterations to windows, roof, entrance areas and parking layout of application 15/01858/REM	"Sherford New Community" Land South/Southwest Of A38 Elburton Plymouth	Ms Abbey Edwards

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
26/03/2025	Non-material Minor Amendment Agreed	25/00340/AMD	Mark Lovell	Non-material Amendment to application 24/01381/S73: To amend the triggers of Condition 3 to allow construction of the academy building to damp proof course stage and of Conditions 7, 8, 9, 10 and 13 to allow use of Pitch A	Brickfields Sports Centre 80 Madden Road Plymouth PL1 4NE	Mr Daniel Thorning
26/03/2025	Grant Conditionally	24/01312/ADV	Mr Chris Dutton	Illuminated fascia signage and single pole mounted sign	201 Tavistock Road Plymouth PL6 5DA	Mr Daniel Thorning
26/03/2025	Grant Conditionally	24/01681/FUL	Pulse Clean Energy	Replacement of 52no. Diesel generators with battery storage	Plymouth Stor Generation Faraday Road Plymouth PL4 0ST	Miss Emily Godwin
26/03/2025	Grant Conditionally	25/00076/FUL	Mr Lawton	Two-storey rear extension	69 Randwick Park Road Plymouth PL9 7QN	Ethan Bell
26/03/2025	Grant Conditionally	25/00152/FUL	Plymouth City Council	Installation of CCTV and associated works	Tinside Pool, Hoe Road Plymouth PL1 3DE	Miss Amy Thompson
26/03/2025	Grant Conditionally	25/00153/LBC	Plymouth City Council	Installation of CCTV and associated works	Tinside Pool, Hoe Road Plymouth PL1 3DE	Miss Amy Thompson
26/03/2025	Grant Conditionally	25/00218/S73	TJ Morris Limited	Variation of Planning Conditions 1 (Approved Plans) and 13 (Further Landscaping Details) of application 24/01263/S73 to amend the landscaping scheme	Errill Retail Park, Plymouth Road Plymouth PL7 4JP	Helen Blacklock
26/03/2025	Refuse	24/01601/FUL	Mr Chris Dutton	Demolition of existing petrol filling station structures and redevelopment to provide car and van hire office including external hard and soft landscaping	201 Tavistock Road Plymouth PL6 5DA	Mr Daniel Thorning



Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
27/03/2025	Agreed Condition Details	25/00194/CDM	Balance Power Projects Limited	Conditions Discharge: Condition 3, 4 and 5 of application 22/01922/FUL	Agricultural Land To The West Of Tamerton Road / Belliver Way Roborough Plymouth PL6 7BQ	Mr Jon Fox
27/03/2025	Non-material Minor Amendment Agreed	25/00465/AMD	Anthony Eke	Non-material Amendment of 21/01038/OUT to read: Outline application for up to 70 affordable low carbon homes and commercial space (flexible use), with all matters reserved except for access.	Land Off Coombe Way Kings Tamerton Plymouth	Mr Daniel Thorning
27/03/2025	Grant Conditionally	24/01033/FUL	Mr Darren Nicholson	Construction of garage (retrospective)	8 Dawes Lane Plymouth PL9 8DJ	Miss Emily Godwin
27/03/2025	Grant Conditionally	24/01034/LBC	Mr Darren Nicholson	Construction of garage (retrospective)	8 Dawes Lane Plymouth PL9 8DJ	Miss Emily Godwin
27/03/2025	Grant Conditionally	24/01584/FUL	Mr Jack Orme	Covered single storey rear terrace extension with associated works	101 Bridwell Road Plymouth PL5 1AE	Luke Valentine
27/03/2025	Grant Conditionally	24/01676/FUL	Mrs Nash	Change of use of first floor restaurant kitchen (Class E) to 1no. flat (Class C3)	10 Southside Street Plymouth PL1 2LA	Mr Sam Lewis
27/03/2025	Grant Conditionally	24/01687/LBC	Dr John Downey	Replacement windows, with one window replaced with double doors and the construction of a wood burner	20 Acre Place Plymouth PL1 4QR	Ethan Bell
27/03/2025	Grant Conditionally	25/00262/FUL	M Mackin & K Elesmore	Single storey rear extension	Utterleigh, Longlands Road Plymouth PL9 7RW	Joanna Churchill

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
27/03/2025	Grant Conditionally	25/00264/FUL	Mr Bob Briscoe	Two-storey side extension with front and rear dormers	93 Shortwood Crescent Plymouth PL9 8TL	Joanna Churchill
31/03/2025	Agreed Condition Details	25/00266/CDM	Mr Kevin Fisher	Condition Discharge: Condition 3 (Cycle Storage) of application 22/02018/FUL	110 Alexandra Road Mutley Plymouth PL4 7JU	Mr Macauley Potter
31/03/2025	Grant Conditionally	23/01796/FUL	Ms Sarah Lock	Rear and side extension plus roof terrace, internal alterations and new surfacing (part retrospective) (re-submission of 22/01119/FUL)	Hoe Lodge Restaurant Hoe Road Plymouth PL1 2PA	Ms Abbey Edwards
31/03/2025	Grant Conditionally	23/01797/LBC	Ms Sarah Lock	Rear and side extension plus roof terrace, internal alterations and new surfacing (part retrospective) (re-submission of 22/01117/LBC)	Hoe Lodge Restaurant Hoe Road Plymouth PL1 2PA	Ms Abbey Edwards
31/03/2025	Grant Conditionally	25/00192/FUL	Mr Darren Young	Rear conservatory	49 Popplestone Lane Plymouth PL3 5GA	Ethan Bell
31/03/2025	Grant Conditionally	25/00193/FUL	Mr Robert Fenton	Proposed front extension	Ground Floor Front Flat, 3 Western College Road Plymouth PL4 7AG	Ethan Bell
31/03/2025	Grant Conditionally	25/00238/FUL	Mr & Mrs Archer	Single storey side/rear extension	41 Faringdon Road Plymouth PL4 9EP	Ethan Bell
01/04/2025	Grant Conditionally	25/00263/FUL	Jamie Pearson	Front façade alterations for installation of ventilation	9 - 13 Lockyer Street Plymouth	Mr Sam Lewis

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
02/04/2025	Agreed Condition Details	24/01664/CDM	Tim Octon	Condition Discharge: Condition 3 (Construction Environmental Management Plan) of application 24/00866/FUL	1 To 2 Turnquay Plymouth PL9 7NN	Helen Blacklock
02/04/2025	Agreed Condition Details	25/00204/CDM	Mr Andrew Nisbet	Condition Discharge: Condition 3 (on-site renewable energy) of application 24/00894/FUL	Unit 2, 10 Estover Road Plymouth PL6 7PY	Mr Macauley Potter
02/04/2025	Non-material Minor Amendment Agreed	25/00372/AMD	Mr Henry Clegg	Minor amendments including changes to roof, windows and doors.	Mount Tamar School Row Lane Plymouth PL5 2EF	Mr Macauley Potter
02/04/2025	Grant Conditionally	25/00156/FUL	Mr & Mrs Rowe	New hardstanding area, with entrance porch	5 Croydon Gardens Plymouth PL5 2RH	Luke Valentine
03/04/2025	Grant Conditionally	24/01336/FUL	Mr Bob Simpson	Proposed development of 3 dwellings and associated works	Land At 802 Wolseley Road Plymouth PL5 1JP	Mr Macauley Potter
03/04/2025	Grant Conditionally	25/00155/FUL	Mr Andrew Mouat	Replacement of top row glass panes to a number of sliding sash windows with external louvres	Scott Building University Of Plymouth Drake Circus Plymouth PL4 8AA	Mr Sam Lewis
03/04/2025	Grant Conditionally	25/00177/FUL	Vivian Lacey-Johnson	Installation of air source heat pump	29 St Aubyn Street Plymouth PL1 4GW	Cody Beavan
03/04/2025	Grant Conditionally	25/00231/FUL	Mr Paul Wills	Front porch extension	55 Orchard Avenue Plymouth PL6 5SB	Luke Valentine

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
03/04/2025	Grant Conditionally	25/00320/S73	Mr Leo Lawson O'Neil	Variation of Condition 3 (Specified Use Restriction) of application 22/00518/FUL to allow Unit 10 to operate within Class E(d) (indoor sport and recreation)/Class E(a) (retail)	10 Sawrey Street Plymouth PL1 3LA	Mr Sam Lewis
03/04/2025	Refuse	24/01525/FUL	Mr C Dutton	Extension to offices for vehicle rental premises. Removal of existing/erection of new wash bay	Enterprise Rent-A-Car Strode Business Park Plympton Plymouth PL7 4AY	Mr Daniel Thorning
03/04/2025	Refuse	25/00134/FUL	Mr & Mrs Dalley	Extension/conservatory to west elevation	18 Braemar Close Plymouth PL7 2FA	Cody Beavan
04/04/2025	Agreed Condition Details	25/00335/CDM	Mr & Mrs K Corish	Condition Discharge: Condition 3 (Surface Water Strategy) of application 23/00597/FUL	162 Dunstone View Plymouth PL9 8QL	Ms Abbey Edwards
04/04/2025	Grant Conditionally	24/01580/S73	Mr Anthony Collins	Variation of Condition 15 (Flood Warning And Flood Risk Management) of application 20/00424/S73 to update the Flood Warning and Flood Risk Management Plan	Turnchapel Boatyard, Clovelly View Plymouth PL9 9SY	Miss Amy Thompson
04/04/2025	Grant Conditionally	25/00047/FUL	Chris Burt	Installation of air source heat pump	2 Owen Drive Plymouth PL7 4RN	Cody Beavan
04/04/2025	Grant Conditionally	25/00191/FUL	Mrs Pip Giles	Single-storey rear extension	36 Beacon Down Avenue Plymouth PL2 2RU	Luke Valentine
04/04/2025	Refuse	25/00197/FUL	Mr Jon Treharne	New double garage and car port	57 Craigie Drive Plymouth PL1 3JB	Ethan Bell

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
04/04/2025	Refuse	25/00219/S73	Mr Justin Bryce	Variation of Conditions 1 (Approved Plans) and 13 (As-Built SAP Assessment) of application 24/00646/FUL to replace aluminium framed windows on upper floors with UPVC, remove air source heat pumps and provide additional solar PV panels	40 North Hill Plymouth PL4 8ET	Ms Abbey Edwards
07/04/2025	Advertisement Split Decision	24/01526/ADV	Mr C Dutton	New building-mounted and free-standing signage	Enterprise Rent-A-Car Strode Business Park Plympton Plymouth PL7 4AY	Mr Daniel Thorning
07/04/2025	Approved	25/00270/TCO	Mrs Laura Russell	Eucalyptus- Crown reduction of 2.5m for tree 1 and tree 3 Fell tree 2 due to honey fungus	40 Valletort Road Plymouth PL1 5PN	Alan Rowe
07/04/2025	Agreed Condition Details	25/00445/CDM	Mr Geoff Coope	Condition discharge: Condition 3 Arboricultural method statement of application 24/01564/LBC	3 The Square Plymouth PL1 3JX	Joanna Churchill
07/04/2025	Grant Conditionally	25/00102/TPO	Mrs Vivienne Cox	Reduce the crown of the hedge at rear of the property. Remove 3 meters from the top of the Fir trees.	7 Glade Close Plymouth PL6 5JB	Alan Rowe
07/04/2025	Grant Conditionally	25/00120/FUL	Mr Akash Patel	Rear dormer	16 Yeomans Terrace Lane East Plymouth PL5 1FN	Cody Beavan
07/04/2025	Grant Conditionally	25/00154/FUL	Mr Marius Mazuru	Air Source Heat Pump on front of property	55 Beacon Park Road Plymouth PL2 2PG	Cody Beavan
07/04/2025	Grant Conditionally	25/00176/FUL	Mr & Mrs Jessep	Loft conversion including hip to gable roof extention and rear dormer	454 Crownhill Road Plymouth PL5 2QT	Luke Valentine

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
07/04/2025	Grant Conditionally	25/00296/FUL	Mr & Mrs Prater	Demolition of conservatory and access stairs and erection of balcony with glass balustrading	111 Green Park Road Plymouth PL9 9LL	Joanna Churchill
07/04/2025	Refuse	25/00132/TPO	Mr West	(T1) Sycamore reduce down to hedge level to height of 3 metres. (Remaining hedgerow) reduce down to height of 3 metres to make into hedge. (T2) Sycamore. Fell to ground level	Ground Floor Flat, 85 Mannamead Road Plymouth PL3 4SX	Alan Rowe
08/04/2025	Prior Approval Required & Given	25/00257/16	MBNL (EE And H3G)	The installation of 20m Phase 7 monopole with wraparound cabinet supporting 9no. antennas, 2no. 300mm diameter transmission dishes and ancillary development thereto	George Junction Park And Ride Carpark Tavistock Road Plymouth PL6 7LB	Mr Daniel Thorning
08/04/2025	Tree Split Decision	25/00324/TPO	Mr Dennis Taylor	T1 Maple, Crown reduction. T2 Pine, Fell. T3 Pine, Fell T4 Beech. Fell. T5 Beech Fell. T6 Beech, 3m reduction in height. T7 Beech, 3m reduction in height. T8 Pine Fell.	30 Colesdown Hill Plymouth PL9 8AE	Alan Rowe
08/04/2025	Approved	25/00350/TCO	Cookney	T1 - Sycamore - Coppice to near ground level	1 Mannamead Rise Mannamead Avenue Plymouth PL3 4SP	Alan Rowe
08/04/2025	Approved	25/00352/TCO	Natwest	To cut all vegetation to ground level. Team to then fell the 1 x Tree, chip and remove. Team to then CAT4+ scan the area prior to breaking ground. Team to then utilise stump grinder to break up the root systems of the tree and shrubs to prevent regrowth	6 St Andrews Cross Plymouth PL4 0AE	Alan Rowe
08/04/2025	Agreed Condition Details	25/00146/CDM	Plymouth City Council	Condition Discharge: Condition 3 (Travel Plan) of application 24/00529/FUL	Community Centre Frederick Street West Plymouth PL1 5JW	Helen Blacklock

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
08/04/2025	Grant Conditionally	25/00006/FUL	Mr & Mrs Heeley	Single storey rear extension with roof terrace and external access stairs	14 Telegraph Wharf Plymouth PL1 3RD	Joanna Churchill
08/04/2025	Grant Conditionally	25/00240/TPO	Sloley	T1 - Copper beech - Reduce crown and install flexible bracing	25 Grantham Close Plymouth PL7 1UL	Alan Rowe
08/04/2025	Grant Conditionally	25/00255/TPO	Mr Jonathan Oliver	As per Tree Management Report.	60 Boringdon Hill Plymouth PL7 4DN	Alan Rowe
08/04/2025	Grant Conditionally	25/00260/TPO	E Kamaie	T1 beech - remove.	28 Woodland Terrace Lane Plymouth PL4 8QL	Alan Rowe
08/04/2025	Grant Conditionally	25/00276/TPO	Mr Hamilton	T1 - Beech - Reduce the current height of 20m to a remaining height of 16.5m	17 Ducane Walk Plymouth PL6 5WE	Alan Rowe
08/04/2025	Grant Conditionally	25/00305/TPO	Mr Alan Buckingham	Maple. Crown reduction to take back to previous trimming points.	2 Kimberly Drive Plymouth PL6 5WA	Alan Rowe
08/04/2025	Grant Conditionally	25/00325/TPO	Mr Foulkes	T1 -Oak + T2-Oak Increase crown clearance from 3.5m to 5m over the front garden.	White Oaks, Widewell Lane Plymouth PL6 7HN	Alan Rowe
08/04/2025	Grant Conditionally	25/00346/TPO	Devon Block Management	Cedrus (T1) - reduce the western lower crown by a maximum of 1.5 metres and the eastern mid-crown by a maximum of 1 metre	7 Tovey Crescent Plymouth PL5 3US	Alan Rowe
08/04/2025	Grant Conditionally	25/00351/TPO	Mackie	T1 - Sycamore - Coppice to near ground level	7 Frensham Avenue Plymouth PL6 7JN	Alan Rowe

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
08/04/2025	Grant Conditionally	25/00367/TPO	Mr Shaun Spratt	T1 Sycamore coppice. T2 Sycamore and Ash cut these back to approximatly the mid way point on the bank removing approximately 3-4m of overhang in total leaving an approximate crown spread of 9m and no height reduction.	23 Wellfield Close Plymouth PL7 2GY	Alan Rowe
08/04/2025	Refuse	25/00139/TPO	Mrs Sue Chamberlain	Trees: B1 A1 S2 S3 S4 S5 A2 B2 and A3- Reduce crown and pollard trees to height of 5 meters. Reduce all lateral branches on S1 back to main stem.	6 Juniper Way Plymouth PL7 2JB	Alan Rowe
08/04/2025	Refuse	25/00288/TPO	Mr Stephen Daly	To fell trees T3, T6, T8 and T11. All are Monterey Cypress	St Marks Road Plymouth PL6 8BS	Alan Rowe
09/04/2025	Agreed Condition Details	25/00088/CDM	Mr Derick Newton	Discharge of condition 3 (Construction Environment Management Plan) of application: 24/00632/FUL.	447 Wolseley Road Plymouth PL5 1BL	Mr Macauley Potter
09/04/2025	Grant Conditionally	25/00162/FUL	Miss Kelly Grunnill	Removal of cider press, resin bound surface to centre of stable block courtyard and existing path from stables to house, incorporating resin bound ramp to the house	Saltram House Saltram Merafield Road Plymouth PL7 1UH	Miss Amy Thompson
09/04/2025	Grant Conditionally	25/00163/LBC	Miss Kelly Grunnill	Removal of cider press, resin bound surface to centre of stable block courtyard and existing path from stables to house, incorporating resin bound ramp to the house	Saltram House Saltram Merafield Road Plymouth PL7 1UH	Miss Amy Thompson
09/04/2025	Grant Conditionally	25/00173/FUL	Mr Jonathan Millmore	Proposed single storey rear extension with disabled access	73 Thornyville Villas Plymouth PL9 7LD	Ethan Bell
09/04/2025	Grant Conditionally	25/00258/FUL	Mr & Mrs Walker	Part single part two-storey rear extension	161 Old Laira Road Plymouth PL3 6BN	Cody Beavan



Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
09/04/2025	Grant Conditionally	25/00268/TPO	Mr Mark Wyatt	Request to cut 3.5 meters from height of tree to leave a height of 10m.	25 Margaret Park Plymouth PL3 5RR	Alan Rowe
09/04/2025	Grant Conditionally	25/00322/TPO	Mrs D Foulkes	T1 Sweet Chestnut remove first lowest limb on South side of the tree. T2 Beech tree remove first lowest limb on south side growing towards the house and over the shrub border	2 Blue Haze Close Plymouth PL6 7HR	Alan Rowe
09/04/2025	Grant Conditionally	25/00397/TPO	Mrs Leslie Taylor	T1 Sycamore: Lateral growth reduction by 2.5m spread from 6.5m to 4 vertical height reduction by 3m from 12m to 9m T2 Sycamore: Lateral growth reduction y 2.5m cutting spread from 6.5m to 4 vertical height reduction by 3m from 12m to 9m	19 Beechwood Rise Plymouth PL6 8AP	Alan Rowe
09/04/2025	Grant Conditionally	25/00399/TPO	Mrs Rachael Green	T1 Scymore - crown reduction on top by 2/3m and reduce side branches by 2m	6 Lodge Gardens Plymouth PL6 5DP	Alan Rowe
09/04/2025	Grant Conditionally	25/00403/TPO	Mr Keith Bickle	Tree one: beech tree remove two limbs overhanging garden back to boundary of garden. Tree two: beech tree remove three limbs overhanging garden back to boundary of garden. Both trees removed 3/4 metres	45 Burnett Road Plymouth PL6 5BH	Alan Rowe
09/04/2025	Grant Conditionally	25/00404/TPO	Plymouth City Council	4 Alders to dismantle down to 3m	Bank Of Plymouth Road	Alan Rowe
09/04/2025	Grant Conditionally	25/00414/TPO	Mitchell and Butler	To remove and make safe 1x broken limb. To section dismantle the 1x broken Conifer limb back to main trunk. Crown raise adjacent limbs to 3m above the car park floor.	The Unicorn, 158 - 160 Plymouth Road Plymouth PL7 4NE	Alan Rowe

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
09/04/2025	Refuse	25/00208/FUL	Mr & Mrs Thapa	Formation of pitched roof	24 Vine Gardens Plymouth PL2 3HD	Ethan Bell
09/04/2025	Refuse	25/00402/TPO	Mrs Emma	Beech tree- Crown thin by 15% and crown reduce top and side all over by 3 metres back.	31 Kimberly Drive Plymouth PL6 5WA	Alan Rowe
10/04/2025	Tree Split Decision	25/00261/TPO	E Kamaie	T1 Sycamore - Remove. T2 Lime - Remove.	Whitefield House, Whitefield Terrace Greenbank Road Plymouth	Alan Rowe
10/04/2025	Non-material Minor Amendment Agreed	25/00390/AMD	Mrs H Baker	Non-material Amendment of 24/00751/FUL: Changing the external first floor finish of the proposed two-storey extension at the side and front elevations from facing brick / render to composite cladding	22 Earls Mill Road Plymouth PL7 2BU	Luke Valentine
10/04/2025	Grant Conditionally	25/00100/FUL	South West Water Limited	Installation of a new Motor Control Centre (MCC) Kiosk and ancillary infrastructure.	Plympton Waste Water Treatment Works Marshall Road Plymouth PL7 1YB	Mr Macauley Potter
10/04/2025	Grant Conditionally	25/00147/FUL	Mr Nathan Findlay	Installation of new shopfront, fencing, re-rendering works, AC units, roof works, alterations to roof lights, and associated works to facilitate use as Dental Practice	71 New George Street Plymouth PL1 1RJ	Miss Emily Godwin
10/04/2025	Grant Conditionally	25/00148/ADV	Mr Nathan Findlay	Fascia sign and installation of vinyl to shopfront windows	71 New George Street Plymouth PL1 1RJ	Miss Emily Godwin
10/04/2025	Grant Conditionally	25/00200/FUL	Mr Philip Jenkins	Single-storey outbuilding to the rear.	121 Underwood Road Plymouth PL7 1TB	Luke Valentine

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
10/04/2025	Grant Conditionally	25/00249/FUL	Sheridan Lewis	Single storey rear extension replacing existing conservatory	6 Dorsmouth Terrace Back Lane Plymouth PL7 1TQ	Luke Valentine
10/04/2025	Grant Subject to S106 Obligation - Full	24/00552/FUL	Plymouth Community Homes Ltd	Erection of 125 dwellings (Class C3) and associated infrastructure	Land To The North Of Southway Drive Plymouth	Mr Simon Osborne
10/04/2025	Refuse	25/00253/TPO	Mr Neil Harvey	Lime (T1, T2) - Pollard to height of 7m.	56 Temeraire Road Plymouth PL5 3UB	Alan Rowe
10/04/2025	Refuse	25/00301/FUL	Ms Adwoa Quainoo	Replacement of existing windows	22 Wyndham Square Plymouth	Miss Emily Godwin
10/04/2025	Refuse	25/00302/LBC	Ms Adwoa Quainoo	Replacement of existing windows	22 Wyndham Square Plymouth	Miss Emily Godwin
11/04/2025	Grant Conditionally	25/00095/OUT	Mr Shane Krac	Outline application for 3 dwellings and associated works, with all matters reserved except access	Land Adjacent To Elizabeth Cottage Forget Me Not Lane Riverford Plymouth PL6 7LJ	Mr Jon Fox
11/04/2025	Grant Conditionally	25/00314/FUL	Mr & Mrs Fletcher	External alterations to front facade including provision of first floor balcony and second floor juliet balcony	69 Lambhay Hill Plymouth PL1 2NR	Joanna Churchill
11/04/2025	Grant Conditionally	25/00383/FUL	Mr & Mrs Staddon	Single storey side and rear extensions, with internal alterations	Northover, Great Churchway Plymouth PL9 8JY	Joanna Churchill

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# Planning Appeal Decisions between 11/03/2025 and 13/04/2025

Date of Decision	28/03/2025
Ward	Ham
Application Number	24/01027/FUL
Decision	Appeal Dismissed
Address of Site	31 North Prospect Road Plymouth PL2 3HY
Proposal	Front garage (retrospective)
Appeal Process	Householder Fast Track
Officers Name	Luke Valentine
Synopsis of Appeals	The planning inspector agreed that the garage what out of scale with the host site and poorly designed with no pattern of existing development. Furthermore, the garage obscured the frontage of the original dwelling and disrupts the established building line. The planning inspector acknowledge the existing wall partially mitigated the visual impact, but this was not sufficient to render it non-harmful, particularly when approaching from downslope. The planning inspector supported their comments with DEV20 and P.13.75 + 13.76 of the SPD.

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