



#plymplanning

Oversight and Governance

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PLANNING COMMITTEE

Thursday 12 December 2024
4.00 pm
Council Chamber, Council House

Members:

Councillor Stevens, Chair
Councillor Penrose, Vice Chair
Councillors Allen, Mrs Bridgeman, Darcy, Freeman, Goslin, McCarty, McNamara, Ney, 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 - 2)

The Committee will be asked to confirm the minutes of the meeting held on 14 November 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 Service 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. 24/01145/FUL – The Grenville Hotel, 82 - 84 Grenville Road, (Pages 3 - 14) PL4 9PZ

Applicant: Mr A. Cotterell
Ward: Sutton and Mount Gould
Recommendation: Grant conditionally

6.2. 24/01099/FUL - 24 Queen Anne Terrace, North Hill, PL4 8EG (Pages 15 - 26)

Applicant: Mr Geoff Easson

Ward: Drake

Recommendation: Grant conditionally.

7. Planning Application Decisions Issued

The Service Director for Strategic Planning and Infrastructure, acting under powers delegated to him by the Council, will submit a schedule outlining all decisions issued from 05 November 2024 to 02 December 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 14 November 2024

PRESENT:

Councillor Stevens, in the Chair.

Councillor Penrose, Vice Chair.

Councillors Allen, Darcy, Freeman, Goslin, McCarty, McNamara, Ney, P. Nicholson (substituting for Mrs Bridgeman), M. Smith, Sproston and Ms Watkin.

Apologies for absence: Councillor Mrs Bridgeman.

Also in attendance: Natalie Gloyn (Lawyer), Amy Thompson (Planning Officer), Joshua Longstaff (Democratic Advisor), Elliot Warne-Gould (Democratic Advisor), Carly Francis (Area Planning Manager), Graham Clark (Public Speaker, item 6.1).

The meeting started at 4.00 pm and finished at 5.00 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.

43. **Declarations of Interest**

There were no declarations of interest.

44. **Minutes**

The Committee agreed the minutes of the meeting held on 24 October 2024 as an accurate record.

45. **Chair's Urgent Business**

The Chair welcomed Councillor Freeman to the Planning Committee.

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

There were no questions from members of the public.

47. **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.

48. **24/00893/FUL - Home Park Football Ground, Outland Road, PL2 3DQ**

Applicant: Christian Kent
Ward: Peverell
Decision: Application granted conditionally.

Amy Thompson (Planning Officer) presented the report to the committee.

Graham Clark spoke in support of the application on behalf of the applicant.

Following committee agreement, a statement was read by the Chair on behalf of Councillor Kate Taylor.

The Committee agreed to grant the application with the following conditions:

1. Condition 3 was amended to the following: Within 6 months of the first use of the development hereby permitted, a Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of noise management, security management and traffic/ parking management associated with the use of the site, including EV Charging and Accessible Parking. Contact details shall also be provided (including postal address, email address and telephone number) of the person to be contacted for external enquires and complaints about any issues arising from the use of the site and shall include a commitment to keep this information up to date. Thereafter, the development hereby approved shall continue to be managed permanently in accordance with the approved management arrangements.
2. The removal of Condition 4, "Travel Plan", in its entirety.

For (13)

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

Against (0)

Abstain (0)

Absent/did not vote (0)

49. **Planning Application Decisions Issued**

The Committee noted the report from the Director for Strategic Planning and Infrastructure on decisions issued for the period 15 October to 01 November 2024.

50. **Appeal Decisions**

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

51. **Exempt Business**

There were no items of exempt business.

PLANNING APPLICATION OFFICERS REPORT



Application Number	24/01145/FUL	Item	01
Date Valid	04.09.2024	Ward	SUTTON AND MOUNT GOULD
Site Address	The Grenville Hotel, 82 - 84 Grenville Road Plymouth PL4 9PZ		
Proposal	Change of use of ground floor from public house (Sui Generis) to 3no. flats (Class C3)		
Applicant	Mr A Cotterell		
Application Type	Full Application		
Target Date	30.10.2024	Committee Date	12.12.2024
Extended Target Date	20.12.2024		
Decision Category	Councillor Referral		
Case Officer	Mr Sam Lewis		
Recommendation	Grant Conditionally		



The application has been referred to the Planning Committee by Cllr. Sue Dann.

1. Description of Site

The Grenville Hotel is a public house on the corner of Grenville Road and Cromwell Road. Whilst the first floor was previously converted into 3no. flats, the ground floor remains a pub in planning terms - although it is currently not trading. The site falls within the Sutton and Mount Gould ward of the city.

2. Proposal Description

The proposal seeks to convert the ground floor of the pub into 3no. 1-bed flats. No external alterations are proposed.

3. Pre-application Enquiry

None.

4. Relevant Planning History

17/00640/FUL - Conversion of existing first floor accommodation into three one bedroom flats (Granted Conditionally).

24/00413/FUL - Change of use of ground floor from public house (Sui Generis) to 3no. flats (Class C3) (Refused). The refusal reason stated:

REFUSAL: LOSS OF PUBLIC HOUSE

The scheme would lead to the loss of a public house in an area which is considered to be lacking in suitable alternatives and it has not been demonstrated that the pub's loss is the only viable option. As such, the scheme is considered to be at odds with policies SPT2 and DEV18 of the Plymouth & South West Devon Joint Local Plan 2014-2034 (2019), particularly DEV18.6 which makes reference to the loss of community facilities (including pubs), and paragraph 97 of the National Planning Policy Framework 2023.

5. Consultation Responses

Highway Authority - Raised no in-principle objections to the proposal but recommended a condition pertaining to cycle storage.

Public Protection Service - No objections.

Economic Development - No response received.

Community Connections - No objections.

Environment Agency - No response received.

Natural England - Requested more information pertaining to the potential impacts on designated sites.

Campaign for Real Ale - No response received.

Lead Local Flood Authority - No objections.

6. Representations

43 letters of representation have been received by Officers, although some individuals submitted multiple letters. 19 of these letters express support for the proposal whilst 24 object to it. The reasons raised in support include:

- The public house sector is struggling;
- The site was not added to the Asset of Community Value (ACV) register;
- There is a need for housing;
- Reduction in noise impacts.

These issues will be discussed in Section 8 of this report. Additionally, it has been raised that the pub itself does not meet current planning policy. As the pub is historic, there is no requirement for it to retrospectively accord with current policies.

The reasons raised in objection include:

- Loss of local public house provision;
- Concerns raised with the supporting alternative provision/viability information provided;
- Offers have been made to purchase the pub, but these have been turned down;
- Parking concerns in the area.

These issues will be discussed in Section 8 of this report.

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 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 land supply at a whole plan level. The combined authorities can demonstrate a 5-year land supply of 5.35 years at end of March 2024 (the 2023 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2024 (published 14th October 2024).

Other material considerations include the Joint Local Plan Five Year Review Report (March 2024), 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 National Planning Policy Framework 2024 (Draft Consultation Version). Given this consultation is at an early stage, limited weight is given to these emerging policies;
- 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 assessing the specifics of the development, Officers first need to consider the principle of the proposal. Although not designated in the Local Plan, the use of the site as a public house is afforded some protection as a community facility under JLP policies SPT2 and DEV18.6, plus paragraph 97 of the NPPF. Redevelopment of the ground floor for residential use would therefore result in a loss of the pub for community use. Other JLP policies, however, including DEV7 and DEV9, plus section 5 of the NPPF, provide strong support for the delivery of new housing in

sustainable locations, including giving 'great weight' to the benefits of using suitable sites (windfall sites) within existing settlements for homes (NPPF paragraph 70(d)).

8.2.2 Loss of Community Facility:

At a high level, paragraph 97 of the NPPF states that to provide social, recreational, and cultural facilities and services the community needs, planning policies and decisions should: guard against the unnecessary loss of valued facilities and services particularly where this would reduce the community's ability to meet its day-to-day needs.

8.2.3 SPT2 of the JLP sets out the Plan's strategic approach to delivering sustainable linked neighbourhoods which includes providing for appropriate levels of facilities to meet the identified needs of the local community, including cultural and community facilities (SPT2.9).

8.2.4 DEV18 of the JLP looks to protect local services and facilities, with DEV18.6 specifically stating: *The change of use to other uses of facilities of local community importance, such as local convenience shops, post offices, public houses, cafes, restaurants and community facilities, will only be supported where there is no significant harm to the level of service locally and where there is no reasonable prospect of the business or community use continuing.*

8.2.5 The implementation of DEV18.6 in the Plymouth Policy Area is supported in part by paragraph 5.60 of the SPD. It states that:

For development which looks to change the use of a community facility, in order to demonstrate that there is no reasonable prospect of a community facility continuing, the premises needs to have been marketed through appropriate channels (such as local, national and specialist agents, publications and websites relevant to the nature of the facility), registered agent as a business (not as a development opportunity for an alternative use) for its existing use without development potential for a minimum of 12 months.

8.2.6 These are the key policies and guidance against which the principle of the loss of the public house as a community facility will be considered against.

8.2.7 This application follows 24/00413/FUL, which was refused in July 2024. The application was refused on the basis that the public house is in an area which is considered to be lacking in suitable alternatives, and it was not demonstrated that the pub's loss was the only viable option. As such it was considered contrary to policies SPT2, DEV18.6, and paragraph 97 of the NPPF.

8.2.8 Whilst this proposal is for the same development as the scheme which was refused, the applicant has submitted more supporting information to justify the pub's loss - and has also attempted to detail local alternative provision.

8.2.9 The first matter Officers need to consider is the level of harm to the provision of services locally. In the absence of any study previously, Officers referenced a few relatively close establishments and came to the view that the harm would be significant. In support of this proposal the applicant has provided a detailed list of alternatives - including the distance of them from the site. With this information, Officers have been able to undertake a more meaningful and detailed assessment. Whilst SPT2 does not specifically reference pubs, it generally considers that 800m is a reasonable walking distance to various types of community use - with 800m in planning terms generally equating to a 10-minute walk. Using mapping, Officers have been able to plot an indicative 10-minute walking radius around the site. This map has been added to with similar 10-minute walking areas from other nearby pubs so that Officers could see where there is overlap. Whilst not an exact representation of the likely situation, the mapping exercise suggests that approximately two-thirds of the site's estimated catchment area would be within a 10-minute walk of at least one of the other pubs identified. This would leave approximately a third without such coverage. This suggests a level of harm to local provision, but Officers are not of the view that the level of harm would be

significant as set out in DEVI8.6. Officers note that part of the area not serviced by another pub is taken up by both Tothill Park and the railway line - which limits connectivity from parts of Mount Gould to the north to the site, and further supports Officers in coming to the view that the level of harm is not significant.

8.2.10 The second element of DEVI8.6 turns to more viability-related issues with Officers needing to consider whether there is a reasonable prospect of the business or community use continuing. For this assessment regard is had to paragraph 5.60 of the SPD which requires the business to have been actively marketed for its existing use for a minimum of 12 months. The pub ceased trading earlier in the year. The applicant has submitted evidence which includes Profit & Loss Accounts from 2019-2023 in order to demonstrate viability issues. The reports show that for three of the four trading years the business made a net loss and that as such the business is unlikely to be sustainable in its current form over the long-term. The financial struggles of the pub are also set out in the statutory declarations from the applicant and the former leaseholders.

8.2.11 In accordance with the guidance set out in the SPD, evidence has also been provided relating to the property's marketing history - showing that it was on the market between July 2022 and February 2024, during which time the price was dropped twice. It also states that the property went to auction and little interest was forthcoming. During the time that the property was on the market, it received three viewings. No formal offers were made. It has been stated that no 'for sale' signage was erected at the site so as not to damage the pub's trade - but that the site was marketed online and via social media in ways typical to such properties. It was reported in the press during the previous application that an offer was made whilst the application was being considered which the applicant turned down. The applicant's statutory declaration states that the offer was made informally over the phone and not formally in writing via an appropriate agent or with any verifiable evidence of sufficient funds in place. This is disputed in some of the letters of representation received, but no evidence has been submitted to substantiate the offer being made and therefore Officers are unable to give much meaningful weight to this in the planning balance. Officers therefore consider that the information provided demonstrates adequate marketing for a period in excess of the specified 12 months and further supports that there is no reasonable prospect of the business continuing alongside the other information provided.

8.2.12 Some of the letters of representation question the financial information provided and put forward the theory that the pub could be profitable if it was run differently. In particular it has been stated that the business could be run more as a community venture rather than strictly for profit and/or with a more limited floor area. However, it is noted that no offer on these grounds has been made for the pub within the above specified period of marketing, or via the formal agent, and as such the proposal is considered to satisfy the tests of DEVI8.6 and SPD paragraph 5.60.

8.2.13 Housing Delivery:

Paragraph 70 of NPPF highlights the important contribution small sites can make to the housing requirement of an area. Support is provided for windfall sites, with great weight being given to the benefits of using suitable sites within existing settlements for homes. This is supported by policy SPT3 of the JLP which expects windfall sites to make an important contribution to the overall housing supply.

8.2.14 Paragraph 124 of the NPPF gives substantial weight to the value of using suitable brownfield land within settlements for housing. This is supported by JLP policy SPT1 which promotes the effective use of land for development through optimising the use of previously developed sites. Alongside supporting the provision and retention of community facilities, SPT2 welcomes a good balance of housing types and tenures to support a range of household sizes, ages, and incomes to meet identified housing needs. DEV7 then further expands on the housing need for Plymouth, noting a key need for smaller dwellings most suited to younger and older people.

8.2.15 The development would provide 3no. 1-bed flats in an area where the predominant form of development is terraced housing. Officers therefore consider the development would positively add to the housing mix of the locality

8.2.16 Planning Balance:

In conclusion, Officers are of the view that, on balance, the applicant has demonstrated that the scheme complies with DEV18.6. It is noted that not all of the site's catchment would be covered by the catchment of another alternative pub, but quite a large portion of it would be, and the financial information provided appears to demonstrate that the site is no longer viable as a pub. Officers note the public opposition to the proposed change of use but consider the evidence submitted satisfies the requirements of DEV18 and the guidance in the SPD - and adequately demonstrates the loss can be supported. Furthermore, the development would provide for 3no. 1-bed flats to help meet local housing need in a sustainable location as supported by SPT3 and DEV7. As such, Officers consider the proposal to be acceptable in principle.

8.3 Visual Impact

8.3.1 As no external alterations are proposed to the property, Officers consider that the scheme would not alter the site's existing visual impact in line with DEV20 of the JLP. It is noted in one of the letters of representation received that neither the existing nor proposed plans show the property's chimneys. It has been confirmed by the applicant that no alterations to the chimneys are proposed. Any changes to such would require planning permission and this has been reiterated in an Informative below.

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 Regarding the impact of the proposal on neighbouring properties, Officers do not consider that it would be significant. The area is largely residential in nature so the proposal would be in-keeping with the area and is not considered to lead to any noises/activities which would be out of character. As no extensions to the building are proposed and no additional windows are to be inserted, Officers consider that the building's existing privacy, massing, and light impacts would remain. It has also been noted in some of the letters of representation that the loss of the pub would reduce local noise and other amenity impacts. Any impacts relating to the pub's operation are long-established at this point, though, so this point has been afforded limited weight.

8.4.3 Regarding the quality of the accommodation which the proposed flats would provide their future occupiers, Officers consider that it would be of an acceptable standard. All of the flats would meet the Nationally Described Space Standards for a 1-bed 2-person flat and all of the flats would be served by appropriate levels of natural light. There would be a shared courtyard to the rear, but this would not provide a significant amount of useable amenity space. Given the location of the site, though, the lack of meaningful outdoor space is not uncommon - and Officers do not consider this a reason to recommend refusal. This yard would largely be used for bin and bike storage. Whilst the space is constrained, the submitted plan shows that there would be space for 12no. bins - which is what the site would require if 6no. flats were present. Cycle storage is also proposed within the yard.

8.4.4 Officers therefore consider that the scheme would not have a significant amenity impact on neighbouring properties in line with DEV1 and DEV2 of the JLP and would provide an acceptable level of accommodation for any future occupiers in line with DEV10 of the JLP.

8.5 Highway Impact

8.5.1 The Highway Authority were consulted on the scheme and they did not object to it. Whilst no off-street parking is proposed, and parking concerns have been flagged in the letters of representation received, Officers do not consider that the scheme would have a significant parking impact. The parking demand of the pub would exceed that of the 3no. flats proposed according to the indicative levels set out in Table 31 of the SPD and the site is also covered by a Controlled Parking Zone (CPZ) which the flats would be exempt from obtaining permits for. This CPZ is only in force for an hour a day, though, but the difference between the parking demand for the pub and the proposed flats means that Officers consider the proposal to be acceptable without off-street parking. The cycle storage referenced above has been conditioned below.

8.5.2 Officers are therefore of the view that the scheme is acceptable in line with DEV29 of the JLP.

8.6 Climate Emergency Considerations

8.6.1 As this proposal seeks the partial change of use of an existing building, with part of the building to remain as is, Officers are satisfied that the reuse of this vacant area makes effective use of brownfield land and is in line with DEV32 of the JLP and the CEPS in this instance.

8.7 Biodiversity Net Gain

8.7.1 Due to the proposed scale of development the scheme would be exempt from the mandatory requirement to deliver biodiversity net gain. The proposal is considered 'de minimis' because no habitat is impacted by the development.

8.8 Other Matters

8.8.1 As the site falls within a Critical Drainage Area, the Lead Local Flood Authority were consulted on the proposal. No objections were raised in line with DEV35 of the JLP.

8.8.2 Additionally, the proposal underwent a Habitat Regulations Assessment (HRA) to ascertain whether there would be an impact on the Tamar Estuary Marine Site. The scheme would trigger a sum of money to be paid through the HRA, however, given that the scheme is £0 CIL liable, this money would not have come from the applicant.

8.8.3 Officers are aware of attempts to place the pub on the Asset of Community Value (ACV) register. Officers note that an application has been considered and rejected. It is understood that a further application may be made to the Council. This is not a material planning consideration and would only be so if the application had been successful. ACVs are judged under different legislation to planning applications so no regard has been given to that process here.

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 SPT1, SPT2, SPT3, DEV1, DEV2, DEV7, DEV10, DEV18, DEV20, DEV29, DEV32, and DEV35 of the Plymouth & South West Devon Joint Local Plan. Whilst the loss of the pub is regrettable, Officers consider this would not result in significant harm to the provision of facilities locally and that sufficient evidence has been submitted to demonstrate that there is no reasonable prospect of the establishment reopening. Furthermore, the development would deliver 3no. 1-bed flats, which would meet an identified need for smaller dwellings. Therefore, in accordance with paragraph 11 of the NPPF, which states that development proposals that accord with the development plan should be approved without delay, this application is recommended for conditional approval for the reasons discussed throughout this report.

14. Recommendation

In respect of the application dated 04.09.2024 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 Conversion of Ground Floor into 3 One Bedroom Flats 82 84 Grenville Road Plymouth
2814 2 Rev A received 04/09/24
Location Plan 04092024 received 04/09/24

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 PROVISION**

PRE-OCCUPATION

The 3no. flats hereby approved shall not be occupied until space has been laid out within the site in accordance with the approved plans for a minimum of 3no. bicycles to be securely parked. The secure area for storing bicycles shown on the approved plan shall then 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 (2019).

4 **CONDITION: BIN STORAGE**

PRE-OCCUPATION

The 3no. 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 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: (£0 CIL LIABILITY) DEVELOPMENT DOES NOT ATTRACT A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION**

The Local Planning Authority has assessed that this development, although not exempt from liability under the Community Infrastructure Levy Regulations 2010 (as amended), will not attract a levy payment, due to its size or nature, under our current charging schedule. The Levy is subject to change and you should check the current rates at the time planning permission first permits development (if applicable) see www.plymouth.gov.uk/cil for guidance.

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 (NO 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 and has imposed planning conditions 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: 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>

5 INFORMATIVE: BIODIVERSITY NET GAIN EXEMPTION

In accordance with The Biodiversity Gain Requirements (Exemptions) Regulations 2024, this application is exempt from mandatory BNG as the development is subject to the de minimis exemption (development that does not impact a priority habitat and impacts less than 25sqm of habitat).

6 INFORMATIVE: CHIMNEYS

For clarity, this grant of planning permission permits no alterations (including the removal of) to the site's chimneys.

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PLANNING APPLICATION OFFICERS REPORT



Application Number	24/01099/FUL	Item	02
Date Valid	06.09.2024	Ward	DRAKE
Site Address	24 Queen Anne Terrace North Hill Plymouth PL4 8EG		
Proposal	Change of use of ground floor office (Class E) to 2no. self-contained flats (Class C3) and associated external alterations		
Applicant	Mr Geoff Easson		
Application Type	Full Application		
Target Date	01.11.2024	Committee Date	12.12.2024
Extended Target Date	N/A		
Decision Category	Councillor Referral		
Case Officer	Miss Emily Godwin		
Recommendation	Grant Conditionally		



This application has been referred to Planning Committee by Cllr Ricketts.

1. Description of Site

24 Queen Anne Terrace is an end of terrace three-storey property with rooms in the loft space. This application relates specifically to the ground floor of the property, which is currently a vacant office space. The site is located in the Drake ward of the city.

2. Proposal Description

The proposal is for the change of use of ground floor office (Class E) to 2no. self-contained flats (Class C3) and associated external alterations.

External alterations are proposed within the rear courtyard area, comprising of the installation of a timber fence to separate the parking area from external amenity space. A gate opening is also proposed within the side elevation boundary wall to provide access to the proposed "Flat B".

Window and door alterations are also proposed, comprising of the replacement of a window on the north elevation with a door to access the rear yard, and the blocking up of the rear door on the east elevation.

Bin and cycle storage is proposed within the rear courtyard area.

3. Pre-application Enquiry

There was no pre-application enquiry

4. Relevant Planning History

04/00448/FUL - Change of use from offices to student accommodation (Granted Conditionally)

07/01759/FUL - Change of use, conversion and alteration of offices to form office at ground floor with 4 self-contained flats above and parking area to rear (Granted Conditionally)

5. Consultation Responses

Public Protection Service - No objection subject to conditions.

Natural Infrastructure - No objections.

Environment Agency - No comments on the application, advise that standing advise is followed.

Natural England - Advise that a HRA assessment should be undertaken to determine the impacts on designated sites.

Residential Waste - Advise suitable bin storage should be provided within the property boundary

Lead Local Flood Authority - No objection.

Economic Development - Consider the scheme meets the tests of DEVI4.

Highway Authority - No objections, subject to conditions.

Designing out Crime Officer - Recommendations in terms of measures for designing out crime, specific recommendations in regard to the access to Flat B, bin and cycle storage. Following amendments, support the proposed access for flat b and secure bike and bin storage.

6. Representations

One letter of representation and one councillor referral to planning committee has been received.

The following concerns have been raised:

- North Hill needs mixed use properties which include office space to support the wider economy
- The application should be refused as it is within an Article 4 Zone.

The site is located within the Article 4 Direction Area, this removes the permitted development rights for a change of use from a dwellinghouse (Class C3) to a small HMO (Class C4). This planning application is for a change of use from Class E to Class C3 and so the restrictions of the Article 4 Direction are not relevant to this proposal.

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) of the 2004 Planning and Compensation Act 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 (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:

- The Plymouth and South West Devon Joint Local Plan Supplementary Planning Document (2020)

8. Analysis

8.1 This application has been considered in the context of the development plan, the adopted Joint Local Plan, the Framework and other material considerations as set out in Section 7.

Principle of Development

8.2 The current use of the ground floor of the property is Class E (Office) and is afforded some protection as an existing employment site under Policy DEV14 of the JLP. Redevelopment of the ground floor for residential use would therefore result in a loss of employment space. However, Local Plan policies including DEV7 and DEV9 and section 5 of the NPPF provide strong policy support for the delivery of new housing in sustainable locations, including giving 'great weight' to the benefits of using suitable sites (windfall sites) within existing settlements for homes (NPPF Para 70(d)). The principle of development therefore must consider the loss of employment space against the delivery of new homes.

Loss of Office

DEV14 of the JLP provides some policy protection for existing employment sites, including vacant sites whose lawful use is for employment purposes, and requires proposals for change of use to meet certain requirements. In respect of this site, DEV14(1)(iii) requires that there is no reasonable prospect of the site being used for employment use in the future. The SPD Para's 5.11-5.13 sets out that the applicant must provide a marketing report proportionate to the nature of the proposal. The applicant has submitted evidence that the site has been marketed for 12 months with minimal

response except one offer at a significantly reduced rate than the asking price. The evidence has been considered by the Council's Economic Development (ED) Team and they consider that overall there is enough evidence to suggest the site has been marketed for employment use, and consider that the requirements of DEVI4 and the SPD have been satisfied to justify the loss of employment space.

Delivery of Housing

Policy SPT3 of the JLP and Para 70 of the NPPF identify the important role that windfall sites such as this will play in the delivery of new homes that the City needs. Policy DEV7 provides additional support for a wide choice of quality homes including smaller dwellings most suited to younger and older people (DEV7(1)(i)). This proposal will deliver two self-contained residential flats in a highly sustainable location close to a range of shops, services and public transport and close proximity to the University of Plymouth and Arts University Plymouth. The area is already characterised by a mix of uses including extensive residential development.

8.5 In considering the principle of development, the loss of employment space has been satisfied in accordance with DEVI4 and the site is considered suitable for new homes supported by SPT3 and DEV7. Therefore, the scheme is found to be acceptable in the principle.

Design

8.6 Officers have assessed the visual impact of the proposed external alterations in accordance with policy DEV20 and consider them to be acceptable.

8.7 Officers consider that the installation of a fence and gate would be characteristic of residential properties in the local area with examples of fencing along the service lane at present. Officers consider that window and door alterations would not result in visual harm to the property or the wider streetscene. To this end, the scheme accords with DEV20 of the JLP.

Occupant Amenity

8.9 Officers have assessed the proposed floor plans and note that all bedrooms and habitable rooms will be served by windows, and as such would have sufficient access to natural light and outlook.

8.10 The Nationally Described Space Standards (NDSS) outlines the minimum internal floor areas for new dwellings and conversion. Initial concerns were raised that Flat A would fall below the minimum internal floor space requirements. Originally, Flat A was proposed to contain two double bedrooms. The minimum gross internal floor area for a 2-bed 4-person flat is 70 square metres. As Flat A was proposed to measure approximately 66 square metres, officers raised concerns that the flat was undersized and would result in the creation of sub-standard accommodation.

8.11 Amended plans were received which reduced the size of one of the bedrooms to a single room. The NDSS sets out that for a 2-bed 3-person flat, the minimum floorspace requirement is 61 square metres, which is met and exceeded by the proposed development.

8.12 Flat B is arranged with a shared living/bedroom and separate kitchen, shower room and utility room. The internal floor space of Flat B is approximately 43 square metres. Officers note that the living/bedroom space measures 21 square metres, which would indicate a double bedroom in terms of the NDSS. However, given this would also serve as the flat's living space, the arrangement is considered to be similar to that of a studio flat, and so officers have not requested that a single bedroom is demonstrated within the proposed plans. Furthermore, officers consider that internal alterations to provide a single bedroom would be difficult due to the location of windows and built in storage, and as such consider that this layout is the most appropriate in terms of occupant amenity. The minimum space standards for a 1-bed, 1-person flat with a shower room is 37 square metres which is met by the proposal. Officers note the proposed utility room and consider that this would

be inappropriate for use as a bedroom., Officers have recommended a condition to restrict the bedrooms to be those only as shown on the approved plans.

8.13 It was initially proposed that the access to flat B would be via the rear service lane. Comments from the Designing out Crime Officer raised concerns that service lanes are generally narrow, poorly lit and experience a reduced level of natural and passive surveillance. Amended plans were received which proposed the installation of a gate in the side boundary wall facing onto Marlborough Road. Officers consider this to be acceptable in providing access to Flat B due to increase levels of activity and natural surveillance, thereby reducing fear of crime.

Outdoor Amenity Space

8.14 The minimum recommended standard of outdoor amenity space is outlined in table 11 of the SPD. Here, it is recommended that flats should be served by 50 square metres per development, usually in the form of communal space. The development is proposed to be served by a courtyard area, however upon assessment of the plans it appears the courtyard would only be accessible from Flat B. As such, the proposal falls below the required levels of outdoor amenity space. Nonetheless, officers consider that properties within the surrounding area are characterised by small garden spaces, with many properties been converted into flats with limited outdoor amenity space.

8.15 The absence of amenity space is considered to be sufficiently mitigated by the site's close proximity to Drake's Place which is a one minute walk away, and Beaumont Park which is a ten minute walk from the application site.

8.16 Overall, officers consider the development would provide a good quality living environment for future occupants, in line with DEV10 of the JLP.

Neighbouring Amenity

8.17 The site and surrounding area are characterised by residential properties, as such officers raise no concerns at this stage that the proposed use of the property would lead to unacceptable level of noise or disturbance and as such would not lead to amenity issues.

8.18 Officers do not consider that the proposed fence would result in a loss of daylight or outlook to neighbouring properties by virtue of its distance from neighbouring habitable room windows.

8.19 The Council's Public Protection Service have been consulted on the application and raise no concerns. They recommend a condition restricting the hours of construction and demolition. Due to the scale and nature of the application, officers have included an informative outlining the Council's Code of Practice.

8.20 Overall, the scheme is considered to comply with DEV1 and DEV2 of the JLP.

Highways Considerations

8.21 The Local Highway Authority (LHA) were consulted on the application and raise no in-principle objections to the proposal.

8.22 The LHA consider that the parking demand associated with the development is three parking spaces. Comments from the LHA have highlighted that the parking to the rear has been allocated to the upper floor flats when it was converted to residential use as part of application 07/01759/FUL, in which the LHA considered a maximum of 2 parking spaces were practical.

8.33 The design and access statement highlights that as part of the proposal, one parking space at the rear would be retained and subsequently be allocated to the rear ground floor flat. This reduction in parking provides space for the proposed fence, as well as the proposed bin and bike storage.

8.34 Officers have assessed the proposed parking space and consider it to be acceptable. The LHA note that primary access from a rear service lane raises concerns due to pedestrian safety and the cobbled surface. In this case, 24 Queen Anne Terrace is approximately 2m from the footway on Addison Road, therefore this would not be grounds for refusal in this instance.

8.35 Initial comments from the LHA raised questions as to the loss of parking, considering that this would ordinarily be resisted. Officers therefore requested the re-arrangement of the proposed bin storage, bike storage and fence to retain a further parking space. Amendments to this end were unable to be secured. Correspondence from the agent outlined that the lost parking spaces were significantly constrained due to the pinch point between the building and boundary wall, evidence was also submitted of photos from the rear service lane, demonstrating that these parking spaces were not regularly used.

8.36 Upon consideration, officers in consultation with the LHA do not consider that the proposal would result in a harmful impact on the highway, despite the loss of parking. The LHA note the pinch point within the rear yard measures 2.1m in width, which is not adequate to accommodate off-street parking, nor the additional width as required in the SPD where parking adjacent to a wall and serves as a primary pedestrian access.

8.37 On balance, the LHA find that the application would not give rise to a loss of parking on the basis of the inadequate width of the existing parking arrangement. It is considered that the addition of cycle and bin storage in this location is more beneficial to support the proposed residential use.

8.38 The application site falls within Controlled Parking Zone D; operational Monday to Saturday 9am to 7pm. The applicant is advised that the two self-contained flats would be excluded from being eligible for resident and visitor parking permits and an informative has been added which details this further. On this basis, it is considered that due to the highly sustainable location and presence of a local controlled parking zone, this application would be considered car free.

8.39 Cycle parking is offered within the application site. The LHA requested ten cycle spaces were provided, for use of all the flats within the property in line with SPD guidance. Amended plans have been received which include space for ten cycles. The Designing Out Crime Officer has raised concerns as to the security of the bike store, given that this area of the rear yard is not fully enclosed. SPD guidance sets out that cycle storage should be well-lit, fully covered and conveniently located. Details in the submitted Design and Access Statement outline that a Vertical Bike Hanger Shelter will be used, which the LHA find to be acceptable

8.40 Given the highly sustainable location and exclusion from local parking zone and the existing parking demand, the LHA consider the lack of parking would not be grounds for refusal in this instance. On this basis, the application is considered to be acceptable and in line with DEV29 of the JLP.

Refuse

8.41 Initial plans received outlined that no bin storage was proposed to be supplied to the flats because the flats occupying the upper floors of the property make use of communal bins along the rear service lane.

8.42 The residential waste team requested that on-site bin storage was provided, with further verbal comments highlighting that wider initiatives within the waste team intended to reduce reliance on communal bins. Similar concerns were also raised by the Designing Out Crime Officer. A designated bin store is now proposed within the rear yard of the application site. Officers consider this to be of sufficient size that an appropriate number of bins for the occupants of the property can be safely

stored. A condition has been added to ensure that bins are stored in the designated bin store area at all times except for collection days. Overall, officers find this acceptable and in accordance with DEV31 of the JLP.

Natural Infrastructure

8.43 The application is exempt from mandatory Biodiversity Net Gain under the 'de minimis' exemption as it is a proposed change of use with minimal alterations that would impact on habitat. The Council's Natural Infrastructure Team have been consulted and have raised no concerns with the scheme.

HRA

8.44 The authority has concluded that the adverse effects from the proposal are wholly consistent with and inclusive of the effects detailed in the Tamar Estuary Estuaries Management Plan and the Yealm Estuary Environmental Management Plan. The authority's assessment is that the application complies with this strategy and that it can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above.

Drainage

8.45 The Lead Local Flood Authority (LLFA) have provided comments on the application. The site is located in Flood Zone 1 and so is considered to be at low risk from fluvial and tidal flooding. The site is located in a critical drainage area where the environment agency considers the existing drainage system to be at or close to capacity.

8.46 The LLFA have reviewed the submitted information and raise no objection to this application.

Climate Emergency

8.47 The details as submitted in the climate emergency form and sustainability statement have been reviewed by officers. The minor nature of the application is acknowledged. The proposal would re-use an existing building which is far superior to the replacing of the current building in terms of carbon emissions. In addition, the scheme proposes no changes to the existing heating system of the remaining building therefore minimising the possibility of energy storage or adaptation to enable the use of low and zero carbon heating systems in the proposal.

8.48 Amended plans were received which include the provision of wiring for the installation of an EV charger which is welcomed by the LPA.

8.49 The scheme is considered to be in accordance with DEV32 of the JLP and the CEPS (2022)

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.

Planning obligations are not sought due to the nature and size of 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 accords with policies SPT3, DEV1, DEV2, DEV7, DEV10, DEV14, DEV20, DEV29, DEV31, DEV32 and DEV35 of the Plymouth & South West Devon Joint Local Plan and national guidance and is therefore recommended for conditional approval.

14. Recommendation

In respect of the application dated 06.09.2024 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**

Location Plan 2412_P01 received 22/08/24

Block Plans 2412_P02 received 22/08/24

Proposed Ground Floor Plan 2412_P05 Rev B received 29/11/24

Proposed Elevations 2412_P06 Rev A received 18/11/24

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 PROVISION**

PRE-OCCUPATION

The 2no. flats hereby approved shall not be occupied until space has been laid out within the site in accordance with the approved plans for a minimum of 10no. bicycles to be securely parked. The cycle storage area shall be secure and covered and 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 (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. The bin storage area 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. Bins shall be stored in this area 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.

5 CONDITION: BEDROOMS

Only the rooms currently indicated as bedrooms on the approved plans shall be used as bedrooms, unless the Local Planning Authority gives written approval to any variation of this requirement.

Reason:

The number of bedrooms proposed in the application is considered to be the maximum that can reasonably be accommodated at the site. The proposed layout, together with the use of the remaining rooms for communal facilities, has been assessed and considered acceptable in planning terms and any other arrangement would need to be assessed on its merits. This condition is in accordance with policies DEV1 and DEV10 of the Plymouth and South West Devon Joint Local Plan (2014-2034) 2019 and the National Planning Policy Framework.

INFORMATIVES

I INFORMATIVE: (£0 CIL LIABILITY) DEVELOPMENT DOES NOT ATTRACT A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

The Local Planning Authority has assessed that this development, although not exempt from liability under the Community Infrastructure Levy Regulations 2010 (as amended), will not attract a levy payment, due to its size or nature, under our current charging schedule. The Levy is subject to change and you should check the current rates at the time planning permission first permits development (if applicable) see www.plymouth.gov.uk/cil for guidance.

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: 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>

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Planning Applications Determined Since Last Committee

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
05/11/2024	Agreed Condition Details	24/01066/CONF	Mr John Mutter	Pre-application for proposed supported living accommodation (Class C2)	Trelawney House, Ham Lane Plymouth PL2 3PD	Mr Daniel Thorning
05/11/2024	Grant Conditionally	24/01024/FUL	Mr B Lynch	Change of use from student HMO to 3 dwellnghouses and provision of bike and bin stores.	278 - 282 Citadel Road Plymouth PL1 2PZ	Cody Beavan
05/11/2024	Refuse	24/00971/FUL	Mrs Logini Thayakaran	Change of use from betting shop to hot-food (eat in and takeaway) (Sui Generis) and installation of extractor flue pipe	65 Mutley Plain Plymouth PL4 6JH	Cody Beavan
06/11/2024	Agreed Condition Details	24/01442/CDM	Mrs Nicola Daniel	Condition Discharge: Condition 6 (Highway Dilapidation Survey) of application 21/01895/FUL	Land At Clowance Street Devonport Plymouth PL1 4LQ	Mr Jon Fox
06/11/2024	Grant Conditionally	24/00991/FUL	Mrs Lucy Farrell-Tarnavskyi	Change of use of existing domestic garage to a dog grooming salon.	44 Shallowford Road Plymouth PL6 5TL	Mr Macauley Potter
06/11/2024	Grant Conditionally	24/01345/ADV	GRIDSERVE Sustainable Energy Ltd	5no. pole mounted EV Hub signs	Land At Former Seaton Army Barracks Parade Ground William Prance Road Derriford Plymouth PL6 5ZD	Joanna Churchill
06/11/2024	Refuse	24/01027/FUL	Mr Martin Eggar	Front garage (retrospective)	31 North Prospect Road Plymouth PL2 3HY	Luke Valentine

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
07/11/2024	Grant Conditionally	24/00283/LBC	Ms Li Jiang	Re-roofing of main, tenement, and dormer roofs, installation of front rooflight, window/door alterations, replace existing flashing and parapet finish, replace gutters and downpipes, internal alterations to create ensembles and associated ventilation systems, relocation of kitchen, installation of new boiler, installation of suspended ceilings, and reinstatement of front garden (part-retrospective)	37 North Road East Plymouth PL4 6AY	Mr Sam Lewis
07/11/2024	Grant Conditionally	24/01060/LBC	Mr Kui An	Replacement of garage door with 2no. windows and door	61 Emma Place Plymouth PL1 3QX	Miss Emily Godwin
07/11/2024	Grant Conditionally	24/01212/LBC	David Bayliss	Replace cast-iron rainwater goods	Norbury Court, 10 Craigie Drive Plymouth PL1 3LL	Ethan Bell
07/11/2024	Grant Conditionally	24/01290/FUL	Mr Robin & Mrs Smithyman	Window alterations and installation of rooflights	Flat 5, 2 Elliot Terrace Plymouth PL1 2PL	Miss Emily Godwin
07/11/2024	Grant Conditionally	24/01404/ADV	Mr David Stamp	Two single-sided internally illuminated signs	Hope Baptist Church Peverell Park Road Plymouth PL3 4QG	Ethan Bell
08/11/2024	Agreed Condition Details	23/01518/CDM	Sutton Harbour Group	Condition Discharge: Condition 17 (Commercial Unit Fit Out) & 24 (Management Plan - Ground Floor Commercial Unit) of application 22/02054/S73	Harbour Arch Quay Sutton Harbour Plymouth PL4 0HN	Mrs Janine Warne
08/11/2024	Agreed Condition Details	24/01458/CDM	Plymouth City Council	Condition Discharge: Condition 14 (Electric Vehicle Charging) of application 21/00722/FUL	Morley Youth & Community Centre Broadland Gardens Plymouth PL9 8TU	Mrs Katie Saunders

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
08/11/2024	Grant Conditionally	24/00921/FUL	Mr Danny Biscombe	Loft conversion with rear dormer.	First Floor Flat, 3 St Paul Street Plymouth PL1 3RZ	Luke Valentine
08/11/2024	Grant Conditionally	24/00943/FUL	Mr B Lynch	Change of use from 34 bedroom student HMO to large HMO (Sui Generis), demolish rear extensions and construct single storey rear extension to improve communal facilities and construction of bike store.	278 - 282 Citadel Road Plymouth PL1 2PZ	Cody Beavan
08/11/2024	Grant Conditionally	24/01226/LBC	Mr & Mrs Smithyman	Window alterations, installation of rooflights, layout alterations, part-removal of ceiling and various internal works	Flat 5, 2 Elliot Terrace Plymouth PL1 2PL	Miss Emily Godwin
11/11/2024	Approved	24/01258/TCO	Mr Peter England	T1 - Cypress - Remove. T2 - Cypress - Remove. T3 - Cypress - Remove. T4 - Cypress - Remove.	54 Valletort Road Plymouth PL1 5PN	Alan Rowe
11/11/2024	Grant Conditionally	24/01263/S73	TJ Morris Limited	Removal of Condition 16 (Signage Strategy) of application 24/00030/S73	Errill Retail Park, Plymouth Road Plymouth PL7 4JP	Helen Blacklock
11/11/2024	Grant Conditionally	24/01270/TPO	Thompson	G1 - Group of 3 Beech trees - Crown raise lateral epicormic growth on western boundary to crown break giving 5m clearance from ground level.	78 Looseleigh Lane Plymouth PL6 5HH	Alan Rowe
11/11/2024	Grant Conditionally	24/01271/TPO	Hynam	T1 - Willow - Remove to near ground level.	8A Portway Close Plymouth PL9 8BA	Alan Rowe
11/11/2024	Grant Conditionally	24/01282/TPO	Mr Roger Charles	(T1) Sycamore - Re-pollard to previous cut height to leave 10m stump.	Flat 1, 147 Mannamead Road Plymouth PL3 5NU	Alan Rowe

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
11/11/2024	Grant Conditionally	24/01283/TPO	Mr Paul Sibley	(T1) Oak - Reduce oak in back garden by 3m to leave crown at height of 10m.	5 Lavington Close Plymouth PL7 1PL	Alan Rowe
11/11/2024	Refuse	24/01284/TPO	Mr Neil Harvey	(T1) Lime - Fell (T2) Lime Fell	56 Temeraire Road Plymouth PL5 3UB	Alan Rowe
13/11/2024	Grant Conditionally	24/00807/FUL	Miss Sandra Belcher	Rear/side raised decking (retrospective)	6 Mount Batten Close Plymouth PL9 9EE	Ethan Bell
13/11/2024	Grant Conditionally	24/01046/ADV	Mr Neil Corrick	New dual case box with Vinyl applied to the face	73 - 75 New George Street Plymouth PL1 1RB	Ethan Bell
13/11/2024	Grant Conditionally	24/01210/FUL	Mr A Trim	Proposed rear first floor extension and garden alteration works	23 Federation Road Plymouth PL3 6BR	Cody Beavan
14/11/2024	Agreed Condition Details	24/01206/CDM	Miss Shelley Oliver	Condition Discharge: Condition 5 (Tactile Paving) of application 23/00921/FUL	Fitzroy Building University Of Plymouth Drake Circus Plymouth PL4 8AA	Mr Sam Lewis
14/11/2024	Agreed Condition Details	24/01225/CDM	University Hospitals Plymouth NHS Trust	Condition Discharge: Conditions 13 (Street Details), 18 (Landscaping) and 19 (Renewable Energy) of 24/00548/S73 (original application ref: 23/00031/FUL10)	Derriford Hospital Derriford Road Plymouth PL6 8DH	Helen Blacklock
14/11/2024	Agreed Condition Details	24/01408/CDM	Paul Oaklane South West Ltd	Condition Discharge: Condition 7 (Materials) of application 23/01122/FUL	Land Adj. 96 Sherford Road Plymouth PL9 8BG	Mr Sam Lewis

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
14/11/2024	Non-material Minor Amendment Agreed	24/01472/AMD	Plymouth City Council	Non-material Amendment: To amend the wording of planning condition 8 (Air Source Heat Pump) of application 24/00529/FUL	Community Centre Frederick Street West Plymouth PL1 5JW	Helen Blacklock
14/11/2024	Grant Conditionally	24/01204/FUL	Mr Michael White	Removal of existing conservatory and construction of new single storey side/rear extension	6 Long Ley Plymouth PL3 6PU	Ethan Bell
14/11/2024	Grant Conditionally	24/01208/FUL	David Carver-Trotter	Installation of a domestic 12kW air source heat pump	483 Tavistock Road Plymouth PL6 7AA	Cody Beavan
15/11/2024	Non-material Minor Amendment Agreed	24/01286/AMD	Lovell	Minor Amendment to Condition 12 (Playspace details and provision) of application 22/00878/FUL	Land At Poole Park Road, Savage Road, Roberts Road & Roope Close	Mr Simon Osborne
15/11/2024	Non-material Minor Amendment Agreed	24/01357/AMD	Eve Somerville	Non-material Amendment: Revisions to approved 'housetype', including changes to the design, appearance, height, massing, materials and unit sizes, in respect of two approved apartment buildings (Plots 1-6 and 45-50) of application 21/02071/FUL	Land To The West Of Phase 9, Seaton Neighbourhood (Palmerston Heights) Plymouth	Mrs Janine Warne
15/11/2024	Grant Conditionally	24/00893/FUL	Mr Christian Kent	Temporary marquee to be used by the Green Taverners Members Club (Sui Generis) with associated development including portacabins for use as toilets, cellar storage and rainwater storage tank.	Home Park Football Ground Outland Road Plymouth PL2 3DQ	Miss Amy Thompson
15/11/2024	Grant Conditionally	24/01232/FUL	Mr Moreman	Demolition and replacement of rear coach house and change of use of existing property to provide 4no. flats (Class C3) and central courtyard	10 Elliott Road Plymouth PL4 9NJ	Mr Sam Lewis
15/11/2024	Grant Conditionally	24/01302/ADV	Thao Pham	Two fascia signs, window stickers and internal LED sign.	52C Mutley Plain Plymouth PL4 6LE	Joanna Churchill

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15/11/2024	Grant Conditionally	24/01359/FUL	Mr G Quick	Proposed extension	1 Powderham Road Plymouth PL3 5SF	Joanna Churchill
18/11/2024	Grant Conditionally	24/01096/FUL	Ms Christine Munn	Rear balcony replacement	19 The Old Wharf Plymouth PL9 7NP	Ethan Bell
19/11/2024	Agreed Condition Details	24/01486/CDMLB	Plymouth City Council	Discharge of Condition 3 (concrete repairs) of application 24/00683/LBC	Tinside Pool Hoe Road Plymouth PL1 3DE	Miss Amy Thompson
19/11/2024	Grant Conditionally	24/01243/FUL	Mr & Mrs McConaghy	Conversion of bungalow to two storey house. Garage with workshop.	3 Hazel Grove Plymouth PL9 8DW	Joanna Churchill
20/11/2024	Non-material Minor Amendment Agreed	24/01422/AMD	Mr Nali Nouri	Non-material amendment: Removal of Medpoint branding and reduction in prescription collection machine size for application 24/00246/FUL	8 Leypark Drive Plymouth PL6 8UD	Luke Valentine
21/11/2024	Agreed Condition Details	24/01417/CDM	Miss Ying He	Condition Discharge: Condition 4 (Odour from Commercial Kitchen Extraction System) for application 23/00945/FUL	36 Marlborough Street Plymouth PL1 4AH	Mr Daniel Thorning
21/11/2024	Grant Conditionally	24/01220/FUL	Mr Thomas Fabian	Installation of a Servi-Locker prescription collection machine to the existing pharmacy shopfront window	91 Church Road Plymstock Plymouth PL9 9AX	Ethan Bell
21/11/2024	Grant Conditionally	24/01221/ADV	Mr Thomas Fabian	Vinyl wrap to the front of the proposed prescription collection machine with operation instructions, name and logo	91 Church Road Plymstock Plymouth PL9 9AX	Ethan Bell

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21/11/2024	Grant Conditionally	24/01256/S73	Very Clever Locums Ltd	Variation of Condition 3 (Opening Hours) of application 19/00993/FUL for retail unit only	122 Alexandra Road Mutley Plymouth PL4 7EQ	Mr Daniel Thorning
21/11/2024	Grant Conditionally	24/01261/FUL	Mr Daniel Walker	Single storey rear extension	65 Outland Road Plymouth PL2 3DA	Ethan Bell
22/11/2024	Approved	24/01264/TCO	Plymouth Community Homes	00A1 - Willow (salix) : Fell/remove tree and grind out stump and replace tree with suitable species. 009Z & 009Y - Hornbeam (carpinus): Re-pollard/reduce tree's canopy to where it's been previously pollarded/reduced to.	95A Vauxhall Street Plymouth PL4 0HB	Alan Rowe
22/11/2024	Agreed Condition Details	23/00683/CDM	University Hospitals Plymouth NHS Trust	Condition Discharge: Condition 11 of application 21/02270/FUL10	Land North Of William Prance Road Derriford Plymouth	Ms Marie Stainwright
22/11/2024	Agreed Condition Details	24/01068/CDM	Mrs Nicola Daniel	Condition Discharge: Condition 3 (Surface Water Drainage), 4 (Details of Boundary Treatments), 7 (Surface Water Soakaway), & 8 (Land Quality) of application 21/01895/FUL	Land At Clowance Street Devonport Plymouth PL1 4LQ	Mr Jon Fox
22/11/2024	Grant Conditionally	24/01098/FUL	Mr Matthew Randall	Change of use and sub-division of Hotel (Class C1) to 2no. 9-bed HMOs (Sui Generis) and 1no. 10-bed HMO (Sui Generis) and associated works	Kynance Hotel, 107 - 113 Citadel Road Plymouth PL1 2RN	Miss Emily Godwin
22/11/2024	Grant Conditionally	24/01348/FUL	Mr Guy Baser	Removal of existing nitrogen tank and proposal of new 8m high nitrogen tank.	39 William Prance Road Plymouth PL6 5WR	Joanna Churchill
25/11/2024	Approved	24/01265/TCO	Holly Griffiths	T1 - Lime. Reduce existing pollard frame work in height by 4m. G001 - Re-pollard group back to previous pollard points.	Martins Gate Bretonside Plymouth PL4 0AT	Alan Rowe

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25/11/2024	Approved	24/01307/TCO	Plymouth Community Homes	Fell Malus tree	9 Stillman Court Stillman Street Plymouth PL4 0DU	Alan Rowe
25/11/2024	Approved	24/01338/TCO	Mr Jay Foster	G1 Ash and Sycamore - Side up back to inline with boundary wall overhanging branches into St Michaels Lodge approximatly 3-4m growth leaving the trees with a crown spread of approximatly 7m wide and 8m height. T1 Leaning Ash tree - Small Ash tree- Fell. Reasons are has significant lean.	47 St Michaels Terrace Plymouth PL1 4QG	Alan Rowe
25/11/2024	Approved	24/01349/TCO	Mr Donald Nuttall	Holly and Sycamore - Deadwood and cut back 3m. Lime - Cut back 3m.	Emmanuel Church 1 Compton Avenue Plymouth PL3 5BZ	Alan Rowe
25/11/2024	Grant Conditionally	24/01213/TPO	Mrs Ange Thomas	T1 & T2 Sycamores (Acer Pseudoplatanus) both to be sectionally dismantled.	1 Great Woodford Cottages Great Woodford Drive Plymouth PL7 4RP	Alan Rowe
25/11/2024	Grant Conditionally	24/01248/LBC	Mr & Mrs Confue	Replacement windows	6 Hotham Place Plymouth PL1 5NE	Ethan Bell
25/11/2024	Grant Conditionally	24/01274/TPO	Mr Paul Sibley	(T1) Sycamore- Re-pollard to previous height to leave a 10m stump.	5 Lavington Close Plymouth PL7 1PL	Alan Rowe
25/11/2024	Grant Conditionally	24/01316/TPO	Mr Andy Freeman	(T1) Conifer hedge. To reduce height by 2 metres to leave at height of 8 metres and trim sides	Great Woodford House Great Woodford Drive Plymouth PL7 4RP	Alan Rowe
25/11/2024	Grant Conditionally	24/01330/TPO	Mr Greg White	T1 - Yew Reduce height from 8m to 6.5. crown spread from 6 - 4. T2 - Yew Reduce height from 8m to 6.5. crown spread from 6 - 4. T3 - Ash repollard back to previous points finsih height of pollard 10-12m.	6 Hawkins Close Plymouth PL6 6LL	Alan Rowe

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25/11/2024	Grant Conditionally	24/01331/TPO	Miss Lucy Ingham	T1 Birch Fell	1 Glenholt Close Plymouth PL6 7HZ	Alan Rowe
25/11/2024	Grant Conditionally	24/01334/TPO	Nicholson	T1 - 1 x Oak Tree - Removed limb with major historic crack Sever 1m section of Ivy around the base of the tree. Crown lifting the tree to 4.5m from ground level. T2 - 1 x Ash Tree Sectionally, dismantle fell & remove to ground level. T3 - 1 x Large sycamore - Crown lift secondary & tertiary branch growth up to 6.5 metres from ground level	Land Behind 17 - 19 Tovey Crescent Plymouth PL5 3US	Alan Rowe
25/11/2024	Grant Conditionally	24/01366/TPO	James Tarrant	T1 - Lime- Remove epicormic growth, crown raise 3m clearance from ground level.	18 Wantage Gardens Plymouth PL1 5DN	Alan Rowe
25/11/2024	Refuse	24/01259/TPO	Mrs Chelsea Bickers	Horse Chestnut (T1) Removal of tree infected with leaf miner. Horse Chestnut (T2) Removal of tree infected with leaf miner	17 Lopwell Close Plymouth PL6 5BP	Alan Rowe
26/11/2024	Grant Conditionally	24/01384/S73	Plymouth City Council	Variation of Condition 1 (Approved Plans) of application 24/00223/FUL to allow roof / cladding change and relocation of extension.	Honicknowle Youth Centre Honicknowle Green Plymouth PL5 3PX	Mr Macauley Potter
26/11/2024	Grant Conditionally	24/01385/S73	Plymouth City Council	Variation of Condition 1 (Approved Plans) of application 24/00220/FUL to allow change to cladding.	Efford Community Centre Blandford Road Plymouth PL3 6HU	Mr Macauley Potter
27/11/2024	Grant Conditionally	24/00681/FUL	Mr Mehmet Selvus	Replacement of shopfront (part-retrospective)	9 Devonport Road Plymouth PL3 4DJ	Natasha Batorijis
27/11/2024	Grant Conditionally	24/01262/FUL	Mr & Mrs Janes	Two storey front extension, Single storey side canopy and removal of rear bay window	Kinnaird House, Buckingham Place Plymouth PL5 2EN	Cody Beavan

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27/11/2024	Grant Conditionally	24/01277/FUL	Mr Gordon Kinvig	Single storey rear extension	196 Hemerdon Heights Plymouth PL7 2TJ	Cody Beavan
28/11/2024	Grant Conditionally	24/00866/FUL	Mr Tim Octon	Change of Use from B8 Storage and Distribution to E(g)(ii) - Research and Development; along with external alterations including replacement and new roof structures, new roof mounted solar PV array, changes to fenestration and associated works.	1 To 2 Turnquay Plymouth PL9 7NN	Helen Blacklock
28/11/2024	Grant Conditionally	24/01321/FUL	Deborah Soulsby	Single storey side and rear extension	50 Glenholt Road Plymouth PL6 7JD	Cody Beavan
28/11/2024	Grant Conditionally	24/01326/FUL	Paxsole Ltd	Formation of 2no. terraces at second floor level over existing bay windows, along with pitched roof extension over	33 Queens Road Lipson Plymouth PL4 7PL	Cody Beavan
28/11/2024	Grant Conditionally	24/01333/FUL	Mr Meckiff	Rear dormer and front porch.	37 Downham Gardens Plymouth PL5 4QF	Cody Beavan
28/11/2024	Grant Conditionally	24/01346/FUL	Mr Richard Webber	Detached garage with roof terrace and driveway	17 Baylys Road Plymouth PL9 7NQ	Joanna Churchill
28/11/2024	Grant Conditionally	24/01363/FUL	Mrs Janis Bridgman	Single storey extension (Disabled WC)	109 Springfield Road Plymouth PL9 8PU	Joanna Churchill
28/11/2024	Grant Conditionally	24/01378/ADV	Sandra Manes Vega	Internally illuminated fascia sign, window vinyls and illuminated sign inside window	20 Old Town Street Plymouth PL1 1DQ	Joanna Churchill

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29/11/2024	Grant Conditionally	24/01035/FUL	Ms Eve Somerville	Construction of a single storey temporary sales hub to serve Charles Church development with associated landscaping and infrastructure	Land At Encombe Street Plympton Plymouth PL9 7EZ	Joanna Churchill
29/11/2024	Grant Conditionally	24/01285/FUL	Mr Anthony Chenery	Change of use of the ground floor area to be used as a Tattoo Studio (Sui Generis)	1E Clifton Place Plymouth PL4 8HU	Ethan Bell
02/12/2024	Agreed Condition Details	24/00619/CDM	Grant & Toby Noble & Roach	Condition Discharge: Condition 2 (Drainage) of application 23/00696/S73	Land Adjacent To 18A Torland Road Plymouth PL3 5TS	Mr Sam Lewis
02/12/2024	Grant Conditionally	24/01291/FUL	Drake Circus Leisure Ltd	Change of Use from Class A3/A4/A5 to Use Class E (gym)	Unit 11, 11 Bretonside Plymouth PL4 0FE	Joanna Churchill
02/12/2024	Grant Conditionally	24/01376/TPO	Pirapagaran Kulenthiran	G1 - Group of 6 Lime trees - Pollard to previous pruning points at approx 13m	7 Esthwaite Lane Plymouth PL6 5FQ	Alan Rowe
02/12/2024	Refuse	24/01293/TPO	Alison Potapi	T47-Lawson Cypress- Crown lift to achieve a 12m clearance from ground level. T56-Wild Cherry-Crown lift to achieve a 12m clearance from ground level.	1 Cadover Close Plymouth PL6 5NE	Alan Rowe

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