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PLANNING COMMITTEE ADDENDUM REPORTS

DATE: THURSDAY 10 FEBRUARY 2011
TIME: 1 PM
PLACE: COUNCIL HOUSE, ARMADA WAY, PLYMOUTH

Members –

Councillor Lock, Chair
Councillor Roberts, Vice Chair
Councillors Mrs Bowyer, Browne, Delbridge, Mrs Foster, Mrs Stephens, 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, 6.7, 6.8 AND 6.9.**

**BARRY KEEL
CHIEF EXECUTIVE**

PLANNING COMMITTEE

- 6.2** 39 GLENFIELD ROAD, PLYMOUTH. 10/02070/FUL **(Pages 1 - 2)**
- Applicant: Mr. Kevin Cross
Ward: Moor View
Recommendation: Grant Conditionally
- 6.3** STONEMASONS ARMS, 142 ALBERT ROAD, PLYMOUTH. **(Pages 3 - 4)**
10/01374/OUT
- Applicant: Crisplane Ltd.
Ward: Devonport
Recommendation: Grant Conditionally subject to section 106 agreement to be signed by 7 March 2011.
- 6.4** NORTH PROSPECT SCHEME, WOODHEY ROAD, **(Pages 5 - 6)**
PLYMOUTH. 10/02026/FUL
- Applicant: Barratt Homes
Ward: Ham
Recommendation: Grant Conditionally subject to section 106 obligation to be signed by 22 February 2011.
- 6.5** NORTH PROSPECT, FOLIOT ROAD, PLYMOUTH. **(Pages 7 - 8)**
10/02065/OUT
- Applicant: Barratt Homes
Ward: Ham
Recommendation: Grant Conditionally subject to section 106 obligation to be signed by the 21 February 2011.
- 6.7** 33 WHITLEIGH VILLAS AND ADJACENT LAND, **(Pages 9 - 10)**
CROWNHILL, PLYMOUTH. 10/01880/REM
- Applicant: Messrs James and Adam Fritzsche
Ward: Eggbuckland
Recommendation: Grant Conditionally
- 6.8** PLOT G, LAND AT MILLBAY ROAD, PLYMOUTH. **(Pages 11 - 12)**
10/02131/FUL
- Applicant: English Cities Fund
Ward: St Peter and The Waterfront
Recommendation: Grant Conditionally subject to section 106 agreement to be signed by the 15 March 2011.

6.9 ROYAL INSURANCE BUILDING, ST ANDREWS CROSS, (Pages 13 - 14)
PLYMOUTH. 10/02081/FUL

Applicant: Citimark Partnership Ltd
Ward: St Peter and The Waterfront
Recommendation: Grant Conditionally subject to section 106 obligation
to be signed by the 8 March 2011.

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ADDENDUM REPORT PLANNING COMMITTEE 10th FEBRUARY 2011

Item: 6.2

Site: 39 Glenfield Road

Ref: 10/02070/FUL

Applicant: Kevin Cross

Page: 19-22

Representations Update:

Since writing the officer's report, 1 letter of representation from the occupiers of 37 Glenfield Road has been received which states there are no objections to the planning application.

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ADDENDUM REPORT PLANNING COMMITTEE 10th February 2011

Item: 6.3

Site: Stonemason's Arms

Ref: 10/01374/FUL

Applicant: Crisplane Ltd

Page: 23-34

The recommendation is to grant conditionally subject to a S.106 with delegated authority to refuse permission if the S.106 agreement is not signed by 7th March 2011.

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ADDENDUM REPORT PLANNING COMMITTEE 10th FEBRUARY 2011**Item: 6.4****Site: North Prospect Scheme, Woodhey Road, Plymouth****Ref: 10/02226/FUL****Applicant: Barratt Homes****Page: 35-74**

Since completion of the officer's report a further consultation response has been received from the Highways Agency. The Highways Agency have now removed their holding direction and recommend that the following condition be attached to any grant of approval:

A comprehensive Travel Plan will be developed for all elements of the development hereby permitted. The acceptability of the travel plan will need to be agreed in writing by the Local Planning Authority and Local Highway Authority (who shall consult with the Highways Agency on behalf of the Secretary of State For Transport), in advance of occupation of the development.

The Travel Plan will need to be prepared in line with prevailing policy and best practice and shall include as a minimum:

- *The identification of targets for trip reduction and modal shift*
- *The methods to be employed to meet these targets*
- *The mechanisms for monitoring and review*
- *The mechanisms for reporting*
- *The penalties to be applied in the event that targets are not met*
- *The mechanisms for mitigation*
- *Implementation of the travel plan to an agreed timescale or timetable and its operation thereafter*
- *Mechanisms to secure variations to the Travel Plan following monitoring and reviews*

A review of the targets shall be undertaken within 3 months of occupation of the development, and on an annual basis thereafter, at the time of submission of the Annual Travel Plan Report.

Reason:

In order that the development promotes public transport, walking and cycling, and limits the reliance on the private car in accordance with Policy CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

The applicant considers the condition below to be unreasonable since it does not own the land and a management plan is already in operation.

HAM WOODS MANAGEMENT PLAN

(31) No work shall commence until a 3 year management plan for Ham Woods has been submitted to and agreed in writing by the Local Planning Authority. The management plan shall be carried out as approved.

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Core Strategy policies CS01, CS19, CS34 and Government advice contained in PPS9.

It is therefore proposed that this condition be removed. The relocation of the reptiles will be in accordance with the Ecological Mitigation and Enhancement Strategy (condition 26) and it is proposed that £15,000 be moved from the Planning Obligations Management Fee and allocated to Strategic Green Space, which could include Ham Woods.

ADDENDUM REPORT PLANNING COMMITTEE 10th FEBRUARY 2011**Item: 6.5****Site: North Prospect, Foliot Road, Plymouth****Ref: 10/02065/OUT****Applicant: Barratt Homes****Page: 75-102**

Since completion of the officer's report a further consultation response has been received from the Highways Agency. The Highways Agency have now removed their holding direction and recommend that the following condition be attached to any grant of approval:

A comprehensive Travel Plan will be developed for all elements of the development hereby permitted. The acceptability of the travel plan will need to be agreed in writing by the Local Planning Authority and Local Highway Authority (who shall consult with the Highways Agency on behalf of the Secretary of State For Transport), in advance of occupation of the development.

The Travel Plan will need to be prepared in line with prevailing policy and best practice and shall include as a minimum:

- *The identification of targets for trip reduction and modal shift*
- *The methods to be employed to meet these targets*
- *The mechanisms for monitoring and review*
- *The mechanisms for reporting*
- *The penalties to be applied in the event that targets are not met*
- *The mechanisms for mitigation*
- *Implementation of the travel plan to an agreed timescale or timetable and its operation thereafter*
- *Mechanisms to secure variations to the Travel Plan following monitoring and reviews*

A review of the targets shall be undertaken within 3 months of occupation of the development, and on an annual basis thereafter, at the time of submission of the Annual Travel Plan Report.

Reason:

In order that the development promotes public transport, walking and cycling, and limits the reliance on the private car in accordance with Policy CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

The applicant considers the condition below to be unreasonable since it does not own the land and a management plan is already in operation.

HAM WOODS MANAGEMENT PLAN

(24) No work shall commence until a 3 year management plan for Ham Woods has been submitted to and agreed in writing by the Local Planning Authority. The management plan shall be carried out as approved.

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Core Strategy policies CS01, CS19, CS34 and Government advice contained in PPS9.

It is therefore proposed that this condition be removed. The relocation of the reptiles will be in accordance with the Ecological Mitigation and Enhancement Strategy (condition 22) and it is proposed that £15,000 be moved from the Planning Obligations Management Fee and allocated to Strategic Green Space, which could include Ham Woods.

Further to this an additional condition is proposed in order to control the retail element proposed in the hub:

SIZE OF SHOPS

Not more than 150 square metres shall be used for a combined total of A1 shop use without the prior written approval of the Local Planning Authority.

Reason:

To ensure that there is not an over-provision of shops that could prejudice Plymouth's retail hierarchy and to ensure that the use is appropriate in scale and function to its location to comply with policies CS01, CS07, CS08 and CS34 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007 and the evidence presented in the North Prospect Sustainable Neighbourhoods Assessment.

ADDENDUM REPORT PLANNING COMMITTEE 10th February 2011

Item: 6.7

Site: 33 Whitleigh Villas and adjacent land, Crownhill Road, Plymouth, PL5 3BH

Ref: 10/01880/REM

Applicant: Messrs James and Adam Fritzsche

Page: 115-124

Two further letters of representation have been received. No additional material planning considerations have been raised.

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ADDENDUM REPORT PLANNING COMMITTEE 10th FEBRUARY 2011**Item: 6.8****Site: PLOT G, LAND AT MILLBAY ROAD PLYMOUTH****Ref: 10/02131/FUL****Applicant: English Cities Fund****Page: 125 - 154****Representations Update:**

Since writing the officer's report, 3 additional letters of representation have been received which raise objections to the planning application. The issues raised are identical to concerns already identified and reported within the Officer's report.

Environment Agency – Surface Water Drainage.

Since the time of writing the Committee Report, the Environment Agency have requested that an additional Grampian Condition is imposed on the application in order to ensure that surface water is adequately drained. The suggested wording of the condition is as follows:

“Surface Water Drainage – Grampian

() 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 CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and relevant Central Government guidance contained within PPS23 and PPS25.”

S106 Obligation Update:

Following negotiations between the applicant, Highway Authority and Planning Services it has been identified that whilst the applicant has the benefit of a Development Agreement over the Masterplan Area, it does not own the land that would be subject of Clause 6 (Section 106 Obligations), which was intended to formally secure a temporary off-site car parking area for use by residents. On this basis a Section 106 Obligation is not considered to be an appropriate mechanism to secure such off-site parking provision.

The advice of the Council's Legal Service is that Clause 6 identified within the Officer's Report should be therefore be deleted.

The applicant has formally confirmed in writing, the commitment of English Cities Fund (ECF) to re-introduce the commercial car park on the adjoining land within the next few weeks and have also confirmed that whilst ECF are "in contract" on the Millbay Development Agreement it can allocate 6 car parking permits for this car park, for use by the 6 residential units of this development that currently do not have a car parking space. On this basis, ECF have maintained a commitment to providing these 6 spaces within the balancing Masterplan Area. It is also relevant to note that ECF have entered into a contract to provide off-road staff car parking spaces for VW Murrays on an adjoining site.

The Highway Authority is satisfied with this response and supports the proposed development on this basis.

Conclusion:

It is recommended that in accordance with the details outlined in the officer report, conditional approval is granted with the addition of a surface water drainage condition and the satisfactory completion of the Section 106 Obligation (clause 6 deleted). Delegated Authority is sought to refuse the application if the S106 Obligation is not signed by the 22nd March 2011.

ADDENDUM REPORT PLANNING COMMITTEE 10th February 2011**Item: 6.9****Site: Royal Insurance Buildings, St Andrews Cross, Plymouth.****Ref: 10/02081/FUL****Applicant: Mr Mark Scobie****Page: 155 - 168**

A further letter of representation has been received from the owner of Buffet City (one of the restaurants on the ground floor of the building) raising the following issues:

1. Concerned that converting the upper floors to residential use could incur complaints from future residents about the ground floor restaurant uses with regards to noise.
2. Concerned that using the basement for access could compromise the security of the ground floor restaurants.

These issues are discussed in the main report.

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