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PLANNING COMMITTEE ADDENDUM REPORTS

DATE: THURSDAY 1 APRIL, 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, Mrs. Foster, Nicholson, Roberts, Stevens, Thompson, Tuohy, Vincent and Wheeler.

*PLEASE FIND ATTACHED REPORTS FOR CONSIDERATION UNDER AGENDA
ITEM NOS. 6.3, 6.4, 6.6 AND 6.7.*

BARRY KEEL
CHIEF EXECUTIVE

PLANNING COMMITTEE

- 6.3** FORMER PLYMOUTH COLLEGE PREPARATORY SCHOOL, HARTLEY ROAD, PLYMOUTH 09/01930/FUL **(Pages 1 - 4)**

Applicant: London and Westcountry Estates Limited
Ward: Peverell
Recommendation: Grant conditionally subject to S106 Agreement, delegated authority to refuse in event of S106 not signed by 14 April, 2010

- 6.4** PLYMOUTH AIRPORT APPROACH SITE, GLENFIELD ROAD, PLYMOUTH 09/01652/REM **(Pages 5 - 6)**

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

- 6.6** 163-191 STUART ROAD, PLYMOUTH 10/00093/FUL **(Pages 7 - 8)**

Applicant: Mr. Frank Phillips
Ward: Stoke
Recommendation: Grant conditionally

- 6.7** LAND AT BELL CLOSE (EAST OF PARKSTONE LANE), NEWNHAM INDUSTRIAL ESTATE, PLYMPTON, PLYMOUTH 10/00174/FUL **(Pages 9 - 14)**

Applicant: Mr. and Mrs. S. Rowland
Ward: Plympton St. Mary
Recommendation: Grant conditionally

ADDENDUM REPORT PLANNING COMMITTEE 1st APRIL 2010

Item: 03
Site: Former Plymouth College Preparatory School Hartley Road Plymouth
Ref: 09/01930
Applicant: London & Westcountry Estates Limited
Page: 19

Representations

The Council received two more letters of representation raising mainly transport and highway concerns:

23. the local highway authority (LHA) does not refer to the "Manual for Streets". Notes that with a recent application at Hill Lane (09/01906) one of the reasons for refusal was because the access was not to adoptable standard serving five or more dwellings. Hartley Road is not adopted, there are five dwellings with vehicular access to it close to the junction with Mannamead Road. How can these requirements be met?
24. LHA is silent on the danger on the road and believes the traffic movements will be more than seven at each peak; there will be movements throughout the day increasing danger at the Mannamead Road junction;
25. LHA does not take into account the possible development of the playing field;
26. believes that on street parking will continue to occur on Hartley Road;
27. no reference to the emergency services;
28. the lack of street lighting is not addressed;
29. pedestrian access to Hartley Road from properties in Kingsland Gardens Close is not addressed;
30. believes the applicant's accident records are an under-estimate owing to the long vacancy of the school site and the redevelopment of Trengweath. The writer has seen numerous near misses at the junction with Mannamead Road and believes these would increase if the site was developed;
31. the Council should install a footpath along Hartley Road;
32. will the Council consider installing traffic lights at the Mannamead Road junction;
33. how will the street furniture affect the protected trees; and
34. if there are challenges in the future use and development of the playing field these should be addressed before this application is determined;

Cognita Schools, the owner of Kings School, supports the application as the proposed designated footway would improve safety and security for the school's pupils, parents, staff and visitors.

Comment

Transport

The LHA has responded to points 23 – 29 as follows:

23. With regard to the site referred to at Hill Lane, it confirms that the highway recommendation of refusal of that application was based upon a reason relating to a sub-standard access road and not on the basis of the suggested reason that there would be more than 5 properties off a private drive.

The provision of limiting the number of properties off a private drive is to protect purchasers against the cost of private street works for the future maintenance of such roads which would not be highway maintainable at public expense. In respect of Hartley Road there is no possibility of the Highway Authority ever adopting the road and consequently the applicant has confirmed that there would be a Management Company in place that would be responsible for the maintenance of all highway areas within the site thus protecting purchasers against private street works.

At a site recently approved at Crownhill Baptist Church (app. no. 09/00226) which proposed 20 dwellings off a private drive. No highway objections were raised in respect of this proposal.

24. In terms of traffic impact the focus is on the peak hours as, by their very nature, these are the periods of greatest traffic activity. It is accepted that the residential development will generate trips throughout the day but most of these movements will occur in the peak hours. Issues regarding the trip generation figures are covered in the report.

25. The Highway Authority can only comment upon the proposals put forward before them. The re-development of any further areas of land would need to be considered as part of any future planning application submission.

26. This point has been addressed previously in the report.

27. Whilst there was no requirement to consult with the emergency services on this proposal, the situation would have been no different to when the school previously occupied the site in terms of access by emergency services. Indeed the situation would now be improved in view of the fact that the proposal results in a reduction in traffic movements.

28. The provision of a footway is a substantial improvement (in terms of pedestrian safety) upon the existing situation where pedestrians walking along Hartley Road have no safe areas and have to compete with vehicular traffic.

29. The provision of existing traffic calming along Hartley Road helps to keep traffic speeds down. This coupled with a reduction in traffic movements on Hartley Road (as a result of the change of use of the site from a school to residential) is likely to result in Hartley Road being a safer environment in which to walk out onto.

Gradients and trees

The issue of gradients is referred to in the report at page 24, paragraph 4 and page 27, paragraph 5. Care will be required in establishing the lawned area by plot 5 under supervision to avoid root damage. A retaining wall will be built to the west of the two Turkey Oaks but there are no roots here. The area around the trees must be robustly fenced off and protected during construction. There must be no drainage infrastructure, site office or storage of materials within the construction exclusion zones. Subject to these safeguards the change in gradients to the turning heads should not harm the protected trees.

Recommendation

The recommendation is the same as the report with the additional conditions:

29. PEDESTRIAN IMPROVEMENTS TO HARTLEY ROAD

No occupation of any dwelling accessed off Hartley Road shall take place until improved pedestrian facilities in the form of a new footway have been provided along Hartley Road in accordance with details as indicated and shown on Scott Wilson Drg. No. D115462/T/001 Rev. 01.

Reason

In order to provide a satisfactory means of access to the development for pedestrians in the interests of pedestrian safety and sustainability to comply with policy CS28 of [the City of Plymouth adopted Core Strategy Development Plan Document, 2007](#).

30. MANAGEMENT COMPANY

Details of the Management Company that will be established to control and maintain the access roads and footways and landscaped areas and trees that are not within curtilages at the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any of the dwellings is occupied.

Reason:

To ensure that the access roads and footways are constructed to a satisfactory standard in the interests of safety and visual amenity and that the trees are safeguarded and the landscaped areas kept to an acceptable standard in the interests of visual amenity to comply with policies CS28, CS18, CS02 and CS34 of [the City of Plymouth adopted Core Strategy Development Plan Document, 2007](#).

FURTHER DETAILS

(31) No work shall commence on site until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz:- the screening to the patio, balcony and terrace of plot 14. The works shall conform to the approved details.

Reason:

To ensure that the privacy and residential amenity of 17 Beechfield Grove is protected in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

ADDENDUM REPORT PLANNING COMMITTEE 1st APRIL 2010

Item: 04
Site: Plymouth Airport Runway Approach Site, Glenfield Road, Glenholt
Ref: 09/01652
Applicant: Cavanna Homes (Cornwall) limited
Page: 43

Representations

The Council received 12 written representations following the re-consultation on the amended drawings. Several are still under the misapprehension that the development is for 77 dwellings and not 72. They are still concerned that the density is too high. They also raised points 3, 4, 6, 7 and 28 at page 46 of the report. Other issues stated are:

39. The buildings should not be higher than two storeys;
40. Disagrees with the report that traffic leaving Elmwood Close mainly turns left; much turns right to go to The George Park and Ride to avoid the queues on Plymbridge Road as does other traffic coming up Plymbridge Road from the south east;
41. The applicant did not undertake community involvement;
42. The recent meeting with the applicant was hindered because officers were unable to attend because of annual leave; and
43. The site should include a community garden.

Alison Seabeck MP wrote stating:

She attended a public meeting with the local residents and applicant. She accepts the need for the housing development and hopes the concerns raised will be considered by the committee. The developer has made concessions for some residents. But other occupiers in St Anne's Road are concerned about overlooking. There were worries about the sewerage infrastructure, she has contacted South West Water and believes the matter is in hand. Residents are concerned that the final finishes to the houses has not been finalised. It was not clear if the changes to the parking standards would impact on the scheme. The shortage of playspace on site was also raised. Could the covenants in the area be transferred to the new homes that include hedge heights?

Comment

The applicant arranged a meeting with the Glenholt Residents Association (GRA) on 25 March. Officers could not attend owing to prior annual leave commitments. The applicant states that it did not previously decline to meet with the GRA. Most of the issues raised were not reserved matters ones or have been addressed in the amended layout.

Plot 50 has an unusually large garden. The local planning authority can not attach a condition to a reserved matters approval preventing a landowner or applicant from applying to develop the land in the future. The LPA can attach an informative stating that if this were to occur, such an application would be

determined with the utmost care. The new permitted development rights enable a house owner to carry out considerable extensions to the house and erect buildings in the garden that need to be controlled to prevent over-development of this plot and to protect the residential amenities of the area.

On the issue of the sewerage the applicant has checked with South West Water and it has confirmed that the system has capacity to accommodate the proposal.

Recommendation:

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

CONDITION 4 - RESTRICTIONS ON PERMITTED DEVELOPMENT - PLOT 50

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 development falling within Classes A and E of Part 1 of Schedule 2 to that Order shall be carried out at plot 50 unless, upon application, planning permission is granted for the development concerned.

Reason:

To prevent overdevelopment of this plot and in order to protect the visual and residential amenities of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE 2 – PLOT 50

The applicant is advised that plot 50 is unusual in having an extremely large garden. Any future proposals to alter the development of this part of the site would be considered with the utmost care by the local planning authority given the history of the evolution of the approved development and the impact it could have on adjoining properties.

ADDENDUM REPORT PLANNING COMMITTEE 1st APRIL 2010

Item: 6.6

Site: 163-191 Stuart Road, Plymouth

Ref: 10/00093/FUL

Applicant: Mr Frank Phillips

Page:

[Correction](#); [Decision Category](#); [Member referral](#)

The applicant has agreed that the balustrade will be at least 1.50 metres in height for the balcony on the Western elevation of the building concerning block C (i.e. 2nd bedroom unit adjacent to Palmerston Street) and that the bedroom window of that Western elevation of the flat will either be omitted or permanently glazed with obscure glass. On this basis the proposed relationship with the neighbouring property at No. 193 is considered to be satisfactory and comply with policy CS34. An additional condition to ensure that the balustrade is maintained at 1.5m in height and that the bedroom window on the western elevation is obscure glazed and maintained as permanently obscure glazed is recommended.

ADDITIONAL CONDITION

(8) The balcony balustrade on the western elevation shall be maintained at a minimum of 1.5m in height and the bedroom window in the western elevation, if included, shall be glazed with obscure glass and permanently maintained as such.

Reason: - In order to safeguard the privacy of neighbouring residential property.

WESTERN ELEVATION TREATMENT

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ADDENDUM REPORT PLANNING COMMITTEE 1ST April 2010**Item: 6.7****Site: Land at Bell Close (east of Parkstone Lane), Newnham Industrial Estate, Plympton, Plymouth PL7 4JH****Ref: 10/00174****Applicant: Mr and Mrs S Rowland****Pages: 81-92**

1. Members are advised that a further nine letters of representation were received, which raise the following additional objections and concerns:-

1. The sale of the land would forfeit the Council's control and management of the site.
2. Contrary to the application, there has been no industrial building on the site.
3. The site is near to a residential area.
4. Noise and pollution affecting residents, i.e. from the maintenance of fairground equipment and vehicle movements.
5. A precedent would be set for future families to join the site or elsewhere on the industrial estate.
6. Where is the evidence of the demand for this site? What studies have been done by the Council into reasonable alternatives?
7. Will the number of caravans and people be limited?
8. The area has wildlife and diversity value.
9. There is a mobile phone mast nearby and having regard to the emissions from masts, is the site safe for residential use?
10. The planning site notices were removed and not replaced.
11. What will happen with sewage and drainage?
12. There will be increased rubbish and waste.
13. Any use of electricity generators will be noisy.
14. Contrary to the application, Colebrook does not have a post office or bank and the shop is not a supermarket.
15. The occupiers of the site might complain about the noise from existing industrial activity and this could jeopardise business operations in the area.
16. There will be increased pedestrian traffic between Bell Close and Parkstone Lane.
17. What assurances is there that access will be from Bell Close?

Other comments have been made in representations that imply negative stereotyping in relation to travelling showpeople and these comments cannot be considered on this basis, and on the basis that they are not planning matters. Other comments such as the impact on property values are also not planning matters.

These representations raise a number of significant concerns. With regard to noise, the main difficulty with the site is that it is open and any noise would be unconstrained by buildings. In this respect the maintenance, repair and testing of fairground equipment (including sound systems) could be a particular problem and such activities would need to be carefully restricted.

As a precautionary measure it is recommended that testing of fairground equipment (including sound systems) should not be allowed.

Another noise generator would be the loading and unloading of equipment and associated vehicle movements potentially late at night and such movements and operations would also need to be carefully controlled. The use of lighting would also need to be controlled. With regard to the wildlife and diversity value of the site, it is considered that the site's location on industrial estate land means that the site could at any time be developed for industrial purposes, subject to receiving planning permission, and on this basis it is unlikely that wildlife would outweigh these considerations. With regard to sewage and drainage, the application states that surface water would be drained to soakaway and that foul would drain to the mains and these details are secured by the recommended condition. With regard to rubbish and waste, it is recommended that condition 4 be amended to secure adequate bin storage. With regard to the use of electricity generators, these are considered to be potential sources of noise that exceed what could be justified in a residential area and as such a condition is recommended that prevents their use unless a need for them can be demonstrated and that their use will not be harmful to residents. With regard to concerns that occupiers of the site might complain about the noise from existing industrial activity, and that this could jeopardise business operations in the area, it is considered that the nature of travelling showpeople occupancy is one which lends itself to discreet use of such sites and that any excessive noise generated by other industrial estate users is likely to lead to complaints from existing residents in nearby streets as much as from the occupiers of the site.

2. The applicant's agent has submitted an indicative site layout plan that shows the vehicle maintenance and storage area towards the rear of the site and the three individual living areas situated towards Bell Close/the eastern boundary with the adjoining industrial plot. This layout appears to be acceptable in principle, although details of the number and type of vehicles attending and/or kept on the site should be conditioned and those shown on the plan are not necessarily acceptable.

3. The Transport Officer does not wish to raise any objections to planning permission being granted and recommends an informative note be added to any decision notice regarding lowering of the kerb. In view of the Transport Officer's recommendation there is no longer a need for condition 12, regarding the submission of junction details.

4. Other issues that are not addressed in the planning report relate to the height of the storage of vehicles and equipment, landscaping, hardstandings, refuse disposal and the actual number of lorries, vans and trailers at the site. It is recommended that details of these aspects of the development are sought by amending condition 4.

5. In view of the above it is recommended that condition 4 be amended as follows:-

(4) The site shall not be used in any way associated with the use hereby permitted until details of the layout of the site, including:

- the siting and levels of, and any works to construct bases or foundations for, the residential caravans and touring caravans;
- the layout and construction of all access, turning and parking areas;
- any other hardstandings and hard surfaced areas;
- the details and siting of any associated building, plant or machinery including any necessary for the provision of gas, water and electricity;
- the layout and construction of residential amenity areas, including those to provide landscaping and play areas for children;
- the layout and construction of defined areas for the storage, repair and maintenance of fairground rides, equipment and machinery;
- the maximum height of storage of fairground rides, equipment and machinery;
- refuse storage areas and
- the detailed means of foul and surface water drainage;

have been submitted to and approved in writing by the Local Planning Authority. The permitted use of the land shall accord with the approved details.

Reason:

In the interests of visual and residential amenity and to avoid the parking and storing of vehicles and/or equipment on the highway, in accordance with policies CS15, CS28 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

The following additional conditions are also recommended;-

(13) The site shall not be used in any way associated with the use hereby permitted until details of the total number and type of vehicles attending or stored at the site are submitted to and approved in writing by the Local Planning Authority. The permitted use of the land shall accord with the approved details.

Reason:

In the interests of visual and residential amenity and to avoid the parking and storing of vehicles and/or equipment on the highway, in accordance with policies CS15, CS28 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

(14) There shall not at any time be any testing of rides, equipment and machinery, including sound systems.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting noise and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

(15) There shall not at any time be any use or operation of electricity generating equipment.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting noise and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

(16) There shall be no works of repair or maintenance of rides, equipment and machinery and no loading and unloading of any rides, equipment and machinery outside the following times: 0800 to 1800 hours Monday to Friday inclusive and 0900 to 1300 hours on Saturdays; nor at any time on Sundays, Bank or Public Holidays.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

(17) There shall be no transport of rides, equipment and machinery to or from the site outside the following times: 0800 to 2100 hours Monday to Friday inclusive and 0900 to 1800 hours on Saturdays and 1000 to 1300 hours on Sundays, Bank or Public Holidays. In this condition the transport of rides to and from the site shall not include any loading or unloading of rides, equipment and machinery.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

(18) No development shall take place until full details of soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include the number, size, species and layout of all planting. Any plants that die or are seriously diseased or damaged within five years shall be replaced in the following planting season with similar plants.

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

(19) Details of any floodlighting and any other external lighting shall be submitted to and approved in writing by the Local Planning Authority before the permitted use of the land is implemented. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the details of the development are acceptable to the Local Planning Authority and that they are in keeping with the standards of the

vicinity in accordance with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

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