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Date: 27 July 2011

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PLANNING COMMITTEE ADDENDUM

Date: Thursday 28 July 2011

Time: 1.00 pm

Venue: Council House, Armada Way, Plymouth

Members:

Councillor Lock, Chair

Councillor Mrs Bowyer, Vice Chair

Councillors Browne, Churchill, Delbridge, Mrs Foster, Mrs Nicholson, Stevens, Tuohy, Vincent, Wheeler and Williams.

Members are invited to attend the above meeting to consider the items of business overleaf.

Members and officers are requested to sign the attendance list at the meeting.

Please note that unless the chair of the meeting agrees, mobile phones should be switched off and speech, video and photographic equipment should not be used in meetings.

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Chief Executive

PLANNING COMMITTEE

6.1 33 EDWARDS DRIVE, PLYMOUTH 11/00991/FUL **(Pages 1 - 2)**

Applicant: Mr P Blackmore
Ward: Plympton Chaddlewood
Recommendation: Grant Conditionally

6.9 LAND AT MILLBAY ROAD, PLYMOUTH 10/01882/OUT **(Pages 3 - 4)**

Applicant: English Cities Fund
Ward: St Peter & The Waterfront
Recommendation: Grant Conditionally subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 28/10/11

6.10 LAND ADJACENT TO FOULSTON AVENUE, PLYMOUTH 11/00839/FUL **(Pages 5 - 6)**

Applicant: Devon & Cornwall Housing
Ward: St Budeaux
Recommendation: Grant Conditionally subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 22/08/11

6.11 ELLIOTT HIRE, EATON BUSINESS PARK, PLYMBRIDGE ROAD, PLYMOUTH 11/01061/FUL **(Pages 7 - 8)**

Applicant: The Una Group
Ward: Moor View
Recommendation: Refuse

6.13 140 NORTH HILL, PLYMOUTH 11/00456/OUT **(Pages 9 - 10)**

Applicant: Pillar Land Securities
Ward: Drake
Recommendation: Refuse

6.14 FRIARY RETAIL PARK, EXETER STREET, PLYMOUTH 11/00804/FUL **(Pages 11 - 12)**

Applicant: AXA P&C
Ward: St Peter & The Waterfront
Recommendation: Grant Conditionally

ADDENDUM REPORT PLANNING COMMITTEE 28 July 2011**Item:** 6.1**Site:** 33 Edwards Drive, Plymouth**Ref:** 11/00991/FUL**Applicant:** Mr P Blackmore**Pages:** 11 to 14

A further letter of objection has been received from the owner of 4 Edwards Close. All the issues raised in the letter have already been addressed in the report; however it should be noted that the letter draws attention to the 45 degree guide and the fact that the extension would encroach upon this.

A consultation response has been received from the Council's Public Protection Service. They have no objections to the proposal but recommend contaminated land conditions. Although these suggested conditions are noted it is not considered appropriate or reasonable to attach them for a development of this small scale. As is common practice, it is recommended that the applicant be made aware of the land quality issues via an informative.

Recommendation

The recommendation remains as in the report with the addition of a contaminated land informative. The informative reads:

INFORMATIVE: LAND QUALITY

(1) The Council's Environmental Protection Officer (Land Quality), Public Protection Service, advises that the site is located within and close to areas believed to have been subject to historic landfill, potentially incorporating organic material, and there is the possibility of contamination of the site as a result. It is therefore recommended that appropriate assessments and site investigations are carried out and, depending on the results, appropriate measures put into place to remediate any contamination affecting the proposed development.

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ADDENDUM REPORT PLANNING COMMITTEE 28 July 2011**Item:** 6.9**Site:** LAND AT MILLBAY ROAD PLYMOUTH**Ref:** 10/01882/OUT**Applicant:** English Cities Fund**Pages:** 47 to 118**S106 Obligation update:**

Due to the fact that planning permission has been granted for the redevelopment of Plot G in order to kick-start the regeneration of the wider area under planning application reference 10/02131/FUL, the heads of terms within the S106 Obligation will need to be varied to reflect this grant of consent.

Accordingly, the indicative Masterplan, Phasing Plan and relevant phasing clauses and Clause 4.3 of the S106 Obligation in relation to the later approved residential development on Plot G (10/02131/FUL), together with Condition 11, will be altered to reflect that planning permission.

(Should any Members wish to view the approved Section 106 Obligation, a copy of the document is available prior to the meeting.)

Conclusion:

It is recommended that, in accordance with the details outlined in the officer report and this addendum report, conditional approval is granted subject to the satisfactory completion of the Section 106 Obligation (as amended). Delegated authority is sought to refuse the application if the S106 Obligation is not signed by 28 October 2011.

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ADDENDUM REPORT PLANNING COMMITTEE 28 July 2011**Item:** 6.10**Site:** Land adjacent to Foulston Avenue, Plymouth**Ref:** 11/00839/FUL**Applicant:** Devon & Cornwall Housing**Pages:** 119 to 140

Since completion of the officer's report, the applicant's agent has provided additional information relating to the details of the scheme. This comprises plans to show the sight lines, further information on ecological management, and calculations to demonstrate that at least 15% of the carbon emissions for which the development is responsible will be provided through the installation of photo-voltaic panels. Finally the agent has submitted samples of the pearl and blue brick and red roof tiles, which are deemed acceptable.

Due to this additional information it is no longer deemed necessary to attach the following conditions, with consequent renumbering of subsequent conditions:

Delete**PROVISION OF SIGHT LINES**

(19) No work shall commence on site until details of the sight lines to be provided at the junction between the means of access and the highway have been submitted to and approved in writing by the Local Planning Authority. The approved sight lines shall be provided before any dwelling is first brought into use.

Reason:

To provide adequate visibility for drivers of vehicles at the road junction in the interests of public safety in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Delete**DRIVEWAY GRADIENT**

(20) The driveway to any dwelling hereby permitted shall not be steeper than 1 in 10 at any point.

Reason:

To ensure that safe and usable off street parking facilities are provided in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Delete**EXTERNAL MATERIALS**

(25) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

It is also proposed to vary condition 12 to read:

Amended wording

SUSTAINABLE RESOURCE USE

(12) Unless otherwise agreed previously in writing with the Local Planning Authority, the development will off-set by a minimum of 15% the carbon emissions for which the development is responsible through installation of photo-voltaic panels on all units as shown in drawings 01, 10738 P 01.10, 10738 P 01.11, 10738 P 01.12, 10738 P 01.13, 10738 P 01.04, 10738 P 01.05, 10738 P 01.06, 10738 P 01.07, 10738 P 01.08, 10738 P 01.09 and listed in Appendix I of the Sustainability Statement. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. These shall be provided in accordance with these details prior to the first occupation of the development and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to off-set at least 15% of predicted carbon emissions for the period 2010-2016 in accordance with Policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and relevant Central Government guidance contained within PPS22.

The condition numbered 23 in the main report is recommended to be varied to read:

Amended wording

BIODIVERSITY

(23) Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Mitigation and Enhancement set out in the Ecological Impact Assessment (dated November 2009) for the site.

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.

Members should also note that the applicant is exploring surface water management methods with the Environment Agency and suitable drainage will be agreed with them and the Local Planning Authority before development commences, as per the condition numbered 27 in the main report.

ADDENDUM REPORT PLANNING COMMITTEE 28 JULY 2011**Item:** 6.11**Site:** Elliott Hire, Eaton Business Park, 182 Plymbridge Road, Plymouth**Ref:** 11/01061/FUL**Applicant:** The Una Group**Pages:** 141 to 148

The applicant has requested that determination of this application be deferred until the next meeting of the Planning Committee. Your officers are supportive of this request as the current application is recommended for refusal and it is considered that the development could become acceptable if appropriate amendments to the scheme are made. The application will still be comfortably within its determination target date (13-week date).

If Members agree to the request, any revised proposals will be presented in full at the next meeting of the committee.

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ADDENDUM REPORT PLANNING COMMITTEE 28 July 2011**Item:** 6.13**Site:** 140 North Hill, Plymouth**Ref:** 11/00456/OUT**Applicant:** Pillar Land Securities**Pages:** 199 to 208**Section 106 Obligations**

If the application was being recommended for approval, a planning obligation would be required to mitigate the impacts of the proposal. As this application is for student development, the identified impacts it will have that require mitigation are limited to local infrastructure, in particular libraries, playing pitches, green space and health.

Local Infrastructure

Libraries. Library Services advise that development in this area will generate a pressure on existing library facilities which are already in need of additional capital investment as a result of the cumulative impact of population growth. The development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £1,454.

Playing Pitches. The development is in a location that is deficient in terms of access to playing pitches. There is therefore an impact on infrastructure requirement that arises as a result of the development, namely the provision of improved access to playing pitches. The estimated cost of mitigating this impact is £7,717.

Local green space. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact on existing local green space, most specifically through the need for green space improvements. The estimated cost of mitigating this impact is £4,254.

Local health infrastructure. The development will create an additional demand upon local health facilities. The Primary Care Trust has provided evidence that capacity in the south east locality is substantially deficient for meet the needs of the project population growth in this area. The development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £2,903.

The following Heads of Terms would have been proposed if the application was being recommended for approval, each of which have been tested against Regulation 122 of the Community Infrastructure Levy Regulations 2010, to enable appropriate mitigation of the impacts identified above:

- b. Libraries tariff. £1,454, to be allocated to the provision of improved library facilities in the area (central).*
- c. Playing pitches tariff. £7,717, to be allocated to the provision of improved playing pitch facilities in the Drake sub-area, as identified in the Playing Pitch Strategy.*
- d. Local green space tariff. £4,254, to be allocated to the improvement of local green space.*
- e. Local health infrastructure tariff. £2,903, to be allocated to the provision of additional capacity in local health care facilities within the south east locality.*

There is also an administration fee of £1,291.

In conclusion, to mitigate the impacts of the proposal, a total tariff contribution of £17,619 would have been required.

ADDENDUM REPORT PLANNING COMMITTEE 28 July 2011**Item:** 6.14**Site:** Friary Retail Park, Exeter Street, Plymouth**Ref:** 11/00804/FUL**Applicant:** AXA P&C**Pages:** 209 to 216

Public Protection Service has provided a consultation response seeking additional information in relation to possible contamination and, in the interim, have recommended refusal.

In order to give the applicants opportunity to provide the information, it is considered sensible to defer consideration of the application until the next meeting. The application will still be comfortably within its determination target date (13-week date).

Recommendation: Defer for further consideration

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