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BARRY KEEL
Chief Executive
Floor 1 - Civic Centre
Plymouth
PL1 2AA

www.plymouth.gov.uk/democracy

Date: 03/03/10 Telephone Enquiries 01752 304469 Fax 01752 304819
01752 307815
Please ask for Ross Jago / Katey Johns e-mail ross.jago@plymouth.gov.uk /
katey.johns@plymouth.gov.uk

PLANNING COMMITTEE ADDENDUM REPORTS

DATE: THURSDAY 4 MARCH, 2010
TIME: 2.30 P.M.
PLACE: COUNCIL HOUSE, ARMADA WAY, PLYMOUTH

Members –

Councillor Lock, Chair.
Councillor Mrs. Stephens, Vice-Chair
Councillors Mrs. Bowyer, Delbridge, Fox, Nicholson, Roberts, Stevens, Thompson,
Tuohy, Vincent and Wheeler.

**PLEASE FIND ATTACHED ADDENDUM REPORTS FOR CONSIDERATION UNDER
AGENDA ITEM NOS. 6.2, 6.3, 6.4, 6.5, 6.6, 6.8, 6.10 AND 6.11.**

**BARRY KEEL
CHIEF EXECUTIVE**

PLANNING COMMITTEE

- 6.2 HOLTWOOD, PLYMBRIDGE ROAD, PLYMOUTH 09/01559/FUL (Pages 1 - 2)

Applicant: Mr and Mrs P Mayer
Ward: Moorview
Recommendation: Refuse

- 6.3 LAND AT KINTERBURY SQUARE, BARNE BARTON, PLYMOUTH 09/01836/FUL (Pages 3 - 4)

Applicant: Devon & Cornwall Housing Association (DCHA)
Ward: St Budeaux
Recommendation: Minded to grant conditionally subject to S106 Obligation, delegated authority for the Head of Development Management to determine on expiry of consultation period (delegated authority to refuse in event of S106 not being signed by 12th March 2010)

- 6.4 LAND ADJACENT TO FOULSTON AVENUE, BARNE BARTON, PLYMOUTH 09/01837/FUL (Pages 5 - 6)

Applicant: Devon & Cornwall Housing Association (DCHA)
Ward: St Budeaux
Recommendation: Minded to grant conditionally subject to S106 Obligation, delegated authority for the Head of Development Management to determine on expiry of consultation period (delegated authority to refuse in event of S106 not being signed by 12th March 2010)

- 6.5 82 to 84 VAUXHALL STREET, PLYMOUTH 09/01867/FUL (Pages 7 - 8)

Applicant: Sutton Harbour Property & Regeneration Ltd
Ward: St Peter & The Waterfront
Recommendation: Grant conditionally subject to the satisfactory completion of the S106 Obligation. Delegated authority to refuse the application should the S106 Obligation not be signed by the 4th May 2010.

- 6.6 LONGCAUSE SCHOOL, LONGCAUSE, PLYMOUTH 10/00010/FUL (Pages 9 - 10)

Applicant: Mr Mike Jelly
Ward: Plympton Erle
Recommendation: Grant Conditionally

6.8 52A ORESTON ROAD, PLYMOUTH 09/01801/FUL **(Pages 11 - 12)**

Applicant: Mr Terry Purdy
Ward: Plymstock Radford
Recommendation: Grant conditionally subject to the satisfactory completion of the S106 Obligation. Delegated authority to refuse the application should the S106 Obligation not be signed by the 9th March 2010.

6.10 LAND BOUNDED BY PLYMBRIDGE LANE, DERRIFORD ROAD AND HOWESON LANE, DERRIFORD PLYMOUTH 09/01888/OUT **(Pages 13 - 14)**

Applicant: Pillar Land Securities Ltd
Ward: Moor View
Recommendation: Grant conditionally subject to the satisfactory completion of the S106 Obligation. Delegated authority to refuse the application should the S106 Obligation not be signed by the 17th March 2010.

6.11 PLYMOUTH AIRPORT, APPROACH SITE, GLENFIELD ROAD, PLYMOUTH 09/01652/REM **(Pages 15 - 16)**

Applicant: Cavanna Homes (Cornwall) Ltd
Ward: Moor View
Recommendation: Grant Conditionally

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ADDENDUM REPORT PLANNING COMMITTEE 4th March 2010**Item: 02****Site: Holtwood, Plymbridge Road****Ref: 09/01559/FUL****Applicant: Mr and Mrs P Mayer****Page: 17-24**

One further letter of representation has been received from the neighbour at The White Cottage. It expresses concern that the Highway Authority has requested a condition that the road be completed before the occupation of the penultimate dwelling. They would prefer the condition to require the completion of the road prior to occupation of the first dwelling. This representation does not influence the recommendation to refuse the application.

The tree officer has advised that there is no objection to the development, which is consistent with the previous application to develop the site.

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ADDENDUM REPORT PLANNING COMMITTEE 4th March 2010**Item: 03****Site: Land at Kinterbury Square, Barne Barton, Plymouth****Ref: 09/01836/FUL****Applicant: Devon and Cornwall Housing (DCHA) and Homes and Communities Agency (HCA)****Page: 25-47**

Since completion of the officer's report an additional letter of representation has been received. This is a letter of support which commends the proposed layout and notes the positive things for the estate such as the benefit that would be had in reducing vandalism. Queries are also raised however regarding boundary treatment and lack of local amenities; these issues have already been dealt with in the officer's report and therefore do not alter the officer's recommendation.

The Health and Safety Executive have now provided a response and do not raise any objections to this development.

No objections have been raised by the Ministry of Defence.

Further to the additional information given above, a matter of clarification relates to the second paragraph in the 'Highway Considerations' section of the officer's report. Where it states that 'it appears that a footpath link will be achievable from the development onto Gray Crescent' this is not going to be enforced as local residents and the police have made it clear that the link currently contributes to anti-social behaviour in the area and to remove this link would be of benefit to the community.

The applicant has also made a request for conditions 18 and 21 to be re-worded to allow them the flexibility to start work on the 2 areas unaffected by the requirement to carry out ecology surveys. They wish to occupy these units before works to the highway associated with the other units is completed. The two areas the applicant wishes to start on are the 7 houses off Savage Road and the 7 houses between Berthon Road and Kinterbury Terrace. The Transport Service are happy that the conditions can be reworded accordingly and providing all other conditions are adhered to, phasing the work in this way will have not be of detriment to the highway. Conditions 18 and 21 are therefore now proposed to read:

DETAILS OF NEW JUNCTION

(18) Development shall not begin until details of the junction between the proposed service road and the highway have been approved in writing by the Local Planning Authority. The junction must be constructed in accordance with the approved details and in accordance with a schedule of works to be agreed in writing by the Local Planning Authority.

Reason:

To ensure that an appropriate and safe access is provided in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

GRAMPIAN (ACCESS/HIGHWAY IMPROVEMENTS)

(21) The proposed access and improvements to the existing highway shown on the approved plans must be completed in accordance with a schedule of works to be agreed in writing with the Local Planning Authority.

Reason:

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

ADDENDUM REPORT PLANNING COMMITTEE 4th March 2010**Item: 04****Site: Land at Foulston Avenue, Barne Barton, Plymouth****Ref: 09/01836/FUL****Applicant: Devon and Cornwall Housing (DCHA) and Homes and Communities Agency (HCA)****Page: 49-71**

Since completion of the officer's report one letter of representation has been received. This is a letter of objection but it does not raise any new material planning considerations and therefore would not affect the officer's recommendation.

A response has now been received from the Environment Agency. It is proposed that rainwater be discharged into the Tamar Estuary which the Environment Agency accepts providing a suitable discharge point can be provided. They have therefore confirmed that they have no objections to the proposal providing conditions relating to surface water drainage and land contamination be included within any grant of planning permission. Those conditions relating to land contamination have already been attached therefore the only additional condition proposed is as below:

SURFACE WATER DRAINAGE

No development approved by this permission shall be commenced until details of a scheme for the provision of surface water management has been submitted to and approved in writing by the Local Planning Authority. The details shall include:-

- *Details of the drainage during the construction phase*
- *A timetable of construction*
- *A construction quality control procedure*
- *Details of the final drainage scheme*
- *Provision for overland flow routes*
- *A plan for the future maintenance and management of the system.*

Prior to operation of the site it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in accordance with the details agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

REASON:

To prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal in accordance with policies CS21 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

In addition to this condition it is requested that the following informatives be attached as advised by the Environment Agency.

Pollution Prevention

*(1)The developer should adhere to the Environment Agency's Pollution Prevention Guidelines which are available on their website via the following link:
<http://www.environmentagency.gov.uk/business/topics/pollution/39083.aspx>. In particular, 'Working At Construction and Demolition Sites': PPG6 covers waste removal on site, drainage issues and pollution prevention on site. 'Works and maintenance in or near water': PPG5 should be adhered to for any stream engineering that takes place.*

Sewage Capacity

(2) The applicant is advised to consult South West Water regarding sewage capacity. It is important that the foul drainage infrastructure can meet the increase in sewage arising from the new housing without compromising the performance of surrounding pump stations and works.

The Health and Safety Executive have now provided a response and do not raise any objections to this development.

No objections have been raised by the Ministry of Defence.

Further to these consultation responses, members should note that in the site description section of the officer report, the parking area for the houses in the inner loop is to the east (not west) and the seven houses are to the north-west of the loop (not north-east)- this shall be corrected accordingly.

A request has been made by the applicant for condition 22 to be re-worded to allow them the flexibility to start work on the 2 areas unaffected by the requirement to carry out ecology surveys. They wish to occupy these units before works to the highway associated with the other units is completed. The two areas the applicant wishes to start on are the 7 houses to the north-west and possibly those in the loop. The Transport Service are happy that the conditions can be reworded accordingly and providing all other conditions are adhered to, phasing the work in this way will have not be of detriment to the highway. Condition 22 is therefore now proposed to read:

GRAMPIAN (ACCESS/HIGHWAY IMPROVEMENTS)

(22) The proposed access and improvements to the existing highway shown on the approved plans must be completed in accordance with a schedule of works to be agreed in writing with the Local Planning Authority.

Reason:

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

ADDENDUM REPORT PLANNING COMMITTEE MARCH 4TH 2010**Item: 05****Site: Jamaica House, 82-84 Vauxhall Street, Plymouth.****Ref: 09/01867/FUL****Applicant: Sutton Harbour Company.****Page: 73-92****Deletion of Proposed Drinking Establishment Use (Class A4 Use)**

In the interests of clarity, as stated within the Officers Report, Member's attention is drawn to the fact that the originally proposed Drinking Establishment Use (Class A4 Use) for the ground floor has been withdrawn from the development proposal.

Accordingly, the proposed use for the ground floor is Retail (Class A1 Use) or Financial and Professional Services (Class A2 Use) or Restaurant /Café (Class A3 Use).

Noise Pollution Issues:

The British Standard BS 8233:1999 – “Sound Insulation and Noise Reduction For Buildings – Code of Practice” provides recommendations for the control of noise in and around buildings.

The additional noise survey results have been received and demonstrate that taking into account the results recorded, the apartments are capable of being designed so as to achieve a “Good” Standard of sound mitigation measures in accordance with the accepted British Standard. Such measures will include (amongst others) all windows facing Annabel's Nightclub to be triple glazed and that the apartments are ventilated through the use of a passive ventilation system thus avoiding any necessity for bedrooms facing the adjoining nightclub to have opening windows. The rooflights to the top floor apartment will also be double glazed.

Whilst it is considered that the noise levels generated by the adjoining nightclubs and pubs in the locality during the busier summer season are very likely to increase over those recorded during the recent noise surveys, it is not considered that the noise levels generated will so significantly differ when compared to the maximum levels recently recorded to warrant a refusal of the planning application. It is however considered to be appropriate to impose a specific condition requiring a further noise survey to be undertaken following completion of the development but prior to any residential occupation of the apartments to demonstrate that the BS Standard of “Good” criteria has been achieved.

This position also falls within the advice given by the World Health Organisation (WHO) document “Guidelines for Community Noise (1999).

On this basis the Council's Public Protection Service does not object to the application and it is recommended that the application be supported.

Flood Risk:

A late revised consultation response from the Environment Agency has been received which advises that whilst no objections are raised in principle, it is recommended that the emergency planners and services are consulted regarding evacuation plans before the application is determined in order to ensure that they have no fundamental concerns regarding the flood risks

that have been identified. Two additional conditions are then recommended to following this to ensure appropriate flood strategy and mitigation measures are implemented on the site.

The emergency planners have confirmed that there is a risk of flooding in this area should the existing Sutton Harbour lock gates fail. However, in the event of a flood, an area wide emergency response plan will be instigated which combined with reasonable flood response measures which it is considered can be designed into this development scheme, will enable a satisfactory response to the flood risk to be delivered.

On this basis it is recommended that the two additional flood risk conditions are included. These require details of safe access and evacuation procedures in the event of a flood, and details of flood prevention measures to be submitted prior to residential occupation of the building commencing.

Viability:

The viability assessment has now been verified by the Council. It is accepted that sufficient evidence has been submitted to justify the reduced Development Tariff payment of £10,000, and on this basis it is recommended that the application be supported.

Lifetime Homes

An additional condition is required to ensure that at least 20% of the residential apartments are designed to Lifetime Homes standards in accordance with Core Strategy policy CS15.

Report of Third Party Representation:

A further letter of representation has been received from the owner of the adjoining building. This states that “the area has been swamped with flats and other 'modern' buildings which are slowly but surely destroying the historic nature of the Barbican. The diversity and integrity of the remaining buildings will be seriously damaged by another such development”.

Conclusion:

Grant conditionally with the addition of four conditions (Flood Risk Strategy and Mitigation Measures; Noise Mitigation Measures to achieve a BS Standard of “Good”; and 20% Lifetime Home Requirement), and subject to the satisfactory completion of the S106 Obligation. Delegated authority to refuse the application should the S106 Obligation not be signed by the 4th May 2010.

ADDENDUM REPORT PLANNING COMMITTEE 4th March 2010**Item: 06****Site: Longcause School, Longcause, Plymouth****Ref: 10/00010/FUL****Applicant: Mr Mike Jelly****Pages: 93-102**

Members are advised that further letters of representation were received. Of these 12 raise objections on the following grounds:-

1. The school has outgrown its current site. The proposed building will be out of proportion with the surrounding residential environment and would be detrimental to the Conservation Area. It would also have a negative impact on the vista and aspect of Cotton Close and will be visible for miles around.
2. Advantage should be taken of existing facilities at other institutions.
3. Potential flooding of properties in Longbrook Street.
4. Insufficient parking on the Longcause School site.
5. Increase in traffic and noise pollution and impact of this on the Conservation Area.
6. Increase in traffic causing congestion and prejudicial to highway safety.
7. Transportation of children from other schools and out of hours use will add to traffic problems.
8. There are no toilets and changing facilities proposed.
9. Visual impact that will detract from the historic borough and Conservation Area.
10. Disturbance from evening use.
11. There is no mention of lighting and security. Unauthorised access from Cotton Close will be made worse if the sports facility is approved.
12. Loss of outdoor area for the pupils.
13. Children from Longcause School could use facilities at other, nearby sites.
14. Rather than building anew, better planning/use of existing school structures should be considered.
15. Where is the reference for the statement in the application that children in Plympton are in the second highest risk group across the city in terms of the risk of obesity.

The Plympton and District Society raise objections on the grounds of: impact on the Conservation Area; the site of St. Maurice Primary School would be more appropriate; increased traffic; parking problems on Longcause; risk of flooding in Longbrook Street.

Eight letters were received that support the application for the following reasons:-

1. Longcause School is a specialist sports college without an indoor sports facility.

2. It will improve and benefit the health of everyone. The facility will be available for use by the public.
3. On-site facilities will alleviate the need to transport the children to other schools for sports facilities.
4. The children are currently disadvantaged in terms of PE facilities. There is a lack of indoor facilities. They have to be bused to facilities elsewhere.
5. Users of the facility after school hours and at weekends could use the on-site parking facilities.
6. Longcause School has specialist sports status and needs this building to progress in this area.
7. Comments made regarding speeding traffic are a police matter. Speeding vehicles are usually through traffic and have no connection to the school.

The Plympton St. Maurice Civic Association take a neutral position on the proposals, although they do raise concerns with regard to any increase of noise, traffic and pollution as well as the visual impact of any further building on the boundary of the Conservation Area that will be easily visible from many parts of St. Maurice.

Most of the objections reiterate points already made and set out in the report or otherwise are similar. The additional supporting comments essentially expand on comments set out in the report.

The applicant's agent has submitted excerpts from Plymouth Sports Facility Strategy/DRAFT, which states that Plymouth has submitted an Expression of interest and its readiness to deliver a project at Longcause School. The document also states that the halls in the Plympton locality are at capacity/fully utilised and that the area is underprovided for by indoor sports space accessible during the daytime. The document advocates the use of school sites for the provision of such facilities.

The agent has also submitted a strategy for dealing with stormwater by SUDS (Sustainable urban Drainage Systems), which in this case involve the use of soakaways.

ADDENDUM REPORT PLANNING COMMITTEE 4th March 2010**Item: 08****Site: 52A Oreston Road, Plymouth****Ref: 09/01801/FUL****Applicant: Mr Terry Purdy****Pages: 113-124**

Members are advised that following the submission and consideration of a viability assessment it is considered that this development should be excluded from the need to pay a tariff. A Section 106 obligation is therefore not required.

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ADDENDUM REPORT PLANNING COMMITTEE 4th MARCH 2010

Item: 10
Site: Land bounded by Plymbridge Lane, Derriford Road and Howeson Lane, Derriford, Plymouth
Ref: 09/01888/OUT
Applicant: Pillar Land Securities
Page: 139-162

Representations

The University of Plymouth has written supporting the application making similar comments to its previous ones summarised on page 144 of the report. It also adds that it wishes to provide a further 1,800 rooms in purpose built student accommodation by 2012. The student population will grow in the Derriford area and this development will help to reduce the pressure on rented accommodation in Derriford. It is very interested in securing purpose built accommodation at Derriford to offer to its students based there to avoid their need for cars. The car club proposal is a positive innovation and will provide a sustainable transport alternative to the city centre outside the timetable of the University's bus link between the city centre and Derriford.

Recommendation

The recommendation is the same as the report with the additional condition and informative:

BREEAM STANDARD

(30) No work shall start on the development hereby permitted until a BREEAM Design Stage Report has been submitted to and approved in writing by the local planning authority demonstrating how the development will achieve the BREEAM Very Good rating. Before either building is occupied a BREEAM Completion report shall be submitted to and approved in writing by the local planning authority demonstrating that the development has achieved the BREEAM Outstanding rating.

Reason:

To ensure that the design of the development includes features that: reduce energy consumption; ensure that water resources are conserved; waste is minimized; and recycling is facilitated to comply with policy CS20 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

INFORMATIVE 3: BREEAM STANDARD

The applicant/developer is advised to make best endeavours to achieve the BREEAM Excellent rating.

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ADDENDUM REPORT PLANNING COMMITTEE 4th MARCH 2010

Item: 11
Site: Plymouth Airport Runway Approach Site, Glenfield Road, Glenholt
Ref: 09/01652/REM
Applicant: Cavanna Homes (Cornwall) limited
Page: 163-173

Representations

Since the report was written there has been a further consultation exercise. Unfortunately the applicant submitted a drawing showing the siting of some of the new dwellings closer to the eastern boundary. Officers noticed the discrepancy after the neighbours' letter had been sent. The applicant sent a further layout drawing which was correct and the neighbours were re-notified and the case officer offered to meet with neighbours explaining the differences. He subsequently met with two owners of adjoining properties.

The Council received four letters of representation raising points 2, 3, 6, 9, 11 and 23 on pages 165-166 of the report and the following comments:

26. the development will prevent the scope for the airport to expand;
27. increase in traffic;
28. impact on the drainage as the pumping station currently breaks down;
29. strain on the existing services;
30. there should be more space between the existing and proposed properties;
31. effect on wildlife especially bats;
32. oppressive effect of plot 61 on 5 St Annes's Road;
33. plots 51 and 52 are too close to 16 Westwood Avenue and should be moved further away;
34. still object to the wall of buildings opposite them;
35. opposed to the parking spaces in the back gardens because of noise and disturbance and threat to security (these have now been removed);
36. too many similar developments in the area and unlikely to be a demand;
37. bought their property on the basis that the field would not be developed; and
38. adjoining residents have not been treated fairly.

Glenholt Residents' Association wrote again stating:

1. This application is not linked to the future of the airport as it has been sold to a developer and is no longer part of the airport;
2. Although the land is shown in the Derriford and Seaton Area Action Plan it is in Glenholt and is not part of Derriford;
3. New development should reflect the character of Glenholt especially as there are other development sites nearby;
4. Believe the dwellings will be at a lower value that will degrade the area;

5. Object to the increase in dwellings from the outline illustrative plan from 63 to 77;
6. Believe the increase justifies section 106 contributions especially as Glenholt has limited community facilities and the subsidised bus service has been removed: contributions could be used for public transport, playspace and to improve the junction of Glenfield Road with Plymbridge Road given the increase in traffic;
7. The local planning authority should consider carefully the objections of immediate neighbours; and
8. The Association invited the developer to a meeting which it declined and hopes that the committee could persuade the applicant to meet with residents when work begins on the development.

Comment

Most of these comments have been covered in the report. Officers have carefully considered neighbours' comments and sought to reduce the harm to their amenities. The issue of section 106 contributions does not apply as this was dealt with at the outline stage when permission was granted. The local planning authority can not request additional contributions at this Reserved Matters stage.

Recommendation

The recommendation is the same as the report with the added condition and informative.

RESTRICTION ON PERMITTED DEVELOPMENT

(3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order or the 1995 Order with or without modification), no windows, doors or openings shall be inserted or balconies added to the first floor of the northwest elevations of plots 51 and 52 and no windows, dormer windows, doors or openings shall be inserted or balconies added to the eastern elevation of plot 61 unless, upon application, planning permission is granted for the development concerned.

Reason:

In order to protect the privacy of adjoining properties in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE 2

The application is strongly advised to liaise with the adjoining property owners at an early stage to agree the treatment to the existing hedgerows and position and construction of the boundary fences.