



#plymplanning



Oversight and Governance

Chief Executive's Department

Plymouth City Council

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PLANNING COMMITTEE

Thursday 24 October 2024

4.00 pm

Council Chamber, Council House

Members:

Councillor Stevens, Chair

Councillor Penrose, Vice Chair

Councillors Allen, Mrs Bridgeman, Darcy, Goslin, McCarty, McNamara, Ney, Reilly, M. Smith, Sproston and Ms Watkin.

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

This meeting will be webcast and available on-line after the meeting. By entering the Council Chamber, Councillors are consenting to being filmed during the meeting and to the use of the recording for the webcast.

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Tracey Lee

Chief Executive

Planning Committee

AGENDA

PART I – PUBLIC MEETING

1. Apologies

To receive apologies for non-attendance submitted by Committee Members.

2. Declarations of Interest

Members will be asked to make any declarations of interest in respect of items on this agenda.

3. Minutes (Pages 1 - 4)

The Committee will be asked to confirm the minutes of the meeting held on 19 September 2024.

4. Chair's Urgent Business

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

5. Questions from Members of the Public

The Chair will receive and respond to questions from members of the public submitted in accordance with the Council's procedures. Questions shall not normally exceed 50 words in length and the total length of time allowed for public questions shall not exceed 10 minutes. Any question not answered within the total time allowed shall be the subject of a written response.

6. Planning Applications for consideration

The Assistant Director for Strategic Planning and Infrastructure will submit a schedule asking Members to consider Applications, Development proposals by Local Authorities and statutory consultations under the Town and Country Planning Act 1990 and the Planning (Listed Building and Conservation Areas) Act 1990.

6.1. 24/00988/FUL - 31 North Road East, PL4 6AY (Pages 5 - 14)

Applicant: Jaswinder Dhariwal
Ward: Drake
Recommendation: Grant conditionally.

6.2. 24/01074/LBC - The Stables, 41 Conqueror Drive, PL5 3UT (Pages 15 - 20)

Applicant: Tess Blight
Ward: Egguckland
Recommendation: Grant conditionally

6.3. 24/00371/FUL - Land Adjacent To Wilmot Gardens, PL5 3TP **(Pages 21 - 46)**

Applicant: Darren Wills
Ward: Honicknowle
Recommendation: Grant Conditionally

7. Planning Application Decisions Issued (Pages 47 - 58)

The Assistant Director for Strategic Planning and Infrastructure, acting under powers delegated to him by the Council, will submit a schedule outlining all decisions issued from 10 September 2024 to 14 October 2024 including –

- 1) Committee decisions;
- 2) Delegated decisions, subject to conditions where so indicated;
- 3) Applications withdrawn;
- 4) Applications returned as invalid.

Please note that these Delegated Planning Applications are available to view online at:
<http://www.plymouth.gov.uk/planningapplicationsv4/welcome.asp>

8. Appeal Decisions

A schedule of decisions made by the Planning Inspectorate on appeals arising from the decision of the City Council will be submitted. Please note that these Delegated Planning Applications are available to view online at:
<http://www.plymouth.gov.uk/planningapplicationsv4/welcome.asp>

9. Exempt Business

To consider passing a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) ... of Part I of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

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Planning Committee

Thursday 19 September 2024

PRESENT:

Councillor Stevens, in the Chair.

Councillor Penrose, Vice Chair.

Councillors Allen, Bridgeman, Goslin, McCarty, McNamara, Ney, M. Smith, Sproston and Ms Watkin.

Apologies for absence: Councillors Darcy and Reilly.

Also in attendance: Councillor Will Noble, Councillor Steven Ricketts, Abbey Edwards (Planning Officer), Joshua Longstaff (Democratic Advisor), Julie Parkin (Senior Lawyer), Daniel Thorning (Planning Officer), Elliot Wearne-Gould (Democratic Advisor), Stuart Wingfield (Head of Development Management), Alex Graves (Public Speaker, item 6.1), Robert Heard (Public Speaker, item 6.2).

The meeting started at 4.00 pm and finished at 5.47 pm.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

22. **Declarations of Interest**

The following Declarations of interest were made by Councillors-

Name	Item	Reason	Interest
Councillor Bridgeman	6.1	Had previously opposed an application at this site and therefore 'Predetermined'	Prejudicial

23. **Minutes**

The Committee agreed the minutes of the meeting held on 29 August 2024 as an accurate record.

24. **Chair's Urgent Business**

There were no items of Chair's urgent business.

25. **Questions from Members of the Public**

There were no questions from members of the public.

26. **Planning Applications for Consideration**

The Committee considered the following applications, development proposals by local authorities and statutory consultations submitted under the Town and Country Planning Act, 1990, and the Planning (Listed Buildings and Conservations Areas) Act, 1990.

27. **23/00886/FUL - Land To The West Of Bampton Road, Leigham, PL6 8QB**

(Councillor Bridgeman left her seat on the committee temporarily during this item due to her earlier declaration).

Applicant: Mrs Nicola Daniel

Ward: Moorview

Decision: Application granted conditionally

Daniel Thorning (Planning Officer) presented the report.

Councillor Noble spoke in capacity of Ward Councillor.

Councillor Bridgeman spoke in capacity of Ward Councillor.

Alex Graves spoke as third party supporter, on behalf of the applicant.

The Committee agreed to grant the application.

For (8)

Councillors Allen, Goslin, McCarty, McNamara, Ney, Penrose, M. Smith and Stevens.

Against (2)

Councillors Sproston and Ms Watkin.

Abstain (0)

Absent/Did Not Vote (1)

Councillor Bridgeman.

28. **24/00646/FUL - 40 North Hill, PL4 8ET**

Applicant's Name: Mr Justin Bryce

Ward: Drake

Recommendation: Grant Conditionally

Abbey Edwards (Planning Officer) presented the report.

Councillor Ricketts spoke in the capacity of Ward Councillor.

Robert Heard spoke in capacity as third party supporter, agent of the applicant.

The Committee agreed to grant the application with the following addition to condition 4 in relation to the Construction Traffic Management Plan:

- I. The development works hereby proposed would not commence until there has been submitted to and approved in writing by the Service Director for Strategic Planning & Infrastructure a Construction Traffic Management Plan (CTMP) in consultation with ward councillors.

For (10)

Councillors Allen, Goslin, McCarty, McNamara, Ney, Penrose, M. Smith, Sproston, Stevens and Ms Watkin.

Against (1)

Councillor Bridgeman.

Abstain (0)

Absent/Did Not Vote (0)

29. **Planning Application Decisions Issued**

The Committee noted the report from the Service Director for Strategic Planning and Infrastructure on decisions issued for the period 20 August 2024 to 9 September 2024.

30. **Appeal Decisions**

The Committee noted the schedule of appeal decisions made by the Planning Inspectorate.

31. **Exempt Business**

There were no items of exempt business.

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PLANNING APPLICATION OFFICERS REPORT



Application Number	24/00988/FUL	Item	01
Date Valid	06.08.2024	Ward	DRAKE
Site Address	31 North Road East Plymouth PL4 6AY		
Proposal	Change of use from dental surgery to 3no. flats (Class C3) inc. first floor rear extension and rear bike store		
Applicant	Mr Jaswinder Dhariwal		
Application Type	Full Application		
Target Date	01.10.2024	Committee Date	24.10.2024
Extended Target Date	01.11.2024		
Decision Category	Councillor Referral		
Case Officer	Mr Sam Lewis		
Recommendation	Grant Conditionally		



The application has been referred to the Planning Committee by Cllr. Steve Ricketts.

1. Description of Site

31 North Road East is a two-storey Grade II terraced property with rooms in the roofspace which was last used as a dental surgery. The site falls within the Drake ward of the city.

2. Proposal Description

The proposal involves the conversion of the property into 3no. flats - with a 1-bed flat proposed on the ground floor, a 1-bed flat proposed on the first floor, and a 1-flat straddling the first floor and the roofspace. To facilitate this, a first-floor rear extension is proposed - extending the first floor of the property's rear tenement so that it matches the length of the ground floor element. A rear bike store is also proposed, replacing an existing rear store. Consent was previously granted to convert the property to 2no. flats, with the same extension and store also included then.

The scheme originally proposed 2no. 1-bed flats and 1no. 2-bed flat, but the scheme was altered following concerns relating to the Nationally Described Space Standards regarding the flat which would have been solely contained within the roofspace.

This scheme does not deal with the impact of the proposal on the listed building so issues relating to such do not fall to be considered here. As such, the Historic Environment Officer was not consulted on this application. Please see the relevant Informative below for further information.

3. Pre-application Enquiry

None.

4. Relevant Planning History

80/00051/FUL - Continuation of existing use for dentists surgeries without restriction as to named occupier (Granted Conditionally).

23/01256/FUL - Change of use from dental surgery to 7-bed HMO (Sui Generis) inc. rear bike store (Withdrawn).

23/01539/LBC - First floor rear extension, rear bike store, additional door and layout alterations to facilitate conversion to 2no. flats (Granted Conditionally).

23/01567/FUL - Change of use from dental surgery to 2no. flats (Class C3) inc. first floor rear extension and rear bike store (Granted Conditionally).

24/00901/LBC - First floor rear extension, rear bike store, additional door and layout alterations to facilitate conversion to 3no. flats (Granted Conditionally).

5. Consultation Responses

Highway Authority - No objections.

Public Protection Service - No objections.

Community Connections - No response received,

Environment Agency - No response received.

Natural England - Provided some advice on the Habitats Regulations Assessment procedure.

Lead Local Flood Authority - Raised no in-principle objections but considered that proposed surface water drainage information should be provided.

6. Representations

None received.

7. Relevant Policy Framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, national development management policies, local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as on March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park).

On 26 March 2019 the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG) of their choice to monitor the Housing Requirement at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change. On 14th January 2022 the Department for Levelling Up, Housing and Communities published the HDT 2021 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 128 percent and the consequences are None.

Therefore, a 5 percent buffer is applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5 percent buffer, the combined authorities can demonstrate a 5-year land supply of 5.39 years at end of March 2023 (the 2023 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2023 (published 19th December 2023).

Other material considerations include the policies of the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG), National Design Guidance, the scale and urgency of the climate change emergency, Plymouth City Councils Declaration on Climate Emergency (March 2019) for a carbon neutral city by 2030 and the Plymouth and South West Devon Climate Emergency Planning Statement (CEPS) 2022. Additionally, the following planning documents are also material considerations in the determination of the application:

- o Plymouth and South West Devon Joint Local Plan 2014-2034: Supplementary Planning Document (SPD) (July 2020);
- o Technical Housing Standards: Nationally Described Space Standards (March 2015);
- o Review of City, District and Local Centres in Plymouth for the Joint Local Plan (March 2017).

8. Analysis

8.1 This application has been considered in the context of the development plan, the Framework, and other material policy documents as set out in Section 7.

8.2 Principle of Development

8.2.1 Prior to considering the specifics of the scheme, Officers must first consider the principle of the change of use proposed. Adjacent to the University, North Road East is largely residential in nature - although there are a handful of commercial properties such as this one. The area is not designated as a local centre in the aforementioned review of such. As such, Officers do not have an in-principle objection to the loss of the commercial unit as the residential use proposed would be in-keeping with the rest of the street which is largely made up of dwellings, student flats, and HMOs. It is noted that the property was previously run as a dental surgery, although operations at the site have ceased, and it has been recognised locally that there is a shortfall of dental provision.

80/00051/FUL included a condition ensuring that the property must only be used as dental surgery and not any other use within the same use class (which is now Class E). As such, planning permission would be needed to use the property for another commercial venture.

8.2.2 Despite this, though, Officers are not significantly concerned with the loss of the dental surgery. With the last round of changes made to planning use classes, dental surgeries were included within Class E which means that most high street-type units could operate as such without needing planning permission. As there are a number of vacant units on North Hill and Mutley Plain close by, a prospective dentist could likely open a new surgery fairly easily. The applicant also previously stated that they transferred the services previously offered at this location to a larger existing surgery elsewhere in the city. It is also noted that consent has already been granted to use the property as 2no. flats - and this scheme could be implemented. It is therefore considered that, in practice, the

dental use previously in place has already been lost. As such, Officers do not have an in-principle objection to the change of use proposed and consider that the scheme does not conflict with DEV18 of the JLP as there are plenty of other nearby properties which could be used for the outgoing use.

8.3 Visual Impact

8.3.1 As the physical changes proposed would all take place to the rear of the property, Officers consider that the visual impact of the proposal would not be significant. Whilst their impact on the character of the listed building will be considered separately, from a typical streetscape perspective the works are not considered to be significant. The streetscene of North Road East would not be impacted by the rear extension and the rear of the property backs onto a service lane - and sits at the very end of such. As such, with the exception of a handful of neighbouring windows, the extension would not be significantly visible. Whilst none of the street's rear tenements have been extended to the rear at first floor level in the manner proposed here, there are a number of tenement extensions and designs present - including a larger side tenement extension next door. There are also large rear bay windows present which are not dissimilar in scale to the proposal.

8.3.2 Officers also consider that the removal of the rear store, which is in a poor state of repair, is acceptable. This is to be replaced with a bike store and an area for storing bins. Due to the site's boundary walls, this change would not be significantly visible from outside the site. Taking this into account, Officers consider that the scheme would be acceptable from a visual impact perspective in line with DEV20 of the JLP.

8.4 Amenity Impact

8.4.1 This section of the report will consider the impact of the proposal on the surrounding residents as well as the enjoyment of it by its future occupiers.

8.4.2 Officers do not consider that the scheme would have a significant impact on neighbouring amenity. The tenement extension would extend the rear tenement past an adjacent neighbouring window, but not to an extent significant enough to have a harmful impact. The window in question is part of a large extension, too, and is not the sole window within the rear elevation. Regardless of this, though, both outlook and light from the affected window would still be reasonable. Officers are not of the view that the scheme would lead to any other neighbouring amenity impacts, either, such as massing or noise - with the residential use proposed unlikely to lead to any out-of-character activities taking place in the area.

8.4.3 Regarding future occupant amenity, and following the changes made to the scheme, Officers consider that the 3no. flats proposed would provide a good level of accommodation for future occupiers. All three would exceed the Space Standards relating to the number of bedrooms proposed, and the bedrooms would all be of a good size. All of the main habitable rooms would be served by natural light, too. It is unusual for a flat to have its bedroom on one floor and the rest of the rooms on another, as would be the case with the flat which would largely occupy the roofspace, but Officers do not consider this to be a reason for refusal. The occupier of this flat would not be able to access the rear yard without needing to walk around via the service lane, though. Whilst this is not ideal, it is noted that it is likely, despite what is stated on the plans, that the property's bins would be kept in the front yard - as this is typical in the street. As such, the occupant of the flat would still be able to put their bins out. The occupier would need to walk around to access the bike store, though, but this is not considered a significant enough inconvenience to warrant a refusal.

8.4.4 The rear yard would not provide a good level of outdoor amenity space, but the provision would be typical of the area and wider city centre living. Given the site's sustainable location, though, it would be walkable from a number of public amenity spaces - so Officers do not consider that the lack of significant amenity space is a concern. The yard would contain bin and bike storage - although,

as already stated, Officers consider that it is more likely that bins would be stored at the front of the property as this seems to be the typical arrangement locally.

8.4.5 Officers are, therefore, of the view that the scheme would be acceptable from a neighbouring amenity perspective in line with DEV1 and DEV2 of the JLP and from an occupiers' perspective in line with DEV10 of the JLP.

8.5 Highway Impact

8.5.1 The Highway Authority were consulted on the scheme and raised no objections to the proposal. The property is considered to be in a sustainable location, walkable from the city centre, railway station, and other public transport links. The area is also covered by a Controlled Parking Zone which is in operation between 10am and 5pm daily (except on Sundays) and the flats would not be eligible for parking permits. As such, the Highway Authority are of the view that the scheme could be considered car-free. An existing hardstand (with a dropped kerb) is present at the site and would allow for some off-street parking. Whilst this hardstand would not likely be approved today due to North Road East being a classified road, it has been in situ for many years at this point so could provide some established off-street parking. As mentioned above, too, it is likely that the property's bins would be kept here - which appears to be where the business' bins were previously kept in recent times. Bike storage is proposed for the rear yard, too, and this has been conditioned below.

8.5.2 As such, Officers consider that the scheme is acceptable from a highways perspective in line with DEV29 of the JLP.

8.6 Climate Emergency Considerations

8.6.1 As the building is listed, Officers consider that it would be difficult to implement any meaningful low carbon mitigation measures in line with DEV32 of the JLP and CEPS. Officers note that re-use of the building is positive.

8.7 Other Impacts

8.7.1 As the site falls within a Critical Drainage Area the Lead Local Flood Authority were consulted on the scheme, but they raised no in-principle concerns in line with DEV35 of the JLP. They did consider that surface water drainage information should be provided, but this was not requested previously - and the scale of actual development is the same here. As such, Officers do not consider that such needs to be provided this time either as there would be no real change to the hard surfaces around the site compared to the previous scheme which could be implemented.

8.7.2 Additionally, the proposal underwent a Habitats Regulations Assessment (HRA) to ascertain whether there is an impact on the Tamar Estuary Marine Site. The scheme does trigger a sum of money to be paid through the HRA which would be collected through the CIL process.

9. Human Rights

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

10. Local Finance Considerations

The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended).

11. Planning Obligations

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Planning obligations are not required due to the size of the proposal.

12. Equalities and Diversities

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

13. Conclusions and Reasons for Decision

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal is acceptable and accords with policies DEV1, DEV2, DEV10, DEV18, DEV20, DEV29, and DEV35 of the Plymouth & South West Devon Joint Local Plan, national guidance and specifically paragraph 11 of the NPPF which states that development proposals that accord with the development plan should be approved without delay. As a result, the application is recommended for conditional approval for the reasons discussed throughout this report.

14. Recommendation

In respect of the application dated 06.08.2024 it is recommended to Grant Conditionally.

15. Conditions / Reasons

The development hereby permitted shall be carried out in accordance with the following approved plans:

1 **CONDITION: APPROVED PLANS**

Section 06082024 received 06/08/24
Location Plan 02082024 received 02/08/24
Block Plan 02082024 received 02/08/24
Existing Plans and Elevations DWG 1 of 2 received 02/08/24
Proposed Plans and Elevations DWG 2 of 2 received 18/09/24

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with the Plymouth & South West Devon Joint Local Plan 2014–2034 (2019).

2 **CONDITION: COMMENCE WITHIN 3 YEARS**

The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

3 **CONDITION: CYCLE STORAGE**

PRE-OCCUPATION

The flats hereby approved shall not be occupied until the bike store shown on the approved plans have been laid out for at least 3no. bicycles to be securely parked. The secure area for bicycles shall remain available for its intended purpose and shall not be used for any other purpose without the written consent of the Local Planning Authority.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with policy DEV29 of the Plymouth & South West Devon Joint Local Plan 2014-2034 (2019).

4 **CONDITION: BIN STORAGE**

PRE-OCCUPATION

The flats hereby approved shall not be occupied until the bin storage area shown on the approved plans has been made available for use. This area shall remain available for its intended purpose and shall not be used for any other purpose without the written consent of the Local Planning Authority. Bins shall be stored in this area, or within the front yard, at all times except for collection day.

Reason:

To prevent street clutter and polluting effects from refuse storage in accordance with policies DEV1, DEV2, and DEV31 of the Plymouth & South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

INFORMATIVES

I **INFORMATIVE: (CIL LIABLE) DEVELOPMENT LIABLE FOR COMMUNITY INFRASTRUCTURE CONTRIBUTION**

The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended). Details of the process can be found on our website at www.plymouth.gov.uk/CIL. You can contact the Local Planning Authority at any point to discuss your liability calculation; however a formal Liability Notice will only be issued by the Local Planning Authority once "planning permission first permits development" as defined by the CIL Regulations. You must ensure that you submit any relevant forms and get any pre-commencement details agreed before commencing work. Failure to do so may result in surcharges or enforcement action.

Further information on CIL can be found on our website here:

<https://www.plymouth.gov.uk/planninganddevelopment/planningapplications/communityinfrastructurelevy>

More information and CIL Forms can be accessed via the Planning Portal:

https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/5

More detailed information on CIL including process flow charts, published by the Ministry of Housing, Local Communities and Government can also be found here:

<https://www.gov.uk/guidance/community-infrastructure-levy>

2 INFORMATIVE: CONDITIONAL APPROVAL (NEGOTIATION)

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and the National Planning Policy Framework, the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.

3 INFORMATIVE: PROPERTY RIGHTS

Applicants are advised that this grant of planning permission does not over-ride private property rights or their obligations under the Party Wall etc. Act 1996.

4 INFORMATIVE: RESIDENT PARKING PERMIT SCHEME

The applicant should be made aware that the property lies within a resident parking permit scheme which is currently over-subscribed. As such the development will be excluded from obtaining permits and purchasing visitor tickets for use within the scheme.

5 INFORMATIVE: LISTED BUILDING CONSENT REQUIRED

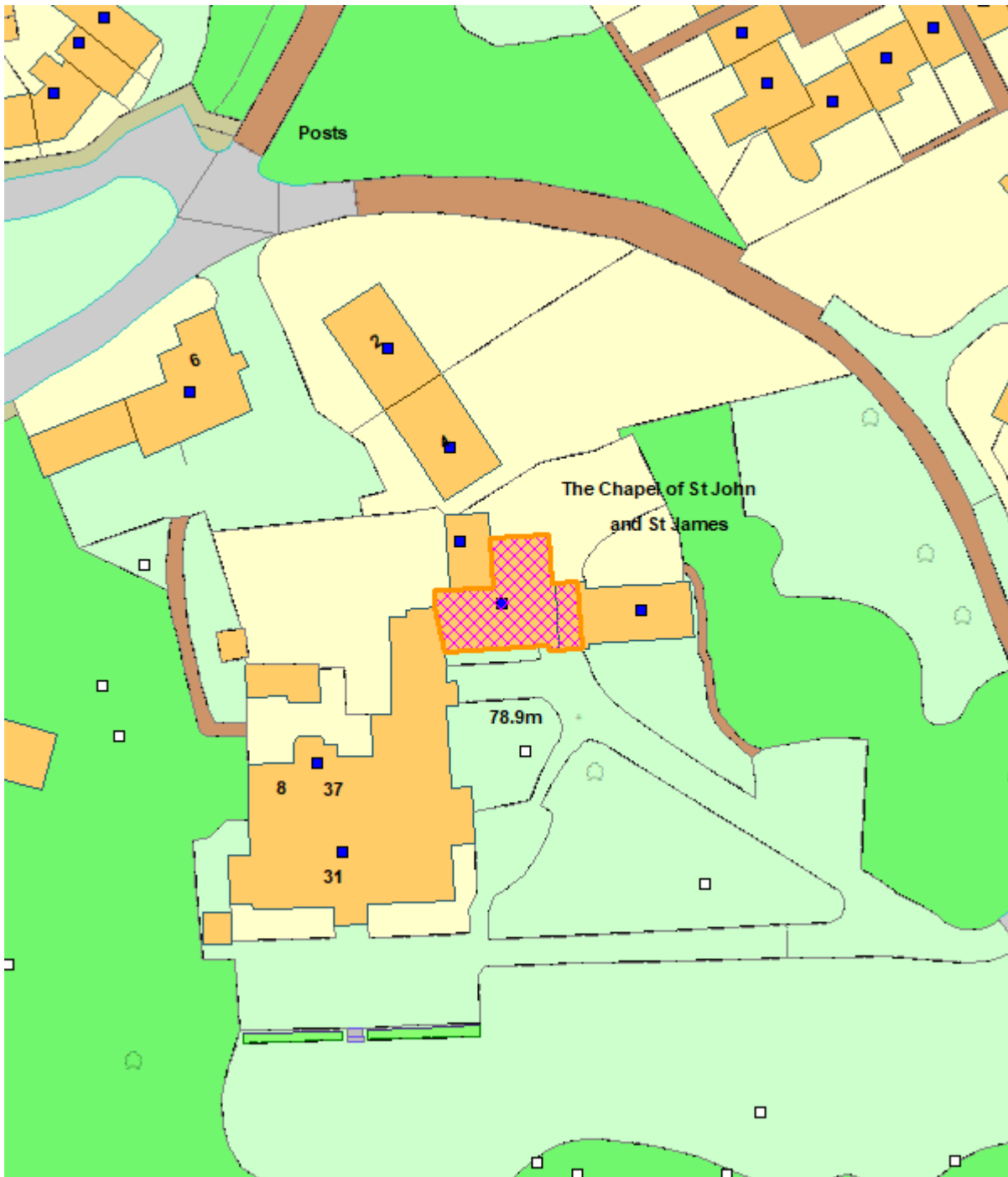
The applicant should note that listed building consent for the amended layout here approved would need to be obtained before this scheme is commenced. Listed building consent was previously granted for the originally proposed layout, but that approval does not cover the layout as amended. As such, a fresh application for listed building consent will be required so that the layout alterations to the listed building can be considered in the context of the relevant legislation.

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PLANNING APPLICATION OFFICERS REPORT



Application Number	24/01074/LBC	Item	02
Date Valid	03.09.2024	Ward	EGGBUCKLAND
Site Address	The Stables 41 Conqueror Drive Plymouth PL5 3UT		
Proposal	Removal of sand cement pointing and repointing in lime (Part Retrospective).		
Applicant	Mrs Tess Blight		
Application Type	Listed Building Consent		
Target Date	29.10.2024	Committee Date	24.10.2024
Extended Target Date	N/A		
Decision Category	Councillor Application		
Case Officer	Cody Beavan		
Recommendation	Grant Conditionally		



This application comes before the Planning Committee as the applicant is a councillor of Plymouth City Council.

1. Description of Site

The Stables is a detached Grade II dwelling located in the Egguckland ward of Plymouth, adjacent to Manadon House.

2. Proposal Description

Removal of sand cement pointing and repointing in lime (Part Retrospective).

This application seeks consent to remove the existing sand cement pointing and replace the pointing in lime on the front elevation only.

3. Pre-application enquiry

There was no pre-application enquiry.

4. Relevant planning history

There have been four previous applications relating to a nearby protected tree. There are no previous applications considered relevant.

5. Consultation responses

Historic Environment - no objection. Comments received are in support of the proposed works which are considered to follow conservation best practice guidance.

6. Representations

The Local Planning Authority have not received any letters of representation.

7. Relevant Policy Framework

The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, in considering whether to grant listed building consent for any works (and planning permission where these impact on a listed building) the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This Act has an equivalent requirement for applications within a Conservation Area.

NPPF Chapter 16 "Conserving and enhancing the historic environment" paragraphs 201, 203, 205 and 206 are also particularly relevant to this application.

Paragraph 201 states:

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 203 states:

In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 205 states:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 206 states:

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

- assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Therefore the relevant heritage assets to this application are the subject listed building and neighbouring listed buildings.

8. Analysis

1. This application has been considered in the context of the Planning (Listed Buildings and Conservation Areas) Act 1990 as set out in Section 7.
2. The Historic England listing description for The Stables dated 1st May 1975 is as follows;

SX4858SW MANADON DRIVE, Crownhill 740-1/22/116 Stables immediately north-east of 01/05/75 Manadon House (Formerly Listed as: CROWNHILL Stables immediately north-east of Manadon House)

GV II

Stables by country house (qv). Late C18. Slatestone rubble walls; dry slate roof. Rectangular plan. Single storey; symmetrical 3:1:3-bay front. Gabled central bay broken forward has Diocletian window over elliptical-arched carriageway. Segmental arches over transomed casements to other openings. Grouped next to an important house. (PSA Historic Buildings Register: DOE: Southern England (Devon South West): 86).

Listing NGR: SX4801858393

3. Impacts on the Special Architectural and Historic Interest of the Building

The removal and replacement of the pointing in Lime will be of benefit to the structure, conserving and enhancing a prominent heritage asset and making good previous poor material choices in the repair. The Historic Environment Officer does not consider the works to result in any harm and would improve the built fabric by using a historically authentic material. The work is considered to be at the lower end of 'less than substantial harm' as defined by NPPF (2021), with benefit resulting from the works preserving the building and aiding future maintenance.

4. Therefore the proposal is considered compliant with DEV21 of The Plymouth and South West Devon Joint Local Plan NPPF guidance (July 2021) and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9. Human Rights

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

10. Local Finance Considerations

None.

11. Planning Obligations

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting

planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

No planning obligations have been sought in respect of this application.

12. Equalities and Diversities

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and the case officer has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

13. Conclusions and Reasons for Decision

Officers have taken account of the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990, and have concluded that the proposal will not cause any significant harm to the listed building's special architectural and historic interest and therefore, for the reasons discussed above, is recommended for conditional approval.

14. Recommendation

In respect of the application dated 03.09.2024 it is recommended to Grant Conditionally.

15. Conditions / Reasons

The development hereby permitted shall be carried out in accordance with the following approved plans:

1 CONDITION: APPROVED PLANS

Proposed Elevation 22082024 received 22/08/24

Location Plan 03092024 received 03/09/24

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with the Plymouth & South West Devon Joint Local Plan 2014–2034 (2019).

2 CONDITION: MORTAR MIX

Mortar for the purposes of re-pointing shall be carried out using hydraulic lime or lime putty. The sand mix, colour, texture and pointing finish shall match as closely as possible the historic pointing found elsewhere on the building if present. Details of the mortar to be used for re-pointing (including mortar mix, colour, texture and pointing finish) shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out only in accordance with the agreed repointing and mortar details.

Reason:

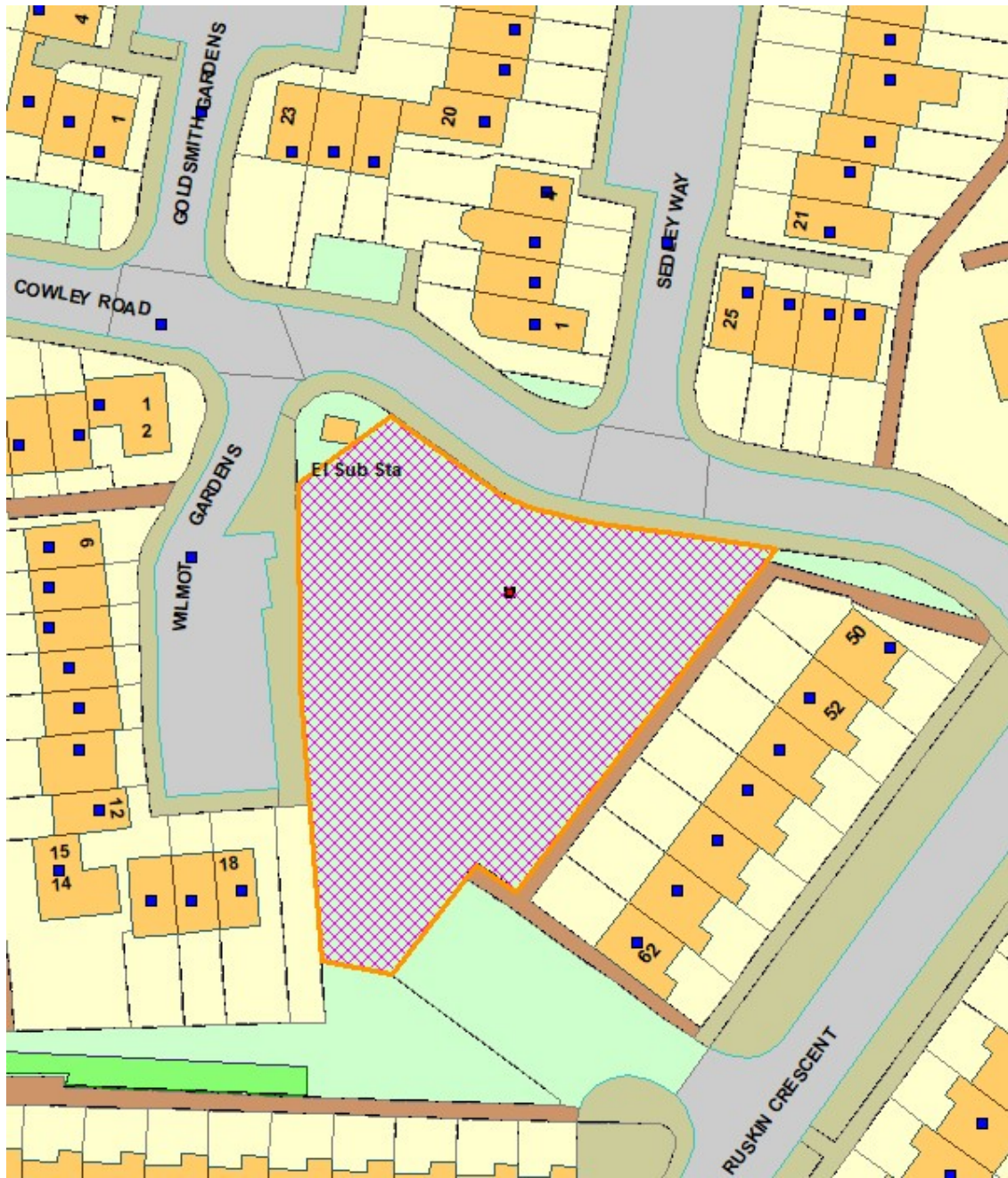
To preserve the special architectural and historic interest of the listed building in accordance with Policy DEV21 of the Plymouth & South West Devon Joint Local Plan 2014-2034, Chapter 16 of the National Planning Policy Framework 2024 and the Planning (Listed Buildings and Conservation Areas) Act 1990.

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PLANNING APPLICATION OFFICERS REPORT



Application Number	24/00371/FUL	Item	03
Date Valid	25.03.2024	Ward	HONICKNOWLE
Site Address	Land Adj. To Wilmot Gardens Plymouth PL5 3TP		
Proposal	Construction of 5no. affordable dwellings with associated parking.		
Applicant	Mr Darren Wills		
Application Type	Full Application		
Target Date	20.05.2024	Committee Date	24.10.2024
Extended Target Date	28.10.2024		
Decision Category	Service Director of SPI		
Case Officer	Mr Macauley Potter		
Recommendation	Grant Conditionally		



This application has been referred to the Planning Committee by the Service Director of Strategic Planning and Infrastructure due to public interest reasons and issues of probity (see Section 10 for details).

1. Description of Site

The application site comprises of a parcel of non-designated open green space on the border of Cowley Road, Ruskin Crescent and Wilmot Gardens. Established native Ash and Oak trees are situated on the western boundary and provide a buffer between the green space and Wilmot Gardens. The application site which lies in the Honicknowle Ward of the city is predominately residential in character.

2. Proposal Description

Construction of 5no. affordable dwellings with associated parking.

3. Pre-application Enquiry

23/00678/MOR - 5no. affordable dwellings - revised/reduced design considered acceptable in principle from planning perspective with more community open space incorporated into layout. Minimal tree information submitted at pre app with Natural Infrastructure (NI) response stating that mitigation hierarchy should be followed, and all tree removal should be fully justified.

4. Relevant Planning History

Planning history for the site began with application: 21/01972/FUL, which was submitted on the 1st November, 2021 for 7no. affordable dwellings and was later withdrawn due to several issues. In 2023, a pre application was submitted (ref: 23/00678/MOR), which proposed a reduction from 7no. to 5no. affordable dwellings along with other layout improvements. Whilst different layouts were considered, the impact to the 5no. trees along the west boundary could not be overcome therefore officers were of the view that appropriate tree mitigation would be required for the site.

The current application (ref: 24/00371/FUL) is therefore based upon the preferred layout as presented at pre application stage, including the proposed removal of the same 5no. trees detailed on planning application: 21/01972/FUL (7 dwellings).

This application (ref: 24/00371/FUL) was reported to planning committee on the 29th August, 2024 and was deferred for the following four reasons:

- 1) A response or report from a qualified arboriculturist on the impact on the root system and a request for their attendance at committee.
- 2) A request to investigate the possibility of a resurfacing and reconfiguration of the car park pertaining to disability requirements and resurfacing.
- 3) Further confirmation of the application for a Tree Preservation Order, whether remaining trees would be subject to TPO.
- 4) Clarity on the site's categorisation as "surplus to requirement", including information on community use through submission of an Open Space Assessment.

Paras 58 to 72 set out the responses to these four areas. Moreover, para 18 provides clarification regarding the previously reported green space measurements. Finally, the Biodiversity Net Gain section (paras 49-51) provides further clarification in terms of compliance with policy DEV26.

5. Consultation Responses

Local Highway Authority - no objection subject to conditions.

Designing Out Crime Officer - no objections from a designing out crime perspective.

Lead Local Flood Authority - no objection following the submission of further details and pre-commencement condition.

Waste Residential (Street Services) - no objection.

Public Protection Service - No objection subject to condition.

Natural Infrastructure - Objection to the removal of 5no. trees but no in-principle objection overall (conditions recommended).

South West Water - standard response on asset protection.

Housing Delivery Team (HDT) - Supports this development and recommends condition.

6. Representations

45 letters of objection have been received which outline the following concerns:

- Loss of trees
- Loss of greenspace used extensively by the local community for a variety of uses, particularly during the Covid-lockdown
- No Biodiversity Net Gain (BNG) information provided
- Loss of ecology / wildlife
- Conflicts with Policies DEV26 and DEV27 of the Joint Local Plan
- Proximity of next nearest greenspace / only greenspace in the area
- Increased traffic and strain on parking
- Site not suitable for housing
- Loss of light
- Loss of privacy
- Overlooking
- Noise resulting from construction work

7. Relevant Policy Framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, national development management policies, local finance and any other material considerations. Section 38(5B) sets out that the determination of any matter under the planning Acts must be made in accordance with the development plan and any national development management policies, taken together, unless material considerations strongly indicate otherwise. For the purposes of decision making, as on March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park).

On 26 March 2019 the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG) of their choice to monitor the Housing Requirement at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change. On 19th December 2023 the Department for Levelling Up, Housing and Communities published the HDT 2022 measurement. This confirmed the Plymouth, South Hams and West Devon's joint measurement as 121% and the policy consequences are none.

Therefore, no buffer is required to be applied for the purposes of calculating a 5 year housing land supply at the whole plan level. The combined authorities can demonstrate a 5-year housing land supply of 5.84 years at end of March 2023 (the 2023 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2023 (published 26th February 2024).

Other material considerations include the policies of the National Planning Policy Framework, 2023 (NPPF), Planning Practice Guidance (PPG) and National Design Guidance. Additionally, the following planning documents are also material considerations in the determination of the application:

- The Plymouth and South West Devon Supplementary Planning Document (SPD) (2020).
- National Design Guide: Planning practice guidance for beautiful, enduring and successful places (2019)
- National Planning Policy Framework 2024 (draft consultation version). Given this consultation is at an early stage, limited weight is given to these emerging policies.
- Inclusive Mobility: A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure (2021).

8. Analysis

- 1 An application of this type will be considered under the adopted Joint Local Plan and its Strategic Policies: SPT1 (Delivering sustainable development), SPT2 (Sustainable linked neighbourhoods and sustainable rural communities), SPT3 (Provision for new homes), SPT9 (Strategic principles for transport planning and strategy), SPT10 (Balanced transport strategy for growth and healthy and sustainable communities) and SPT12 (Strategic approach to the natural environment). Strategic Objective: SO11 (Delivering high quality development); Development Management Policies: DEV1 (Protecting health and amenity), DEV2 (Air, water, soil, noise, land and light), DEV7 (Meeting local housing need in the Plymouth Policy Area), DEV9 (Meeting local housing need in the Plan Area), DEV10 (Delivering high quality housing), DEV20 (Place shaping and the quality of the built environment), DEV23 (Landscape character), DEV26 (Protecting and enhancing biodiversity and geological conservation), DEV27 (Green and play spaces) DEV28 (Trees, woodlands and hedgerows), DEV29 (Specific provisions relating to transport), DEV31 (Waste management), DEV32 (Delivering low carbon development), DEV35 (Managing flood risk and water quality impacts).
- 2 Other documents include the National Planning Policy Framework (2023), the National Design Guide: Planning practice guidance for beautiful, enduring and successful places (2019) and the Joint Local Plan: Supplementary Planning Document (Adopted July 2020). The material considerations for this application are:

Principle of Development

- Design and Visual Impact
- Sustainable Linked Neighbourhoods
- Affordable Housing
- Accessibility
- Delivering High Quality Housing
- Amenity
- Flood Risk Considerations
- Highway Considerations
- Contaminated Land
- Refuse Disposal
- Natural Infrastructure Considerations
- Climate Emergency
- Planning Balance
- Other Matters
- Response to Deferral Reasons

Principle of Development

- 3 All the DEV policies are included in the Joint Local Plan to help deliver the Plan's Strategic Objective SO11. This sets out the aim to deliver development which is sustainable and of the right type for its location. That includes providing high quality places which create a positive legacy for future generations (point 4) and responding positively to the challenges of climate change (point 6).
- 4 Additionally, delivering sustainable development is the fundamental baseline principle within strategic policies SPT1 and SPT2 of the Joint Local Plan.
- 5 The land is currently owned by Plymouth City Council and is a site which has come forward under the Plan-For-Homes programme. Plan-For-Homes sets out an ambition to deliver a minimum of 5,000 new homes in the city over the next five years. A Site Planning Statement

promoting the land for residential development has been publicly available since December 2019.

- 6 The site is un-designated green space however Policy DEV27 is still a material consideration. Specifically, paragraph 2 sets out the following:
- 7 'Existing open spaces, which also includes designated City Green Spaces and Neighbourhood Green Spaces, should not be built on unless it is demonstrated that the open space is surplus to requirements; or the loss will be replaced by equivalent or better provision in a suitable location; or the development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss. In making this judgement regard will be had to evidence of the identified value of the green space's attributes as set out in relevant open space assessments and account will be taken of the plan's green space and play accessibility standards. Development will be resisted on sites where the functions and characteristics of the greenspace will be lost and mitigation is not possible.'
- 8 Officers acknowledge that the proposed scheme would not be compliant with Paragraph 2 as there would be a significant loss to the existing open space. Pursuant to the Joint Local Plan Policies Map, officers have had to consider the site's status as non-designated greenspace in conjunction with the Plan-For-Homes scheme which has promoted the site for residential development. In consideration of these two factors, officers acknowledge that any number of residential units on the land would conflict with DEV27 due to varied but significant degrees of impact to the function and characteristics of the greenspace. On this premise, the scope for retaining an open space on the site is highly constrained and the resultant creation of a smaller open space on Ruskin Crescent does not demonstrate equivalent or better provision. However, officers consider it an improvement over the previous layout (ref: 21/01972/FUL) and does go some way to retain the limited character of the previous use whilst delivering an affordable housing scheme that will help to contribute towards housing delivery targets.
- 9 In considering the current application, officers note that the trees are not protected under a Tree Preservation Order (TPO) and no applications for TPO status were made/considered between the withdraw 21/01972/FUL application in January 2022 and March 2024 (the month of submission of the current application). A TPO application was however received in the month of April 2024 and is under consideration with Street Services.

Design and Visual Impact

- 10 In relation to the impact of the development on the character of the area, Policy DEV20 is of relevance. This policy requires development to contribute positively to both townscape and landscape and protect and improve the quality of the built environment.
- 11 Para 4.142 of the SPD states that: 'Local Planning Authorities (LPAs) will carefully consider new development proposals of this type to ensure it only takes place on appropriate sites in residential areas and where it does not harm the character of the area.'
- 12 The application proposes 5no. terraced affordable dwellings on open land adjacent to Wilmot Gardens, Cowley Road and Ruskin Crescent. The proposed dwellings are contemporary in design and massing with a total ridge height of 8 metres with an eaves height of 5 metres. Each dwelling would be finished in good quality materials (the roof would consist of Quin roof tiles and the walls would be finished in painted render).
- 13 Taking account of the intended site layout, due regard has been given to the character of Ruskin Crescent and Wilmot Gardens, noting that the proposed development continues the character of the surrounding street scene which provides ample grass verge buffers between

the property curtilage and the pavement edge. The 5no. dwellings would be set back from the pavement edge in order to appear more subordinate and in-keeping with the surrounding area. Moreover, the dwellings would be bordered by a natural boundary treatment to the north and west (via a replanting scheme) which would provide adequate screening and would demonstrate good urban design as required in the National Design Guide.

- 14 It is concluded that from a visual impact perspective, the dwellings are good quality in appearance and in-keeping with the residential character of the area. On this basis, the development in accordance with policy DEV20 of the Joint Local Plan.

Sustainable linked neighbourhoods

- 15 Policy SPT1 sets out the overall sustainable development objectives of the Plan. Point 3i promotes the efficient use of land through optimising reused of previously developed sites and thereby reducing the need for greenfield development. The policy however does not exclude the possibility of greenfield development, and it should be noted that since 2014 76% of homes built in the Plymouth Policy Area have been on previously developed land, suggesting that this policy is being delivered effectively at local plan-level. In this case, the site is undeveloped land but not on Designated Green Space. There have been previous development proposals on the site however the principle of housing development on the subject land has not been previously established.
- 16 Policy SPT2 sets out a series of principles that aim to ensure that development contributes to the delivery of sustainable linked neighbourhoods. Of particular significance to the current proposal are points:
- (1) 'Have reasonable access to a vibrant mixed use centre...'
 - (4) 'Have a good balance of housing types and tenures to support a range of household sizes, ages and incomes to meet identified housing needs'.
 - (5) 'Promote resilience to future change by ensuring a well-balanced demographic profile with equal access to housing and services'.
 - (6) 'Are well served by public transport, walking and cycling opportunities'.
 - (10) 'Provide a positive sense of place and identity, including through the recognition of good quality design, unique character, the role of culture, and the protection and enhancement of the natural and historic environment.'
 - (11) 'Explore opportunities for the use of renewable energy, including community energy schemes where appropriate, and reduce the use of energy through design and energy efficiency.'

17 To refer to the above points and their numbering, in conjunction with the measures of sustainable neighbourhoods and communities (as set out in Figure 3.2 of the Joint Local Plan), would provide a range of 1-bed, 2-bed, 3-bed flats and dwellings (4 and 5), would be within 100 metres of the nearest bus stop (6) would conform to the layout character of the wider estate (10) and would propose on site climate mitigation (11). The site location is however more than 800m from the nearest primary school (1,170m) and more than 400m from the Transit Way District Centre (600m), therefore would not meet all the measures as set out in Figure 3.2.

18 Furthermore, when calculating the walking distance proximity of nearby green / natural spaces, the nearest green / natural spaces are: Manadon Sports & Community Hub (240m), Bladder Meadow (250m), Dingwall Avenue Play Area (600m), playing fields adjacent to Sonnet Close (680m), Woodland Woods (650m) and neighbourhood green space at Shakespeare Road/Byron Avenue (710m). It is important to note that there may be slight variances in the presented figures depending on where the measurement is taken within the Wilmot Gardens Site and the aforementioned green / park spaces. Specifically, places such as

Bladder Meadow are measured at a distance of 250 metres but this is the distance between the edge of Wilmot Gardens to the entrance of the Bladder Meadow footpath. If measuring the entire walking distance, it would be approximately 680 metres to the nearest children's play park.

- 19 As set out in paragraph 3.17, the measures (Figure 3.2) are not intended to be applied through an inflexible 'tick box' exercise to determine the acceptability or otherwise of development, given that such an approach could restrict development that is fundamentally sustainable and makes a significant positive contribution to delivering the vision and strategy of the plan. However, the measures do contribute to the overall planning judgement, including the need for appropriate mitigation.

Affordable Housing

- 20 The Council's Housing Delivery Team (HDT) have been consulted on the application and note that the development is significantly below the threshold for delivering affordable housing as set out in Policy DEV7 but would provide 100% affordable housing provision. Therefore, the proposed development is strongly supported by the HDT and should make an important contribution to the City's urgent need for affordable housing.

Accessible and Adaptable Homes

- 21 The HDT note that DEV9 requires 20% of dwellings on schemes of 5 or more to meet national accessibility and adaptability standard M4(2). The proposal currently provides one unit (flat one) with the M4(2) standard. Due to the site topography effecting the required maximum gradients between the parking bay locations, the applicant has instead provided a drop-off bay outside the entrance of flats 1 and 2 which is considered an acceptable compromise by the HDT. HDT note however that the bin collection arrangement for the accessible plot would involve long walking distances around the back of the Plot 2 garden and the open space. The applicant states that this has been done to maximise as much green space as possible. Officers note that the second bin collection point is located adjacent to the Plot 2 garden and therefore is much closer than the collection point for Plots 3, 4 and 5, therefore, and on balance, this layout configuration is considered acceptable. In line with the HDT response, the M4(2) accessibility requirements and proof of compliance post completion are proposed to be conditioned.
- 22 Any Accessible and Adaptable provision is nevertheless encouraged by the Local Planning Authority as there is a chronic shortage of accessible affordable housing as set out in Plan for Homes 4 (2024-2029). Overall, officers have considered Plot 1 in terms of M4(2) and conclude that the unit, on balance, does not conflict with Policy DEV9 of the Joint Local Plan.

Delivering High Quality Housing

- 23 Point 2 of policy DEV10 states that development proposals should look for opportunities to design out crime and the fear of crime in the layout of the development. The widened natural spaces incorporated into the scheme would retain the open character of the existing footpath along the rear of Ruskin Crescent which in turn would maintain a good degree of natural surveillance. Moreover, the Council's Designing Out Crime Officer has been consulted on the layout and has raised no objections or concerns from a police perspective.
- 24 Point 3 states that affordable housing should be indistinguishable from other homes on the site, reflecting the type of housing on the development as a whole. The scheme would provide 100% affordable housing, externally the units are uniform in appearance and would be finished with good quality materials (see paragraph 12).

- 25 Point 5 states that: new dwellings (including conversions of existing properties into flats) should be of sufficient size and layout to provide good quality accommodation to meet the needs of their occupants, with developers required to meet Nationally Described Space Standards (NDSS). Officers have considered the development against the NDSS and confirm that plots would meet the minimum internal standards (Plots 1 and 2 would be 59sqm, Plots 3 and 5 would be 93sqm and Plot 4 would be 80sqm). Moreover, the plots are also considered to meet the minimum outdoor space requirements as set out in the Joint Local Plan SPD (50sqm per Plot).
- 26 Overall, officers consider that the development would accord with Policy DEV10 of the Joint Local Plan.

Amenity

- 27 In terms of the distance between Plot 5 and the rear elevations of properties along Ruskin Crescent, the current layout plan demonstrates 15 metres (compared to 12 metres under the withdrawn application). The open space along the eastern section has been widened and coupled with an existing footpath provides a sufficient buffer between the plots.
- 28 Moreover, a 45-degree assessment has been carried out in accordance with paras 13.31-13.34 of the SPD and it is concluded that the layout would not conflict with the 45 degree line and there are no identified impacts in terms of window-to-window overlooking due to north/south arrangement of the property line. Further, officers consider there to be no conflict with sun position at various points in the day (noting the retained trees including the large Oak to south-west).
- 29 Overall, officers have considered all 5no. plots against guidance on natural light, privacy and outlook and conclude that the proposals do not conflict with Policy DEV1 of the Joint Local Plan.

Flood Risk Considerations

- 30 The Lead Local Flood Authority (LLFA) were consulted and note that the site is located in Flood Zone 1, which the Environment Agency (EA) defines as being at a low risk of fluvial or tidal flooding. Surface water flood risk mapping provided by the EA indicates the site is at low risk of surface water flooding from a 1% AEP (1 in 100 year return period) flood event. Moreover, the site is in a Critical Drainage Area (CDA) defined by the (EA) as an area where the existing drainage is at or close to its maximum capacity. Public sewer records indicate there is a 150mm diameter SWW surface water sewer located in the parking area off Ruskin Crescent.
- 31 The LLFA note that a drainage strategy has been submitted that proposes to discharge surface water to an existing SWW surface water sewer at an attenuated rate of 1.5l/s. The 1 in 10 year green field run off rate for this development is calculated to be 0.55l/s. A ground investigation report has been submitted that concludes that soakaways are not suitable for the site due to poor soakaway test results.
- 32 As set out on the proposed drainage plan, attenuation storage is provided using underground crates beneath the parking area measuring 5m x 9m x 1m deep providing 45m³ of storage. An exceedance flow plan has also been submitted, along with a maintenance plan for the proposed drainage strategy.
- 33 Further details were submitted including modelling results that support a 1 in 100 year return period design standard with a 50% allowance for climate change. Modelling results indicate the surface water drainage system is surcharged but no flooding is shown. A Construction

Traffic and Environment Management Plan (CTEMP) has been submitted that contains information regarding the potential contamination of oil in watercourses. The CTEMP has been updated to contain information about how surface water is managed on site to prevent contaminated surface water run-off, how the new drainage system is protected from contamination during construction and how it is brought into commission. These details along with the updated drainage plan, design calculations and SWW approval letter have been reviewed by the LLFA and are considered acceptable.

- 34 Having reviewed the submitted information and updated LLFA response, officers consider there to be no in-principle concerns and therefore the development would not conflict with Policy DEV35 of the Joint Local Plan. Submitted drainage details have been conditioned.

Highway Considerations

- 35 The Local Highway Authority (LHA) were consulted and raised no in-principle objection. The LHA note that the site was the subject of a previous planning application (21/01972/FUL) for 7 new affordable dwellings to which no in-principle objections were raised from a highways viewpoint.

- 36 The site will be accessed by a new direct access into the communal parking area off Cowley Road, via a dropped kerb vehicle footway crossing. It is considered inter and forward visibility at the vehicle exit would be satisfactory. Moreover, given the minor scale of development, low levels of vehicular traffic typically associated with the wider residential estate and absence of a through road officers consider that the increase in traffic movements linked to the development would be acceptable. Further to this point, officers have recommended a preservation of sight lines condition (condition I6) to ensure that line of sight is not obstructed when entering and leaving the site.

- 37 The application proposes 5 new dwellings; 2 flats with 1 bedroom and 3 dwellings with 2 bedrooms. In line with the Joint Local Plan SPD, the car parking demand associated with the proposed development is 8 off-street car parking spaces; 2 for the 2 bedroom dwellings and 1 for the 1 bed flats. The application proposes 8 car parking spaces including 2 designated disabled bays which is considered acceptable.

- 38 As illustrated on the proposed Site Plan, the application would need to provide provision for 10 cycle storage spaces (1 per bedspace), car parking (8 spaces), electrical vehicle charging (1 per property) and bin storage to be provided in accordance with Council policy. These details will be conditioned to ensure that provision is made available prior to first occupation of the units. Overall, officers consider that the proposals would be acceptable and in accordance with Policy DEV29 of the Joint Local Plan.

Contaminated Land

- 39 A Preliminary Investigation Report (PIR) was submitted with the application and been reviewed by the Public Protection Service (PPS). PPS are satisfied with the conclusions of the PIR and recommend a condition that in the event of any unexpected contaminated discovered during development, that work is stopped, and an investigation carried out. Subject to compliance with the recommended condition, officers consider that the proposals would be acceptable and in accordance with Policies DEV1 and DEV2 of the Joint Local Plan.

Refuse Disposal

- 40 As set out in the Design and Access Statement, each plot is provided with bin storage provision (see site plan) with paved access to a roadside collection point. These details are considered acceptable by Waste Management (Street Services) and would not conflict with Policies DEV1, DEV2, DEV20 and DEV31 of the Joint Local Plan.

Natural Infrastructure Considerations

41 The Council's Natural Infrastructure (NI) officers have been consulted on this application (see below).

Trees

42 The proposed layout would involve the removal of 5no. trees (3no. Ash and 2no. Oaks) on the west boundary. The submitted Arboricultural Impact Assessment (AIA) highlights several points of encroachment into the Root Protection Area (RPA) relating to these 5no. trees. Furthermore, 5no. trees (4no. Oaks and 1no. Hawthorn) adjacent to the 'Community Garden' would be retained within the site.

43 Policy DEV28 states that: 'Development should be designed to avoid the loss or deterioration of woodlands, trees or hedgerows. If the loss of trees, woodlands or hedgerows, cannot be avoided, new native and locally appropriate trees and hedgerows will be secured as mitigation to ensure they contribute to a 'net gain'. Mitigation should be delivered on site, but if this is not achievable, offsite compensation will be required to provide a net gain in canopy cover in line with local standards.'

44 The Council's NI officers have objected to this aspect of the proposal due to the high amenity value of the trees on the western boundary and have suggested that a revised layout with a reduced number of dwellings may avoid conflict with the western boundary. However, officers must consider the scheme put forward by the applicant which proposes 5 dwellings. Whilst the removal of the 5no. trees along the western boundary is regrettable, a solution to their safeguarding during and post construction unfortunately could not be found when considering the pre-application layout options (for 5 dwellings) due to the constrained geometry within the site. Specifically, no presented layout option avoided the root zones of the western boundary trees in totality. Coupling the layout constraints with the non-protected status of the 5no. trees at the time of the submission, officers therefore considered that the proposed replanting strategy which demonstrates full compliance with the Joint Local Plan SPD was therefore the favoured option. The replanting strategy would comprise of 29 trees (as detailed in Table 4 of the Arboricultural Impact Assessment). 12 trees would be planted on-site and 17 would be planted off-site at PCC approved locations. The full specification of the soft landscaping works would be secured through a pre commencement soft and hard landscaping condition. On this basis, and given the very specific constraints of the site geometry, officers are of the opinion that on-balance, there is no conflict with DEV28 as mitigation has been secured in full compliance with the Joint Local Plan SPD.

Ecology and Landscape

45 An Ecological Impact Assessment (EclA) has been completed by an appropriately qualified and experienced ecologist. The report concludes that assuming that works are timed appropriately and recommended mitigation is completed, the development is unlikely to have a significant adverse effect on ecological receptors. Compensation for loss of roosting and foraging habitat is proposed in the form of 5 bat boxes to be installed on adjacent trees and 5 boxes on new dwellings post construction, planting of replacement trees with enhancement measures proposed through wildflower underplanting of the traditional orchard. The Council's NI officers are of the opinion that the EclA is acceptable and the conclusions drawn are supported by the survey findings. There are no further objections by NI officers on ecological grounds. These measures set out in the EclA are secured through a compliance condition and a pre commencement Construction Environment Management Plan (CEMP) and pre-damp proof course Landscape Ecology Management Plan (LEMP) conditions.

- 46 Subject to the submission of the above details, officers would not consider there to be no broad conflict with Policies DEV26 and DEV28 of the Joint Local Plan.

Greenspace

- 47 Policy DEV27 is an in-principle consideration and is discussed in paras 6-8 earlier in the report and in the Planning Balance section towards the end of this report (paras 53-56). Officers have carefully considered the implications of DEV27 in conjunction with other policy areas of compliance that the scheme demonstrates.

48 The Council's NI officers have suggested that an Open Space Assessment (OSA) may be beneficial in quantitatively establishing the greenspace value, however it is noted that an OSA is only required for City and Neighbourhood Green Spaces (in accordance with the SPD). Notwithstanding this, officers are of the view that such an assessment would not have changed the consideration that this application does not comply with DEV27. In addition, officers have made reference to the Plymouth Policy Area Open Space Assessment (2017), which was an evidence base document for the Joint Local Plan. However, this does not identify the Wilmot Gardens application site and does not provide any evidence in relation to this site (please refer to paras 69 to 72 for more commentary).

Biodiversity Net Gain

- 49 The development is exempt from the mandatory national Biodiversity Net Gain (BNG) condition as the application was submitted prior to the introduction of BNG legislation for small sites/minor development. As the development is classified as a minor application and submitted prior to April 2024 there is no requirement through the Joint Local Plan to provide 10% net gain or to provide the DEFRA Small Sites Metric (SSM). The Joint Local Plan and SPD does however require "Enhancements for wildlife within the built environment". A SSM has however been submitted with the application to aid context in terms of assessing the site ecology. When inaccuracies in the SSM are addressed, it shows a -47% BNG, which would equate to -1.78 units. However, the metric:

* Prioritises the immediate impacts of the development and does not value future value at a full equivalent value due to a temporal and risk multiplier that it applies to account for time taken for habitats to establish.

* Does not account for fact that the 3x ash trees onsite (recorded as a loss) will likely be lost to ash dieback in the next 10-15 years.

* The way that proxy is applied to the score of the grassland over values the biodiversity value of the habitat on this site.

- 50 Officers have consulted with ecological consultants who confirm that, over the lifetime of the development, and accounting for replacement planting and other measures, the proposal does result in an increase in biodiversity overall. The proposal is therefore assessed as being compliant with DEV26 in that it provides "enhancements for wildlife":

- 51 It is important to note that while a different habitat type, the net increase of 24 trees will be more biodiverse than the existing grassed area to be lost. This value will increase as the trees mature, providing increased benefits over time. Likewise, advice from an independent arborist is that the ash trees will likely be lost to Ash Die Back, and therefore the impact of their loss carries less weight when taking a longer-term view. Other enhancements, such as nest boxes (which are not accounted for in the metric), ensure that additional opportunities for species are provided on site.

Climate Emergency

- 52 A Climate Emergency Compliance Form (CECF) was submitted with the application along with an Energy Statement. The Council's Low Carbon Team have reviewed the submitted

details and consider them to be acceptable. The proposals for this project are specified to achieve the 20% carbon savings above Part L to meet planning policy and requirements, through the installation of air source heat pumps (ASHPs) and increased thermal values for the project. In addition, there is the proposed inclusion of electric vehicle (EV) charging points. The application therefore would not conflict with Policy DEV32 of the Joint Local Plan.

Planning Balance

- 53 The report above identifies areas where the proposal does not comply with the Joint Local Plan. The areas of policy non-compliance are summarised below:
- Limited compliance with SPT1 (paragraph 3, point 1)
 - Non-compliance with DEV27 (paragraph 2)
- 54 Officers acknowledge that the development would have limited compliance with paragraph 3, point 1 insofar that the scheme is greenfield development but does provide policy compliant low carbon mitigation on-site (see paragraph 49).
- 55 Officers acknowledge that the development would not comply with Paragraph 2 of Policy DEV27 as there will be a significant loss to the existing open space. Officers have had to consider the status of the site as non-designated greenspace as well as the site being earmarked for residential development since December 2019 under the Plan For Homes scheme (whereby any number of units permitted on the land would result in the same unavoidable conflict with DEV27). Moreover, the scheme is exclusively for much needed affordable housing with 1 no. M4(2) compliant accessible and adaptable unit. Where possible, officers and the developer have worked together to improve the open green spaces within the site through the inclusion of improved open green space along the eastern boundary as well as a 'Community Garden' to the south, which provides some mitigation to the loss of greenspace.
- 56 Overall, it is considered that the public benefits that the scheme affords outweigh the two areas of non-compliance. The application is therefore recommended for conditional consent.

Other Matters

- 57 Condition 18 sets out the removal of specific permitted development rights for the open areas within the site post completion of development. This is to ensure the retention of the remaining open spaces which are fundamental to the recommended approval of this application. Specifically Condition 18 has addressed the following:
- Removal of right to enclose land by way of fences under Class A of Part 2 of the GPDO, for the reason it can preclude public access where PCC doesn't have another control mechanism in place (such as PCC ownership rights or covenants, or highways HMPE control);
 - Removal of temporary uses of land right under Class B of Part 4, for the reason that the land is not curtilage of a residential building
 - Removal of temporary use of land as a temporary recreational campsite under Class BC of Part 4, for the same reason as Class B of Part 4.
 - Removal of the Use of the land for a caravan for 2 nights a time, for up to 28 nights in a rolling 12 month period, under Class A of Part 5 (to be read in conjunction with schedule 2 of Caravan Sites and Control of Development Act 1960).

Response to Deferral Reasons

- 58 The four reasons for deferral are set out below with commentary under the relevant sections.

A response or report from a qualified arboriculturist on the impact on the root system and a request for their attendance at committee.

- 59 An independent arborist has been consulted on the proposed development and has produced a report on the root system. In summary, the arborist is of the opinion that the trees are unlikely to survive with the current layout due to Root Protection Area (RPA) incursions. Concerns related to shading, maintenance and the presence of ash die back have also been highlighted.
- 60 The report sets out that the RPA is the specified minimum rooting volume that the tree needs to survive. The most important roots are the smaller diameter fibrous roots which are responsible for the uptake of water and nutrients (food) which form a large portion of the RPA within the site. Trees like T1 have large portions of their RPA impacted by proposed construction (estimated at 45%), making their survival challenging despite protective measures techniques or other mitigations. This issue is further compounded by restrictions to root growth on the western side of the site, which has extensive hard surfacing. Consequently, the trees will favour the grassed open space, where they can access a more suitable rooting environment with ample nutrients, oxygen, and water. The long-term viability of these trees in relation to what is proposed is therefore limited due to the physical incursions.
- 61 The report also highlights that ash trees T1, T5, and T6 are showing symptoms of ash dieback, in the form of a fungal disease that severely reduces vitality and life expectancy. The survival rate of ash trees infected with ash dieback is generally low, with mortality rates varying significantly depending on environmental factors and the tree's individual health. Infected ash trees in plantations have a mortality rate as high as 85%, while in more natural woodland environment, mortality rates are estimated to be around 70%. Younger trees can die within a few years, while mature trees may survive up to 10-15 years, depending on stage of infection and environmental stressors.
- 62 In the opinion of the arborist, the infection in T1 is well established therefore limiting long term viability of the site overall (5 years).
- 63 The arborist notes that T5 and T6 are not showing as high a level of infection and would suggest a gradual decline over the next 10-15 years. An inspection of T6 also confirmed the presence of a bark wound at the base and a large portion of sapwood is exposed at a structurally load bearing point. In structural terms this will degrade over time leading to remedial works to mitigate against large primary branch failure.
- 64 In terms of retaining any of the trees proposed for removal will not be feasible, especially for ash susceptible to disease (T1) or where the proposed development will significantly impact on the RPA.
- 65 Shading is a key consideration in the case of T4 (Oak), T5 (Ash) and T6 (Ash) which would have significant canopy overhang into areas such as gardens. Large mature trees can create substantial shade, which would affect the usability and desirability of the proposed gardens and dwellings. Officers and the arborist concur that this would likely lead to future requests from occupants to reduce the canopy and/or remove trees. In this context, trees like T4, which are dominant, would create shading concerns for residents (especially in the afternoons and evenings), reducing direct and natural light to gardens and habitable rooms (please also note paragraph 28 of this report). Moreover, the proximity of trees to new dwellings can lead to concerns from residents regarding safety, particularly in strong winds. Issues such as falling branches or the potential for whole-tree failure, could lead to ongoing

requests for removal or reduction of these trees. Furthermore, the presence of deciduous trees like ash and oak will inevitably lead to seasonal leaf fall, which can cause maintenance concerns. Leaves can block gutters, create slippery surfaces and add to property maintenance. Given these factors, retaining any of the trees currently proposed for removal will be challenging in the opinion of the arborist.

A request to investigate the possibility of a resurfacing and reconfiguration of the car park pertaining to disability requirements and resurfacing.

66 Officers have liaised with the applicant to establish the viability of installing a grasscrete solution to the parking area. The applicant noted that grasscrete is normally designed for permeable ground conditions as part of the Sustainable Drainage Systems (SUDs) strategy whereas the ground conditions on this site have very little percolation which is why the drainage system considered acceptable by the LLFA is an attenuated system with the discharge of surface water into the adopted SWW drainage system. A grasscrete installation with the previously accepted drainage arrangement would likely lead to frequent saturation of the grasscrete, soil displacement and pooling of surface water because of the land gradient. Moreover, officers have considered that the uneven surface of the grasscrete would be unsuitable in terms of the disabled bay and mobility access across the parking area.

67 The disabled bay has been located to the north-east of the site as the gradient here is gentler than those which are closer to the dwelling. Whilst the walking distance from this bay to the M4(2) compliant dwelling is approximately 20 metres, this distance falls well within the recommended walking distances without a rest, as described in Figure 3.4 of the Inclusive Mobility Guide (Department for Transport, 2021). Moreover, having taken account of national guidelines, the LHA consider the placement of this bay to be acceptable and as such officers would not consider it expedient to refuse the application on this ground alone.

Further confirmation of the application for a Tree Preservation Order, whether remaining trees would be subject to TPO.

68 An update from the Council's Tree Officer was requested on the pending TPO application. The Tree Officer confirms that the request for a TPO is under consideration awaiting the outcome of the planning decision. It is important to note that regardless of the decision on the TPO application (i.e. whether all trees are designated TPO) would not alter the officer recommendation, as the quality of the trees have already been assessed as set out in paras 42-44 of this report.

Clarity on the site's categorisation as "surplus to requirement", including information on community use through submission of an Open Space Assessment.

69 JLP Policy DEV27(2) sets out three tests for considering the loss of existing open space. Test one is whether the site has been demonstrated as surplus to requirements. It goes on to explain that in making this judgement regard will be had to evidence of the identified value of the green spaces attributes as set out in the relevant open space assessments and account of the plans green space and accessibility standards.

70 As set in the 'principle of development' and 'planning balance' sections of the report above, this proposal has been assessed as being contrary to Policy DEV27(2) as no sufficient evidence has been submitted to demonstrate the above tests have been met. Officers therefore conclude that the site has not demonstrated that it is 'surplus to requirement' for the purposes of DEV27(2) and should therefore be considered as a loss of open space. However, Officers do note that the disposal of the site followed a formal Loss of Public Open

Space process in accordance with Section 123(2A) of the Local Government Act 1972 in 2019/20, which included public notification in the local press and consideration of public objections (one was submitted). The disposal of the public open space land at Wilmot Gardens for the purposes of supporting housing development was confirmed by Council Executive Decision Ref F101 20/21 dated 18.11.2020.

- 71 In considering the loss of the open space and therefore the weighting to be afforded to DEV27(2), regard must be had to the sites value in terms of the hierarchy of open space as set out in JLP Policy. The site is not required to satisfy the provisions of SPD Paras 7.122 - 7.123 as this is only applicable to designated City and Neighbourhood Green Space. The supporting text of DEV27 para 6.101 suggested that particular regard should be had to published Open Space Assessments (OSA) that identify the key functions and value attributes of green open spaces. However, the site does not feature in the Councils published OSA for the Plan because it is below the site size threshold of 0.2ha for inclusion (paragraph 3.11 of the Plymouth OSA).
- 72 At the request of the Planning Committee the applicant has carried out an OSA for the site. The OSA uses a numerical grading system with the applicant providing a value score of 9 and a quality score of 13 for the space. The OSA has been assessed by the Council's Natural Infrastructure Team (NIT) who have attributed a value score of 13 and quality score of 29. For context, NIT Officers confirm that for this site to be designated as a small amenity greenspace it should have a minimum value score of 20 and a quality score of 39. As such, even if their own recalculation was accepted, the site would still not be eligible for designation on OSA scoring alone. While not definitive, the OSA does go some way to demonstrate the green spaces attributes relative to the hierarchy of open spaces in the JLP.

9. Human Rights

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

10. Local Finance Considerations

The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended).

The proposed scheme will receive a direct financial contribution from the Plan for Homes programme with Plymouth City Council receiving a land receipt for the site from the developer on completion of the land sale contract. The Service Director has considered that this is a probity issue and is therefore in the public interest to be determined by the Planning Committee.

11. Planning Obligations

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Planning obligations not sought in this case due to the nature and size of proposal.

12. Equalities and Diversities

As set out in paragraph 21, DEV9 requires 20% of dwellings on schemes of 5 or more to meet national accessibility and adaptability standard M4(2). The proposed development would provide one unit (flat one) with the M4(2) standard with provision of the vehicle drop off point immediately outside the property.

This planning application therefore has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

13. Conclusions and Reasons for Decision

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that whilst the construction of 5no. semi-detached dwellings within the site does not fully comply with policies SPT1(3) and DEV27(2) given the wider public benefits of the scheme and due consideration of local and national housing targets, officers are of the opinion that the proposal is on-balance acceptable. Moreover, officers have acknowledged that the scheme accords with other local policies in a variety of areas discussed throughout this report and therefore has applied planning balance to the overall recommendation. The proposal is therefore recommended for conditional approval for the reasons outlined.

14. Recommendation

In respect of the application dated 25.03.2024 it is recommended to Grant Conditionally.

15. Conditions / Reasons

The development hereby permitted shall be carried out in accordance with the following approved plans:

1 CONDITION: APPROVED PLANS

Preliminary Levels Strategy C21003 - SKC - 001 Rev E received 22/03/24
Drainage Maintenance Plan C21003_C011 Rev C received 22/03/24
Exceedance Runoff Plan C21003_C012 Rev B received 22/03/24
Arboricultural Impact Assessment Plan EV-4615-AIA (Plan) Rev A received 01/05/24
Proposed Drainage Plan C21003_C010 Rev D received 18/06/24
Site Plan Indicating Landscaping P1023-02 Rev F received 18/06/24
Proposed Dwelling Elevations (Plots 1, 2, 3, 4 and 5) P1023-04 Rev C received 16/08/24
Proposed Floor Plans P1023-03 Rev C received 16/08/24

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with the Plymouth & South West Devon Joint Local Plan 2014–2034 (2019).

2 CONDITION: COMMENCE WITHIN 3 YEARS

The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

3 **CONDITION: CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN**

PRE-COMMENCEMENT

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. It shall include the following;

- i. Risk assessment of potentially damaging construction activities.
- ii. Identification of 'biodiversity protection zones'.
- iii. Practical measures (both physical measures and sensitive working practices) to avoid or minimise impacts on biodiversity during construction (may be provided as a set of method statements).
- iv. The location and timing of sensitive works to avoid harm to biodiversity features. This includes the use of protective fences, exclusion barriers, warning signs and non-native invasive species protocol.
- v. The times during construction when specialist ecologists need to be present on site to monitor works to ensure compliance with the CEMP: Biodiversity, and the actions that will be undertaken (including mitigation, compensation and enhancement purposes).
- vi. Responsible persons and lines of communication, including the role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person.
- vii. Ongoing monitoring, including compliance checks by competent name person(s) during construction and immediately post-construction.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest in accordance with Joint Local Plan Policies SPT12 and DEV26 of the adopted Plymouth & South West Devon Joint Local Plan 2014-2034 and Section 15 of the National Planning Policy Framework.

Justification: The submission of a CEMP is required as the site contains a variety of ecological features.

4 **CONDITION: LANDSCAPE DETAILS**

PRE-COMMENCEMENT

No development shall take place until the details of the landscape works have been submitted to and approved in writing by the local planning authority.

The landscape works (to include specific reference to the 29 replacement trees as set out in table 4 of the Arboricultural Impact Assessment or alternative suitable sites) shall include:

- i. Soft landscape details:
 - a. Full soft landscape specification; plant species and size (to HTA standards), soil details, planting spec and establishment care.
 - b. The arrangement of proposed soft landscape elements and soil layouts/elevations (min 1:200 scale). Plans should include a planting schedule for reference.
 - c. Planting details (1:20 scale or as appropriate).

- d. All new trees will require a minimum of 15m³ root zone that is free from compaction and filled with soil conforming to BS3882 (2015). The root zone should be calculated based on 900mm depth of soil only. The applicant will need to specify sufficient underground crating to provide a 15m³ root zone where compaction from vehicles may occur.
- ii. Hard Landscape Details: to provide:
 - a. Drawings identifying the arrangement of proposed hard landscape elements including (but not limited to) paving materials, street furniture and boundary treatment materials (min 1:200 scale).
 - b. Plans should include a specification of the hard landscape materials (e.g. paving materials), street furniture and any boundary treatments.
 - c. Boundary treatment details (1:20 scale or as appropriate) e.g. mesh surrounding car park.

All landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development. Any dead or defective planting shall be replaced with a period of 5 years.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with JLP policies DEV20, DEV23, DEV26 and DEV28 of the adopted Plymouth & South West Devon Joint Local Plan 2014-2034 and Section 15 of the National Planning Policy Framework.

Justification: Landscaping details are required to ensure that development scheme meets the landscaping standards as outlined in the Joint Local Plan, to ensure the landscaping can be properly incorporated within the development proposals.

5 CONDITION: LANDSCAPE AND ENVIRONMENTAL MANAGEMENT PLAN

PRE-DAMP PROOF COURSE

A Landscape and Environmental Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to development above damp proof course. The approved LEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority. The content of the LEMP shall include the following;

- i. Description and evaluation of features to be managed, including extent of proposed works shown on appropriate scale maps and plans.
- ii. Ecological trends and constraints on site that might influence management.
- iii. Aims and objectives of management for both the landscape elements and the biodiversity features.
- iv. Set out maintenance operations for the first year following implementation of the scheme and for the ongoing maintenance and management.
- v. Preparation of a work schedule, demonstrating that works are aligned with the proposed phasing of construction.
- vi. Body or organisation responsible for implementation of the plan.
- vii. Monitoring and remedial measures, which should liaise with long-term maintenance initiatives.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(s) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully

functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest in accordance with Joint Local Plan Policies SPT12, DEV20, DEV23 and DEV26 of the adopted Plymouth & South West Devon Joint Local Plan 2014-2034 and Section 15 of the National Planning Policy Framework.

6 CONDITION: ACCESSIBLE HOUSING

PRE-OCCUPATION

A minimum of 1 no. of the dwellings shall be built to meet national standards for accessibility and adaptability (Category M4(2) of the Building Regulations); in accordance with the Accessible Housing Statement that is contained in the Design and Access Statement.

Prior to the occupation of the M4(2) compliant dwelling, an independent verification report shall be provided which confirms that the dwelling has been constructed to the required specification. The report shall also set out the qualifications of the examiner who undertakes the verification. This dwelling shall remain an M4(2) compliant dwelling in perpetuity.

Reason:

To ensure that the development provides a range of house types to meet accessibility and adaptability needs to comply with Policy DEV9 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019).

7 CONDITION: CYCLE PROVISION

PRE-OCCUPATION

No dwelling shall be occupied until space has been laid out within the site in accordance with the approved plan for a minimum of 10 bicycles to be securely parked (1 per bedspace). The secure area for storing bicycles 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:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy DEV29 of the Plymouth & South West Devon Joint Local Plan 2014-2034 and Section 9 of the National Planning Policy Framework.

8 CONDITION: LOW CARBON MITIGATION

PRE-OCCUPATION

The dwellings hereby approved shall not be occupied until the Air Source Heat Pumps (ASHP) and Electric Vehicle Charging Points (EVCP) as shown on the approved plans, have been installed (as per drawing: P1023 - 02 REV F). The ASHPs and EVCPs shall then remain in situ in perpetuity, replacing or repairing them when necessary. Moreover, the development shall be carried out and completed in accordance with the submitted Energy and Sustainability Assessment Report (submitted 22nd March, 2024).

Reason:

In order to promote on-site renewable energy systems and ensure a reduction in carbon emissions in line with policy DEV32 of the Plymouth & South West Devon Joint Local Plan 2014-2034, paragraph 7.3 of the Plymouth and South West Devon Climate Emergency Planning Statement (2022) and Sections 2 and 14 of the National Planning Policy Framework.

9 CONDITION: ARBORICULTURAL IMPACT PLAN

COMPLIANCE

The development hereby approved shall be carried out in strict accordance with the approved Arboricultural Impact Assessment (received 22nd March, 2024) and Arboricultural Impact Assessment Plan (ref: EV-4615-AIA (PLAN) REV A) (received 1st May, 2024).

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest in accordance with Joint Local Plan Policies SPT12, DEV20, DEV23 and DEV26 of the adopted Plymouth & South West Devon Joint Local Plan 2014-2034 and Section 15 of the National Planning Policy Framework.

10 CONDITION: TREE PROTECTION/RETENTION

COMPLIANCE

In this condition "retained tree or hedgerow" means an existing tree or hedgerow which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the commencement of development.

A: No retained tree or hedgerow shall be cut down, uprooted or destroyed, nor shall any tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any pruning approved shall be carried out in accordance with BS 3998: 2010 Tree Work Recommendations.

B: If any retained tree or hedgerow is removed, uprooted or destroyed or dies, or pruned in breach of (a) above in a manner which, in the opinion of the Local Planning Authority, leaves it in such a poor condition that it is unlikely to recover and/or attain its previous amenity value, another tree or hedgerow shall be planted at the same place and that tree or hedgerow shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason:

To ensure that trees or hedgerows retained are protected during construction work and thereafter are properly maintained, if necessary by replacement, in accordance with Policies DEV1, DEV20 and DEV26 of the Plymouth & South West Devon Joint Local Plan 2014-2034 and Section 15 of the National Planning Policy Framework.

11 CONDITION: ECOLOGICAL IMPACT ASSESSMENT

COMPLIANCE

The development hereby approved shall be carried out in strict accordance with the approved Ecological Impact Assessment (received 18th June, 2024).

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest in accordance with Joint Local Plan Policies SPT12, DEV20, DEV23 and DEV26 of the adopted Plymouth & South West Devon Joint Local Plan 2014-2034 and Section 15 of the National Planning Policy Framework.

12 CONDITION: DRAINAGE

COMPLIANCE

The development hereby approved shall be carried out in strict accordance with the submitted Proposed Drainage Plan (ref: C21003-C010 REV D) (received 18th June, 2024).

Reason:

To safeguard occupant amenity and mitigate flood risk in accordance with policies DEV1 and DEV35 of the adopted Plymouth & South West Devon Joint Local Plan 2014-2034 and Section 14 of the National Planning Policy Framework.

13 CONDITION: CONSTRUCTION TRAFFIC AND ENVIRONMENT MANAGEMENT PLAN

COMPLIANCE

The development hereby approved shall be carried out in strict accordance with the submitted Construction Traffic and Environment Management Plan (CTMP) (received 22nd July, 2024).

Reason:

To ensure that the traffic and general construction impacts associated with the construction phase of the works does not lead to adverse impacts upon the operation of the local road network as well as ecological / watercourse features within and around the site in accordance with Policies DEV1, DEV2, DEV29 and DEV35 of the adopted Plymouth & South West Devon Joint Local Plan 2014-2034 and Sections 9 and 14 of the National Planning Policy Framework.

14 CONDITION: HIGHWAY DILAPIDATION SURVEY

COMPLIANCE

The approved scheme shall be carried out in accordance with the submitted Highway Dilapidation Survey Report (received 18th June, 2024).

Reason:

To ensure that any damage to the existing highway infrastructure arising from the construction of the proposed development is properly recorded and addressed by the developer on completion of the works in the interests of the safety of all users of the highway in accordance with Policy DEV29 of the adopted Plymouth & South West Devon Joint Local Plan 2014-2034 and Section 9 of the National Planning Policy Framework.

15 CONDITION: CAR PARKING PROVISION

COMPLIANCE

Each parking space shown on the approved plans (ref: P1023 - 02 REV F) shall be constructed, drained, surfaced and shall not be used for any purpose other than the parking of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway and enter and leave the site safely, so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policy DEV29 of the Plymouth & South West Devon Joint Local Plan 2014-2034 and Section 9 of the National Planning Policy Framework.

16 CONDITION: PRESERVATION OF SIGHT LINES

COMPLIANCE

In accordance with the approved Site Plan drawing (ref: P1023 - 02 REV F), no structure, erection, or other obstruction exceeding 600mm in height shall be placed, and no vegetation shall be allowed to grow above that height, within the approved sight lines to the site access/egress at any time.

Reason:

To preserve adequate visibility for drivers of vehicles at the road junction in the interests of public safety in accordance with Policy DEV29 of the adopted Plymouth & South West Devon Joint Local Plan 2014-2034 and Section 9 of the National Planning Policy Framework.

17 CONDITION: LAND QUALITY - REPORTING OF UNEXPECTED CONTAMINATION

COMPLIANCE

In the event that contamination is found at any time when carrying out the approved development that was not previously identified; it must be reported in writing immediately to the Local Planning Authority. Development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until this condition has been complied with in relation to that contamination. An investigation and risk assessment shall be undertaken subject to the approval in writing of the Local Planning Authority, and where remediation is necessary a remediation scheme shall be prepared subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the environment, future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors; and to avoid conflict with Policies DEV1 and DEV2 of the Plymouth & South West Devon Joint Local Plan 2014-2034 and Section 15 of the National Planning Policy Framework.

18 **CONDITION: REMOVAL OF PERMITTED DEVELOPMENT RIGHTS**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), the permitted uses and development types set out in Class A of Part 2, Classes B and BC of Part 4 and Class A of Part 5 shall not be carried out without the written consent of the Local Planning Authority.

Reason:

The Local Planning Authority considers that, the use of the open spaces within the site boundary for the purpose specified is appropriate, but that a proposal to use or develop these public open spaces within the site boundary for any other purpose would need to be made the subject of a separate application to be considered on its merits in accordance with policies DEV1 and DEV20 of the adopted Plymouth & South West Devon Joint Local Plan 2014-2034 and Section 4 of the National Planning Policy Framework.

INFORMATIVES

1 INFORMATIVE: (CIL LIABLE) DEVELOPMENT LIABLE FOR COMMUNITY INFRASTRUCTURE CONTRIBUTION

The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended). Details of the process can be found on our website at www.plymouth.gov.uk/CIL. You can contact the Local Planning Authority at any point to discuss your liability calculation; however a formal Liability Notice will only be issued by the Local Planning Authority once "planning permission first permits development" as defined by the CIL Regulations. You must ensure that you submit any relevant forms and get any pre-commencement details agreed before commencing work. Failure to do so may result in surcharges or enforcement action.

Further information on CIL can be found on our website here:

<https://www.plymouth.gov.uk/planninganddevelopment/planningapplications/communityinfrastructurelevy>

More information and CIL Forms can be accessed via the Planning Portal:

https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/5

More detailed information on CIL including process flow charts, published by the Ministry of Housing, Local Communities and Government can also be found here:

<https://www.gov.uk/guidance/community-infrastructure-levy>

2 INFORMATIVE: CONDITIONAL APPROVAL (NEGOTIATION)

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and the National Planning Policy Framework, the Council has worked in a positive and pro-active way with the Applicant including pre-application discussions and has negotiated amendments to the application to enable the grant of planning permission.

3 INFORMATIVE: COUNCIL CODE OF PRACTICE

The applicant is directed to the Council's Code of Practice by the Public Protection Service (Control of Pollution and Noise from Demolition and Construction Sites):

<https://www.plymouth.gov.uk/sites/default/files/ConstructionCodeOfPractice.pdf>

4 INFORMATIVE: COMMERCIAL VEHICLE CROSSING

The applicant should contact the Highway Authority to facilitate the works in the highway by way of a licence and fees in accordance with this authority's procedure for the construction of a Commercial Vehicle Crossing.

5 INFORMATIVE: PUBLIC HIGHWAY APPROVAL

This planning permission does not authorise the applicant to carry out works within the publicly maintained highway. The applicant should contact Plymouth Highways for the necessary approval. Precise details of all works within the public highway must be agreed with the Highway Authority and an appropriate Permit must be obtained before works commence.

6 INFORMATIVE: WILDLIFE PROTECTION

The proposed works would involve the removal of trees in order to facilitate the development which may provide suitability for bats or breeding birds. Under the Wildlife and Countryside Act (1981), bats and breeding birds are legally protected against disturbance, injury or killing and bat roosts are protected against obstruction, damage or destruction. If bats or a bat roost are present in the treeline, a licence to carry out the works from Natural England may be required. For further information please contact Plymouth City Council's Natural Infrastructure Officers.

7 INFORMATIVE: YELLOW FISH GUIDANCE MANUAL

To protect against contamination of the water environment, it is recommended that the 'Yellow Fish' scheme is used for surface water gullies and drainage features as outlined in the 'Yellow Fish Guidance Manual'.

This is required to supplement and not replace any proposed pollution prevention devices proposed for the surface water drainage system.

<http://oilcare.org.uk/wp-content/uploads/2018/11/Guidance-Manual-for-Yellow-Fish-ENGLISH.pdf>

8 INFORMATIVE: BIODIVERSITY NET GAIN EXEMPTION

In accordance with The Biodiversity Gain Requirements (Exemptions) Regulations 2024, minor applications made before 2nd April 2024 are exempt from Biodiversity Net Gain requirements and therefore this application is not subject to the mandatory Biodiversity Gain condition.

9 INFORMATIVE: SUPPORTING DOCUMENTS

The following supporting documents have been considered in relation to this application:

- Accessible and Adaptable Dwellings Statement
- Arboricultural Impact Assessment
- BNG Headline Results Table
- Energy and Sustainability Assessment Report
- Preliminary Ecological Appraisal REV 01
- Residential Accommodation Statement

- Phase 2 - Ground Investigation Report
- Construction Traffic and Environmental Management Plan
- Design Calculations
- Ecological Impact Assessment Report
- Environmental Considerations
- Highway Dilapidation Survey Report
- Small Sites Metric

Planning Applications Determined Since Last Committee

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
10/09/2024	Agreed Condition Details	24/01044/CDM	Mark Lovell	Condition Discharge: Condition 13 (Building Recording) of application 23/01622/FUL	Brickfields Sports Centre 80 Madden Road Plymouth PL1 4NE	Mr Daniel Thorning
10/09/2024	Grant Conditionally	24/00870/FUL	Mr Craig Newall	Side/front single storey extension accommodating swimming pool	Tamerton Lodge, Roman Road Plymouth PL5 2AJ	Cody Beavan
11/09/2024	Grant Conditionally	24/00562/FUL	Miss Natalie Haselden	Replacement of combustible cladding and associated works	Queen Anne's Quay 9 Parsonage Way Plymouth PL4 0LY	Ms Abbey Edwards
11/09/2024	Grant Conditionally	24/00741/FUL	Mr Larson	Demolition of existing rear extension and erection of two-storey rear extension and 2no. garages; plus change of use of first floor to 2no. flats (Class C3)	249 Dean Cross Road Plymouth PL9 7AZ	Mr Sam Lewis
11/09/2024	Grant Conditionally	24/00879/FUL	Mr Christian Kent	New camera gantries at high level to rear of existing Lyndhurst Stand and Barn Park Stand	Home Park Football Ground Outland Road Plymouth PL2 3DQ	Miss Amy Thompson
11/09/2024	Grant Conditionally	24/00936/FUL	Mrs Lynda Edwards	Single storey rear extension	71 Orchard Road Plymouth PL2 2QZ	Luke Valentine
11/09/2024	Grant Conditionally	24/00948/FUL	Mr & Mrs Lethbridge	Demolition of conservatory and rear single storey extension.	14 Grange Road Plymouth PL7 2HY	Luke Valentine
11/09/2024	Grant Conditionally	24/00967/ADV	Mr Antony Rath	Proposal for 3No. Fascia Signs, 2No. Totem Signs, 1No. Overhead Marker Sign, 2No. Service Signs, 1No. Mast, 1No. Poster Unit, 3No. Flag Poles.	20 Valley Road Plymouth PL7 1RF	Luke Valentine

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
12/09/2024	Grant Conditionally	24/00551/ADV	Plymouth City Council	Proposed free-standing advertising information unit featuring 2x internally illuminated digital displays (H 1635mm x W 924mm).	1 - 3 New George Street Plymouth PL1 1QZ	Miss Emily Godwin
12/09/2024	Grant Conditionally	24/00974/FUL	Ian and Carol Massey	Erection of outbuilding (retrospective)	Land North Of The Mews The Millfields Plymouth PL1 3JS	Mr Sam Lewis
12/09/2024	Grant Conditionally	24/01013/FUL	Ms Walrond & Mr Wilding	Single storey rear extension	6 Misterton Close Plymouth PL9 8TY	Ethan Bell
13/09/2024	Grant Conditionally	24/00924/FUL	Mr Lynch	Change of use from student HMO to large HMO (Sui Generis)	97 Mutley Plain Plymouth PL4 6JJ	Cody Beavan
13/09/2024	Grant Conditionally	24/00938/ADV	Mr Amin Ullah	Installation of 2 fascia signs and 1 projecting sign	101 Armada Way Plymouth PL1 1HH	Joanna Churchill
16/09/2024	Approved	24/00975/TCO	Mr Donald Nuttall	Turkey Oak T1, fell self seeded Oak, raise crown to 5m of Sycamore T2 by removing lowest 6 branches	Emmanuel Church 1 Compton Avenue Plymouth PL3 5BZ	Alan Rowe
16/09/2024	Approved	24/00980/TCO	Sam Nicholson	1 x Silver birch (larger tree) - To reduce the height of the tree by 3m. 1 x Silver birch (smaller tree) - To reduce the height of the tree by 1m	58 Emma Place Plymouth PL1 3QU	Alan Rowe
16/09/2024	Tree Split Decision	24/01028/TPO	Mrs Margaret Elaine Webster	T1 Oak - remove epicormic growth and reduce by approximately 2m overall leaving a crown spread of approximately 7m and overall height of 11m. T2 Oak - remove epicormic growth and reduce by approximately 1.5m overall leaving a crown spread of approximately 6m and overall height of 9m.	17 Rose Gardens Glenholt Park Glenfield Road Plymouth PL6 7NG	Alan Rowe

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
16/09/2024	Approved	24/01039/TCO	Mr Nathan Stonecliff	(T1) Sycamore . repollarding at approximately 8 metres.	London Inn, 8 Church Road Plympton Plymouth PL7 1NH	Alan Rowe
16/09/2024	Approved	24/01042/TCO	Mr Philip Gerry	(T1) Maple - repollard. (T2) Tulip - repollard. (T3) Maple - repollard. (T4) Magnolia - prune/shape. (T5) Apple - trim/tidy. (T6) Palm - remove higher stems and lower stem growing over roof.	Thorn Park Care Home 69 - 73 Mannamead Road Plymouth PL3 4SR	Alan Rowe
16/09/2024	Agreed Condition Details	24/01003/CDM	Mr Paul Stewart	Condition Discharge: Conditions 3 (Biodiversity & Landscape), 4 (Waste Management) and 7 (Electrical Vehicle Charging) and approval of the Biodiversity Gain Plan.	28 Mount Gould Road Plymouth PL4 7PT	Joanna Churchill
16/09/2024	Grant Conditionally	24/00910/FUL	Kallis	Internal alterations to provide additional bedroom in ground floor flat, incorporation of loft space to first floor flat and window and door alterations	16 Anstis Street Plymouth PL1 5JU	Miss Emily Godwin
16/09/2024	Grant Conditionally	24/00939/FUL	Mr Steve Gocher	Single storey rear extension	5 Corondale Road Plymouth PL2 2RF	Cody Beavan
16/09/2024	Grant Conditionally	24/00960/TPO	Popperwell	T1 - Ash - Fell	Flat 1, 34 Holland Road Plymstock Plymouth PL9 9BN	Alan Rowe
16/09/2024	Grant Conditionally	24/00962/TPO	Kings School And Nursery	T013 - Fell Cherry tree T014 - Fell Cherry tree T008 - Fell Holly T009 - Remove large deadwood from Cedar and prune.	Kings School, Hartley Road Plymouth PL3 5LW	Alan Rowe
16/09/2024	Grant Conditionally	24/00965/TPO	Alison Potapi	T4 (Behind 94-104 Echo Crescent) - Salix spp. (Willow species) - Crown lift 6-9 M Tree - 3m	90 Frobisher Approach Plymouth PL5 3UZ	Alan Rowe

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
16/09/2024	Grant Conditionally	24/00977/TPO	Mr Adrian Grose	To cut back over hanging branches around the mobile phone mast.	175 Plymbridge Road Plymouth PL6 7LG	Alan Rowe
16/09/2024	Grant Conditionally	24/00985/TPO	Mr Steve Tripp	T1 London Plane-Crown Spread reduction from 20m to 17m.	Cross Wynd, Tamerton Foliot Road Plymouth PL5 4NH	Alan Rowe
16/09/2024	Grant Conditionally	24/00990/TPO	Mr James Edmonds	Tree Works	42 Cundy Close Plymouth PL7 4QH	Alan Rowe
16/09/2024	Grant Conditionally	24/01037/TPO	Mr Gareth Kagan	(T1) Holly - Pollard tree to height of 2 metres.	25 Lopwell Close Plymouth PL6 5BP	Alan Rowe
17/09/2024	Grant Conditionally	24/00697/FUL	Mount Tamar School	Demolition of existing secondary teaching block and construction of new secondary school block with associated infrastructure, access and landscaping.	Mount Tamar School Row Lane Plymouth PL5 2EF	Mr Macauley Potter
19/09/2024	Grant Conditionally	24/00894/FUL	Dr Christian Marston	Change of use from industrial/storage (Classes B2/B8) to include provision of research and development (Sui Generis) and installation of four emission stacks.	Unit 2, 10 Estover Road Plymouth PL6 7PY	Mr Macauley Potter
19/09/2024	Grant Conditionally	24/00957/ADV	Mr Vicky York	Elevational signage and freestanding directional signage, including display/menu screens.	227 Tavistock Road Plymouth PL6 5US	Luke Valentine
23/09/2024	Approved	24/01080/TCO	Mrs Kathy Taylor	T1- Pittosporum Fell	26 Thorn Park Plymouth PL3 4TE	Alan Rowe

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
23/09/2024	Approved	24/01084/TCO	Plymouth Community Homes	T1 - Remove tree and grind stump.	Hick's Lane Plymouth PL4 0EA	Alan Rowe
23/09/2024	Tree Split Decision	24/01086/TPO	Carter	T1 - Ash - Reduce lowest lateral branches on eastern canopy to achieve a clearance of 3m from neighbouring roof and crown raise remaining canopy to achieve a clearance of 8m from ground level to balance.	Strathmore, 46 Rocky Park Road Plymouth PL9 7DQ	Alan Rowe
23/09/2024	Approved	24/01087/TCO	Mackness	T1 & T2 - Sycamore - Re-pollard to previous pollard points.	21B Home Park Plymouth PL2 1BQ	Alan Rowe
23/09/2024	Grant Conditionally	23/00886/FUL	Mrs Nicola Daniel	Erection of 7no affordable dwellings and associated works to the car park (including, but not limited to white lining)	Land To The West Of Bampton Road Leigham Plymouth PL6 8QB	Mr Daniel Thorning
23/09/2024	Grant Conditionally	24/00997/TPO	Mr Benjamin Lloyd	T1 Tulip tree. Reduce crown spread to approximatly 9m	4 Mayhew Gardens Plymouth PL7 4FG	Alan Rowe
23/09/2024	Grant Conditionally	24/01055/TPO	Mrs Sarah Hyatt	Black Mulberry Tree - Crown reduction	Palace Court, Palace Street Plymouth PL1 2AY	Alan Rowe
23/09/2024	Grant Conditionally	24/01069/TPO	Kristina Vaughan	G1 - Lime trees (11 tree) - crown lift canopies to three metres from ground level over foot path only.	167 Discovery Road Plymouth PL1 4PR	Alan Rowe
24/09/2024	Grant Conditionally	24/00431/FUL	Mr Stephen White	Demolition of extension and erection of replacement extension to north elevation, installation of new facade including parapet roof, alterations to entrance and fenestration, relocation of oil tanks and other associated external works	56 Oreston Road Plymouth PL9 7JQ	Miss Emily Godwin

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
24/09/2024	Grant Conditionally	24/00861/FUL	Mr Ian Schofield	Change of use of no. 1 from residential care home (Class C2) to dwellinghouse where care is provided (Class C3b), plus front ramped access for both nos. 1 & 2	1 & 2 Victoria Terrace Restormel Road Plymouth PL4 6BL	Mr Sam Lewis
25/09/2024	Grant Conditionally	24/00646/FUL	Mr Justin Bryce	Change of use, conversion and extension of existing building to provide purpose built student accommodation	40 North Hill Plymouth PL4 8ET	Ms Abbey Edwards
25/09/2024	Grant Conditionally	24/00919/FUL	Mr Peter Bragg	Conversion of existing outbuilding into incidental/ancillary annexe	217 Stuart Road Plymouth PL1 5LQ	Cody Beavan
25/09/2024	Grant Conditionally	24/00932/FUL	Mr Christopher Strong	Dropped kerb for vehicle access to drive	13 Molesworth Road Plympton Plymouth PL7 4NT	Cody Beavan
26/09/2024	Grant Conditionally	24/00983/FUL	Mr David Pomfret	Two-storey side extension and single storey rear extension	6 Burrow Hill Plymouth PL9 9LE	Ethan Bell
26/09/2024	Grant Conditionally	24/01053/LBC	Plymouth City Council	External repair works to Building A	Tinside Pool, Hoe Road Plymouth PL1 3DE	Miss Amy Thompson
27/09/2024	Grant Conditionally	24/00945/FUL	Merkur Slots Ltd (UK)	Alterations to shop front	94 - 96 New George Street Plymouth PL1 1QZ	Joanna Churchill
27/09/2024	Grant Conditionally	24/00946/ADV	Merkur Slots Ltd (UK)	1no. Internally illuminated fascia sign	94 - 96 New George Street Plymouth PL1 1QZ	Joanna Churchill

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
27/09/2024	Grant Conditionally	24/01085/FUL	Mr & Mrs Wilkins	Two-storey rear and side extension	91 Underlane Plymstock Plymouth PL9 9LB	Mr Sam Lewis
30/09/2024	Grant Conditionally	24/01004/FUL	Suzzane Snowdon	Single storey rear extension	50 Rosslyn Park Road Plymouth PL3 4LN	Joanna Churchill
30/09/2024	Grant Conditionally	24/01036/FUL	Stuart Shaw	Replacement rear extension (part retrospective)	48 Compton Avenue Plymouth PL3 5DA	Ethan Bell
01/10/2024	Agreed Condition Details	24/00520/CDM	Mr Brian Oliver	Condition Discharge: Condition 10 of application 22/00878/FUL	Land At Poole Park Road, Savage Road, Roberts Road & Roope Close	Mr Simon Osborne
01/10/2024	Grant Conditionally	24/00645/FUL	Mr Paul Stewart	Replacement front flood-resistant gates	Holy Cross Catholic Primary School Beaumont Road Plymouth PL4 9BE	Mr Sam Lewis
01/10/2024	Grant Conditionally	24/00846/TPO	Mrs June P Gibbons	Oak (G1) - Trees overhanging from woodland to cut lower branches back the the boundary line (approx. 3-4m) and up to a height of approximatly 6m. Leaving a approximate crown spread of 13m after lateral reduction on lower section.	31 Weir Road Plymouth PL6 8RR	Alan Rowe
01/10/2024	Grant Conditionally	24/00944/FUL	Merkur Slots Ltd (UK)	Change of use to Adult Gaming Centre (Sui Generis)	94 - 96 New George Street Plymouth PL1 1QZ	Joanna Churchill
01/10/2024	Grant Conditionally	24/00994/TPO	Mr Ian Derbyshire	01 Turkey Oak Fell. 4 Holm Oak Fell. 5 Holm Oak Fell. 6 Holm Oak Fell. 8 Holm Oak Fell. 10 Holm Oak Fell. 11 Holm Oak Fell. 22 Holm Oak Fell. 26 Holm Oak Fell.	4 Nelson Gardens Plymouth PL1 5RH	Alan Rowe

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
01/10/2024	Grant Conditionally	24/01052/FUL	Burgess	Proposed change to roof geometry and new external wall treatments.	289 Tavistock Road Plymouth PL6 8AA	Luke Valentine
01/10/2024	Grant Conditionally	24/01070/FUL	Armadillo Self Storage	Proposed alterations to southern facade	24 - 26 George Place Plymouth PL1 3NY	Luke Valentine
01/10/2024	Refuse	24/00814/TPO	Alison Potapi	Lawson Cypress (T47) - Crown lift to 12m. Wild Cherry (T56) - Crown lift to 12m. Common Ash (T66) - Reduce back from structure 12-15m tree - to give 2m of clearance.	20 Whitby Road Plymouth PL6 5LE	Alan Rowe
02/10/2024	Grant Conditionally	24/00769/LBC	Mr Sean Harrison	Replacement of and structural repairs to still room roof inc. new lead valley gutters, rooflights, lantern light, sarking boards, and roof membrane	60 Southside Street Plymouth PL1 2LA	Mr Sam Lewis
03/10/2024	Agreed Condition Details	24/01247/CDM	ADC Kimberley (Derriford) Limited & Plymouth City Council	Condition Discharge: Conditions 37 (Drive-thru Management Plan and Review) & 40 (Ventilation and Extraction) of application 22/00129/FUL	Land At Former Seaton Army Barracks Parade Ground William Prance Road Derriford Plymouth PL6 5ZD	Mr Alistair Wagstaff
03/10/2024	Grant Conditionally	24/00969/FUL	Go-Ahead Group	Proposed replacement roof, railing and access ladder	Vehicle Hire Depot, 179 Alma Road Plymouth PL3 4HQ	Luke Valentine
03/10/2024	Grant Conditionally	24/01016/FUL	Mr Steve Walshaw	Single storey rear garden room	54 Furzehatt Road Plymouth PL9 8QT	Joanna Churchill
03/10/2024	Grant Conditionally	24/01038/TPO	Mr Mark Bance	(T1) Beech - To reduce beech height and reduce low branch growing over neighbours garage. (T2) Mature Oak - Previously pollarded , reduce crown regrowth on tops and laterals.	14 Tretower Close Plymouth PL6 6BH	Alan Rowe

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
03/10/2024	Grant Conditionally	24/01040/TPO	Mr Simon Wood	(T1) Beech - Mature specimen - Lateral crown reduction and crown raise	14 Appleton Tor Close Plymouth PL3 6PG	Alan Rowe
03/10/2024	Grant Conditionally	24/01041/TPO	Mr Philip Gerry	(T1) Beech - To crown raise mature Beech growing over highway up to 6.2 metres. To tip prune high points and branches (T2) Copper Beech - Prune to give 1m clearance for light and building.	55 Mannamead Road Plymouth PL3 4SR	Alan Rowe
03/10/2024	Grant Conditionally	24/01065/ADV	Mr Tony Rath	Proposal for 3No. fascia signs, 1No. totem sign, 1No. arch sign, 1No. mast sign, 3No. flagpoles.	Bristol Street Motors, 257 Ridgeway Plymouth PL7 1AJ	Luke Valentine
04/10/2024	Agreed Condition Details	23/01522/CDM	Mr Brian Oliver	Condition Discharge: Conditions 3, 4, 5, 6, 7, 8 & 9 of application 22/00878/FUL	Land At Poole Park Road, Savage Road, Roberts Road & Roope Close	Mr Simon Osborne
04/10/2024	Agreed Condition Details	24/00248/CDM	Jeremy Rendle	Condition Discharge: Conditions 2, 3 & 5 of application 22/00924/REM	2 Borrowdale Close Plymouth PL6 5BN	Mr Jon Fox
04/10/2024	Grant Conditionally	24/00751/FUL	Mr R Baker	Two-storey side extension replacing the existing single storey attached garage	22 Earls Mill Road Plymouth PL7 2BU	Natasha Batorijs
04/10/2024	Grant Conditionally	24/01072/FUL	Mr P Shephard	Proposed alteration to roof to provide an additional bedroom with rear dormer	24 Hillside Avenue Plymouth PL4 6PR	Ethan Bell
07/10/2024	Grant Conditionally	23/01784/FUL	Mr Andrew Bentley	Internal alterations to form a self-contained flat	11 Wolseley Road Plymouth PL2 3AA	Miss Emily Godwin

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
07/10/2024	Grant Conditionally	24/01043/TPO	Mrs Tina Bell	T1 Beech overhanging from neighbours property. Remove lowest 2 limbs that are approximately 100mm in diameter. Lateral reduce the remaining crown by approximately 1.5m leaving a crown spread of approximately 13m. No height reduction required.	14A Caradon Close Plymouth PL6 6BW	Alan Rowe
09/10/2024	Grant Conditionally	24/00942/FUL	Mr Nicholas Wilson	New extension to the rear to replace conservatory. New Porch to the front.	21 Penrith Gardens Plymouth PL6 8UX	Cody Beavan
09/10/2024	Grant Conditionally	24/01010/FUL	Storefort Ltd	Change of use from vehicle repair workshop to storage facility with associated external alterations	61 Cattedown Road Plymouth PL4 0PL	Ms Abbey Edwards
10/10/2024	Grant Conditionally	24/01078/S73	Steven Harvey	Application to vary Condition 3 (Surface Water Drainage) of application 23/00253/FUL to allow discharge of attenuated surface water to a combined sewer.	10 Queens Road Lipson Plymouth PL4 7PL	Mr Jon Fox
11/10/2024	Grant Conditionally	24/00621/FUL	Plymouth City Council	Temporary change of use to material storage/contractor compound for City Centre redevelopment works	Former Quality Hotel Site Cliff Road West Hoe Plymouth PL1 3DR	Mr Sam Lewis
11/10/2024	Grant Conditionally	24/01067/FUL	Mr H Penn	Raised terrace area with balustrading, new patio doors and windows to rear of property. A new glazed canopy to the rear and side. Demolition of existing shed and increased ridge and eaves height to existing detached garage.	17 Seymour Park Plymouth PL3 5BQ	Ethan Bell
11/10/2024	Grant Conditionally	24/01073/FUL	Mr James Smith	Continued use of Eastern Zone as temporary Pay & Display Car Park (for a duration of 2 years) together with retention of boundary hoardings	Car Park Derrys Cross Plymouth PL1 2SW	Mr Sam Lewis

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
14/10/2024	Agreed Condition Details	23/01098/CDM	Mr Gary Kelly	Condition Discharge: Conditions 5 & 6 of application 22/00436/FUL	Land West Of Orchard Lea, Station Road Tamerton Foliot Plymouth PL5 4LD	Mr Jon Fox
14/10/2024	Grant Conditionally	24/01079/FUL	Mr & Mrs Maskell	Proposed single storey rear/side extension and new entrance porch, including new terrace and roof terrace at the rear	Glen Devon 297 Dean Cross Road Plymouth PL9 7AZ	Ethan Bell
14/10/2024	Grant Conditionally	24/01332/ADV	Mr David Evans	Replacement of existing 'Arrivals' signage fascia with new 'Passenger Terminal Entrance' signage fascia adhering to ABP Brand Guidelines	Millbay Docks, Ferry Terminal Millbay Road Plymouth	Joanna Churchill

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