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PLANNING COMMITTEE

ADDENDUM REPORTS

DATE: THURSDAY 28 APRIL 2011
TIME: 1PM
PLACE: COUNCIL HOUSE, ARMADA WAY, PLYMOUTH

Members –

Councillor Lock, Chair
Councillor Roberts, Vice Chair
Councillors Mrs Bowyer, Browne, Delbridge, Mrs Foster, Fox, Thompson, Tuohy,
Vincent, Wheeler and Wildy

***PLEASE FIND ATTACHED ADDENDUM REPORTS FOR CONSIDERATION
UNDER AGENDA ITEM NOS. 6.1, 6.2, 6.4, 6.5, 6.7 AND 6.8.***

BARRY KEEL
CHIEF EXECUTIVE

PLANNING COMMITTEE

6.1.8 ST MAURICE ROAD, PLYMOUTH 10/01802/FUL **(Pages 1 - 2)**

Applicant: Mr Stephen Darke
Ward: Plympton Erle
Recommendation: Grant Conditionally

6.2. PENLEE COTTAGE, PLYMBRIDGE ROAD, PLYMOUTH 11/00018/FUL **(Pages 3 - 4)**

Applicant: Taylor Wimpey (Exeter)
Ward: Moor View
Recommendation: Grant Conditionally, subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 6 May 2011

6.4. LAIRA UNITED CHURCH, 247 OLD LAIRA ROAD, PLYMOUTH 11/00028/FUL **(Pages 5 - 6)**

Applicant: United Reformed Church South Western Synod
Ward: Efford and Lipson
Recommendation: Grant Conditionally, subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 3 May 2011

6.5. 12 ELFORD CRESCENT, PLYMOUTH 11/00282/FUL **(Pages 7 - 8)**

Applicant: Mr Phil Chevis
Ward: Plympton St Mary
Recommendation: Grant Conditionally

6.7. 3-5 MARKET ROAD, PLYMOUTH 11/00238/FUL **(Pages 9 - 12)**

Applicant: Barratt Homes (Exeter Division)
Ward: Plympton Erle
Recommendation: Grant Conditionally, subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 28 May 2011

Applicant:	Urbis Developments Ltd
Ward:	Budshead
Recommendation:	Grant Conditionally, subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 18 May 2011

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ADDENDUM REPORT PLANNING COMMITTEE 28 APRIL 2011**Item: 6.1****Site: 8 St. Maurice Road****Ref: 10/01802/FUL****Applicant: Mr Stephen Darke****Page: 9-16**

For clarification members are advised that the following four paragraphs are added to the Analysis section of the report:

‘Waste from the premises and vermin would not be planning matters and would, if the need arose, be matters for the Council’s Public Protection Service.

With regard to the presence of similar uses elsewhere and the perceived detrimental impact on the Ridgeway shopping centre, it is considered that the scale of the proposed hot food takeaway would not detract from the viability of other shopping centres and in this respect would not have any more impact than the existing shop and hairdressers nearby. The number of hot food takeaways in other areas of Plympton is also not considered a sustainable reason for refusing this application.

The view that fish and chips are not a healthy eating option is considered to be a matter that is outside the remit of landuse planning considerations.

With regard to the application at No.6 St. Maurice Road, it is considered that the decision to refuse that application does not set a precedent to refuse the current proposals because that decision was based on the particular location of the proposed hot food takeaway in relation to residential neighbours.’

A further two letters were also received, which raise objections on the grounds of:

1. Filters will not eradicate the smell of fried food.
2. There will be noise that will have a detrimental affect on the use of neighbour’s garden.
3. Litter and vermin associated with litter.
4. The use of the parking spaces will be unsafe. Vehicles speed on the road despite traffic calming measures.
5. Fast food is unhealthy.
6. The existing off-street car parking spaces are not adequate to cater for the proposed use.

Members are advised also that further plans were submitted that show a reduced size extract flue and this is considered acceptable in visual terms. Assurances have been given that the effectiveness of the extract system has not been compromised and that noise would not be an issue. PPS advice is that as long as the system is maintained (i.e. the odour neutraliser is used, filters and ducting are cleaned as per manufacturers guidance), the different flue should not have a negative impact with reference to odour. PPS also advise that judging by what the applicant has outlined, the revised extract detail is determined as acceptable with regard to not introducing, or increasing, a likelihood of noise nuisance.

If members are minded to approve the application the decision notice will need to reflect the amended plans of the extract system.

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ADDENDUM REPORT PLANNING COMMITTEE 28th April 2011

Item: 6.2

Site: Penlee Cottage, Plymbridge Road, Glenholt, Plymouth, PL6 7LB

Ref: 11/00018/FUL

Applicant: Taylor Wimpey (Exeter)

Agent: Focus on Design

Page: 17-36

During the last Committee meeting, Members raised concerns regarding the proximity of the proposed garage blocks to the southern boundary (shared with the properties on Buena Vista Gardens). As a result, amended plans have been submitted. The following revisions have been made:

- Re-positioning of the 2 quad garage blocks serving plots 6, 7, 10 & 12, 1m north (away from southern boundary)
- Reduction in slab level of garages serving plots 6 & 7 by 300mm, to reduce the overall height
- Further reduction of roof pitch of the quad garages by 5 degrees, now making the roof pitch 25 degrees.
- Repositioning of the dwellings on plots 6, 7, 10, 11 & 13, 1m north (away from southern boundary)

As reported during the last Committee meeting, the previous relationship between the proposed dwellings/garage blocks and the bungalows on Buena Vista Gardens complied with the policy guidance set out in the Development Guidelines Supplementary Planning Document (SPD) and therefore was supported by your Officers. Notwithstanding this, since the last Committee meeting the Applicants have sought to address Members' concerns by further improving the relationship between the proposed development and these neighbouring dwellings. As a result the proposed properties on plots 6, 7, 10, 11 & 13 and the garage blocks serving plots 6, 7, 10 & 12 have been relocated one additional metre north (away from the shared boundary) and the garages have been further reduced in height. Your Officers are satisfied that these additional amendments further improve the relationship with neighbours and accord with the policy guidance.

Given the above, it is recommended to revise condition 2: Approved Plans to reflect the amended plan numbers.

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ADDENDUM REPORT PLANNING COMMITTEE 28th April 2011**Item: 6.4****Site: Laira United Church, 247 Old Laira Road, Plymouth.****Ref: 11/00028/FUL****Applicant: United Reformed Church South Western Synod.****Page: 55-70**

Condition 16 Lifetime Homes

The conditions should refer to the provision of 3 units and not 5 as Lifetime Homes. Therefore the condition should read as follows:

The development shall be constructed strictly in accordance with drawing no. P3215.03B which shows 3 units (plots 4, 7 and 8) within the development hereby approved to be constructed to Lifetime Homes standards. The layout of the floor plans hereby approved shall be permanently retained for so long as the development remains in existence, unless a further permission is granted for the layout of these units to change.

Reason:

In order to provide 20% Lifetime Homes at the site, in accordance with Policy CS15 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

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ADDENDUM REPORT PLANNING COMMITTEE 28 APRIL 2011**Item: 6.5****Site: 12 Elford Crescent****Ref: 11/00282/FUL****Applicant: Mr Phil Chevis****Page: 71-78**

For clarification members are advised that the last paragraph of the Analysis section of the report should be replaced with the following paragraphs:

‘With regard to other matters raised in letters of representation: the issue of precedents can be a material consideration, but each planning case is considered on its merits and the specific issues in this case have been assessed against relevant planning policies. In this respect ‘garden-grabbing’ is a term that reflects the government’s changed stance towards development proposals affecting garden land, but is not a presumption against such development. Regarding wildlife interest on the plot, this is not considered to be significant because of the plot’s size and suburban nature, and the perceived dangerous drops are matters for building control. In terms of amenity there is considered to be no significant impact on daylight/sunlight and privacy. Loss of view has also been cited, but this is not a planning matter.

Regarding the relationship between the proposed parking spaces and those at No.4 Waddon Close, the potential change in level between the two properties can be the subject of a condition on boundary treatments and the matter of the drainage of the proposed parking spaces, and the concern that this might allow more water to drain down the drive at No.4 Waddon Close, would be a detail of the construction of the footway crossover that would be dealt with by the Highway Authority;

With regard to the proposed boundary adjacent to Waddon Close, the wall/fence is considered to be set back far enough from the junction so as to avoid being visually intrusive, although there would presumably have to be a barrier at the back edge of the landscaped area and these details could be part of the boundary treatment condition.

There are concerns on highway grounds, but the parking arrangement is similar in nature to other properties in the street and is satisfactory in terms of its distance from the nearby junction. The proposal will result in the loss of a short section of kerbside parking however there is sufficient off street parking available for existing properties along the street and this will not have a significant impact.’

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ADDENDUM REPORT PLANNING COMMITTEE 28th April 2011**Item: 6.7****Site: 3-5 Market Road, Plymouth.****Ref: 11/00238/FUL****Applicant: Barratt Homes.****Page: 87-102**

Comments have now been received from the Councils Highways Officer and English Heritage. They are as follows:

Highways Officer

There are no (in principle) highway objections to the proposal as the trip generation characteristics of the development of 14 units would be either similar or less than that associated with the former garage/hire business on the site (the residential development would only generate around 7 combined movements (in and out) in the am and pm peak traffic hours).

The proposed car parking standard of 1.6 spaces per unit is considered acceptable as the site is within easy walking distance of the large number of bus services that run along Plymouth Road (near St Mary's Bridge). Furthermore this standard is consistent with the residential car parking standards outlined in the Development Guidelines SPD.

Previous comments have been raised in respect of the layout of the site and it is likely that most of these points could be addressed through the Section 38 Agreement process.

Suggested conditions for inclusion within the Committee Report are as follows:-

Street Details

Development shall not begin until details of the design, layout, levels, gradients, materials and method of construction and drainage of all roads and footways forming part of the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved details.

Reason:

To provide a road and footpath pattern that secures a safe and convenient environment and to a satisfactory standard in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Access (Contractors)

Before any other works are commenced, an adequate road access for contractors with a proper standard of visibility shall be formed to the satisfaction of the Local Planning Authority and connected to the adjacent highway in a position and a manner to be agreed with the Local Planning Authority.

Reason:

To ensure an adequate road access at an early stage in the development 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.

Details of New Junction

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; and the building shall not be occupied until that junction has been constructed in accordance with the approved details.

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.

Garage Door Type (Adjacent to Highway)

The door to the garage hereby permitted shall be of a type that does not project beyond the face of the garage when opened or being opened.

Reason:

To ensure that the door does not project over the adjacent highway at any time in the interest of public safety in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

Car Parking Provision (Development - maximum of 23 spaces)

The development shall not be occupied until space has been laid out within the site in accordance with the Approved plan for a maximum of 23 cars to be parked.

Reason:

In the opinion of the Local Planning Authority, although some provision needs to be made, the level of car parking provision should be limited in order to assist the promotion of sustainable travel choices in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Cycle Provision (Residential)

No dwelling shall be occupied until space has been laid out within the site in accordance with the approved plan for 8 bicycles to be parked.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Cycle Storage

The secure area for storing cycles 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:

To ensure that there are secure storage facilities available for occupiers of or visitors to the building. in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Waiting Restrictions

No occupation of any of the residential units hereby proposed shall take place until the applicant has (through best endeavours) sought to introduce waiting restrictions (in the form of double yellow lines) along Old Priory.

Reason:- In order to provide a safe and satisfactory means of access to and from the site in the interests of highway safety and convenience in accordance with Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.

English Heritage

An archaeological evaluation of the site, undertaken with Scheduled Monument Consent, has demonstrated that there is a relatively low potential for the survival of nationally-significant archaeological remains upon the site. The Scheduled Monument No. 24847, Plympton Priory, extends into the application site and its ruined masonry remains occupy the neighbouring site. There was a well-founded concern that the remains of the priory would be well-preserved within the application site.

Although this has proved not to be the case within the trenches opened previously, the applicant will still need to apply for SMC to undertake the proposed development, in parallel to their planning application. This will need to be supported by a programme of archaeological mitigation approved by EH.

Within the Scheduled area, this work should comprise a 'strip & record' exercise, to pick up any archaeology within the part of the monument not subject to evaluation. Within the non-scheduled part of the site I understand that Plymouth CC's Historic Environment Officer advises that a 'watching brief' and basic historic building recording would be sufficient. I concur with this advice.

Environment Agency

Comments to be reported verbally.

Wildlife

It is proposed to add the following condition:

Biodiversity

Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Ecological Impact Assessment (dated February 2011) for the site. For the avoidance of doubt, an Enhancement and Mitigation strategy and details of a bat feeding roost, nine bat tubes, 5 Sparrow Boxes and 5 House Martin boxes (as recommended in the EIA) shall be submitted to and agreed in writing with the Local Planning Authority, in accordance with the EIA prior to its use on site, and shall thereafter be permanently retained.

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.

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ADDENDUM REPORT PLANNING COMMITTEE

Item: 6.8
Site: 273 Tavistock Road Plymouth
Ref: 10/01860/FUL
Applicant: Urbis (Derriford) Limited
Page: 103-120

Analysis update

In the “Negotiations” section on page 111 of the report relating to the Section 106 agreement it states that officers were still negotiating on the term “substantial start”. The applicant has agreed to a substantial start up to ground floor level on five of the 11 new houses. This is acceptable to officers who believe that the agreement should now be completed promptly.

Recommendation

The recommendation is the same as in the agenda.

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