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Your Ref:

Date: 23 April 2007

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My Ref:

6/PC/RW/DE

Please ask for: Daphne Evans / Rachel Watson

PLANNING COMMITTEE

DATE: THURSDAY 26 APRIL 2007

TIME: 4.30 PM

PLACE: COUNCIL HOUSE, ARMADA WAY, PLYMOUTH

Committee Members–

Councillor Wildy, Chair.

Councillor Stevens, Vice-Chair.

Councillors Mrs Aspinall, Bowyer, K Foster, Martin Leaves, Lock, Nicholson, Mrs Nicholson, Simmonds, Vincent and Wheeler.

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

Any Member of the Council may sit as a substitute member provided that they have undergone the Council's prescribed member planning training course.

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

**BARRY KEEL
CHIEF EXECUTIVE**

PLANNING COMMITTEE

PART I (PUBLIC COMMITTEE)

AGENDA

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 - 6)

The Committee will be asked to confirm the minutes of the meeting held on 5 April 2007.

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

(Pages 7 - 8)

The Assistant Director of Development (Planning and Regeneration) 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. Members of the Committee are requested to refer to the attached planning application guidance.

**6.1. ERNESETTLE COMMUNITY SCHOOL, BIGGIN HILL,
ERNESETTLE, 07/00336/FUL**

(Pages 9 - 14)

Applicant: Plymouth City Council
Ward: Honicknowle
Recommendation: Grant Conditionally

- 6.2. ERNESETTLE COMMUNITY SCHOOL, BIGGIN HILL, ERNESETTLE, 07/00325/FUL **(Pages 15 - 22)**
- Applicant: Plymouth City Council
Ward: Honicknowle
Recommendation: Grant Conditionally
- 6.3. FORMER MOD SITE, MOUNT WISE, DEVONPORT, 06/01646/OUT **(Pages 23 - 48)**
- Applicant: Mount Wise Ltd
Ward: Devonport
Recommendation: Minded to grant conditionally subject to a S106 Agreement (provided outstanding issues are resolved with the EA and HA), defer for the consideration of any further public representations received, delegated authority to officers to conclude S106 negotiations and to finally determine the application.
- 6.4. PLYMOUTH GARDEN CENTRE, FORT AUSTIN AVENUE, CROWN HILL, 07/00015/FUL **(Pages 49 - 54)**
- Applicant: Plymouth Garden Centre
Ward: Eggbuckland
Recommendation: Refuse
- 6.5. 56 EARLS MILL ROAD, PLYMPTON, 07/00228/FUL **(Pages 55 - 58)**
- Applicant: Miss H Rickett
Ward: Plympton St Mary
Recommendation: Grant Conditionally
- 6.6. MONTEPELIER PRIMARY SCHOOL, BEACONFIELD ROAD, BEACON PARK, 06/01830/FUL **(Pages 59 - 62)**
- Applicant: Montpelier Primary School
Ward: Peverell
Recommendation: Grant
- 6.7. LAND AT DAMEREL CLOSE, DEVONPORT, 07/00093/FUL **(Pages 63 - 74)**
- Applicant: Plymouth Hospitals NHS Trust
Ward: Devonport
Recommendation: Grant Subject to S106 Obligation - Full
- 6.8. ERRILL RETAIL PARK, PLYMOUTH ROAD, PLYMPTON, 07/00148/FUL **(Pages 75 - 78)**

Applicant: Royal London Mutual Insurance Society Ltd
Ward: Plympton Erle
Recommendation: Grant Conditionally

6.9. LAND AT JUNCTION OF ST BUDEAUX BYPASS AND THE PARKWAY, ST BUDEAUX, 06/00018/OUT **(Pages 79 - 98)**

Applicant: Chelverton Deeley Freed
Ward: St Budeaux
Recommendation: Not Determined (Refuse if the applicants had not appealed against non-determination)

6.10. UNIT J, 91 ST MODWEN ROAD, MARSH MILLS, 07/00179/FUL **(Pages 99 - 108)**

Applicant: Rok Development
Ward: Moor View
Recommendation: Minded to Grant Conditionally subject to S106 Agreement, (provided no objections raised by the Environment Agency), minded to refuse if objections raised by the Environment Agency – delegated authority to officers to act accordingly upon receipt of Environment Agency observations

6.11. MARY DEAN PRIMARY SCHOOL, MARY DEAN AVENUE, TAMERTON FOLIOT, 07/00226/FUL **(Pages 109 – 114)**

Applicant: Mary Dean Primary School
Ward: Southway
Recommendation: Grant Conditionally

6.12. ESTOVER PRIMARY SCHOOL, MILLER WAY, ESTOVER, 07/00486/FUL **(Pages 115 - 122)**

Applicant: Plymouth City Council
Ward: Moor View
Recommendation: Grant Conditionally

6.13. PLYMOUTH INTERNATIONAL BUSINESS PARK, TAVISTOCK ROAD, DERRIFORD, 07/00293/FUL **(Pages 123 - 130)**

Applicant: ROK Development
Ward: Moor View
Recommendation: Defer for Further consideration

6.14. PLYMOUTH INTERNATIONAL BUSINESS PARK, TAVISTOCK ROAD, CROWNHILL, 07/00287/FUL **(Pages 131 - 138)**

Applicant: ROK Development

Ward: Moor View
Recommendation: Defer for Further consideration

6.15. PLYMOUTH INTERNATIONAL MEDICAL AND TECHNOLOGY PARK, TAVISTOCK ROAD, CROWNHILL, 07/00299/REM **(Pages 139 - 142)**

Applicant: Rok Development
Ward: Moor View
Recommendation: Defer for Further consideration

6.16. PLYMOUTH INTERNATIONAL MEDICAL AND TECHNOLOGY PARK, TAVISTOCK ROAD, CROWNHILL, 07/00300/REM **(Pages 143 - 150)**

Applicant: Rok Development
Ward: Moor View
Recommendation: Defer for Further consideration

7. PLANNING APPLICATION DECISIONS ISSUED (Pages 151 - 194)

The Assistant Director of Development (Planning and Regeneration) acting under powers delegated to him by the Council will submit a schedule outlining all decisions issued from 21 March 2007 to 16 April 2007, 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 for inspection at First Stop Reception, Civic Centre.

8. APPEAL DECISIONS (Pages 195 - 196)

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 this schedule is available for inspection at First Stop Reception, Civic Centre.

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 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

PART II (PRIVATE COMMITTEE)

AGENDA

MEMBERS OF THE PUBLIC TO NOTE

that under the law, the Committee is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

NIL

Planning Committee

Thursday 5 April 2007

P 86 06/07

PRESENT:

Councillor Wildy, in the Chair.

Councillor Stevens, Vice Chair.

Councillors Mrs Aspinall, K Foster, Mrs Foster (substitute for Councillor Bowyer), Martin Leaves, Lock, Nicholson, Mrs Nicholson, Simmonds, Vincent and Wheeler. .

Apology for absence: Councillors Bowyer.

The meeting commenced at 4.30 pm and concluded at 6.20 pm.

122. DECLARATIONS OF INTEREST

The following declarations of interest were made by Members in accordance with the Code of Conduct –

Name	Minute No. and Subject	Reason	Interest
Councillor Stevens	Minute 126.5 The Jarvis Grand Hotel, Elliot Street	Owner of property in Hoe Conservation Area	Personal
Councillor Nicholson	Minute 126.9 Notre Dame Roman Catholic School, Notre Dame Close, Derriford	School Governor	Personal
Councillor Mrs Aspinall	Minute 126.10 Beaumont Hall, 19 Green Bank Avenue, St Judes	Chair of Premises Committee for and Vice-Chair of Sutton & Devonport Constituency Labour Party	Prejudicial
Councillor Stevens	Minute 126.10 Beaumont Hall, 19 Green Bank Avenue, St Judes	Chair of Plymouth Sutton & Devonport Constituency Labour Party	Prejudicial
Councillor Vincent	Minute 126.10 Beaumont Hall, 19 Green Bank Avenue, St Judes	Member of Sutton & Devonport Constituency Labour Party	Prejudicial
Councillor Wildy	Minute 126.10 Beaumont Hall, 19 Green Bank Avenue, St Judes	Deputy Treasurer of Sutton & Devonport Constituency Labour Party	Prejudicial

123. MINUTES

Resolved that the minutes of 15 March 2007 (P 79 06/07) be confirmed as a correct record.

124. CHAIR'S URGENT BUSINESS

There were no items of Chair's Urgent Business.

125. QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions from members of the public.

126. **PLANNING APPLICATIONS FOR CONSIDERATION**

The Committee considered the following planning applications, development proposals by local authorities and statutory consultations submitted under the Town and Planning Act 1990 and the Planning (Listed Building and Conservation Areas) Act 1990 (P 80 06/07).

Addendum reports were circulated relating to items 6.2, 6.7, 6.11 and 6.12.

- .1 KAWASAKI PRECISION MACHINERY UK LTD, ERNESETTLE LANE, ERNESETTLE 06/01983/FUL (Kawasaki Precision Machinery UK Ltd)
Decision:
Application **GRANTED**, subject to the conditions set out in the report.
- .2 PLYMOUTH ALBION RUGBY CLUB, BRICKFIELDS RECREATION GROUND, MADDEN ROAD, DEVONPORT, 07/00193/FUL (Plymouth Albion Rugby Club)
The application was withdrawn by the applicants.
- .3 1 BELLIVER WAY, ROBOROUGH, 07/00048/FUL (Devon Enterprise Facility)
Decision:
Application **GRANTED**, subject to the conditions set out in the report.
- .4 26 MOUNT TAMAR CLOSE, ST BUDEAUX, 06/02067/FUL (Stoke Damerel Primary School)
Decision:
Application **DEFERRED** for a Site Visit.

(The request of the Chair that the item be deferred for a site visit under criteria 1 was put to the vote and declared carried.)

- .5 THE JARVIS GRAND HOTEL, ELLIOT STREET, 06/00714/LBC (Devington Homes Ltd)
Decision:
The application be **REFUSED** for the following reasons:

Insufficient information has been submitted to enable the Local Planning Authority to determine the application and its affect on the appearance, character and integrity of the Listed Building and the appearance and character of The Hoe Conservation Area, in accordance with Adopted City of Plymouth Local Plan policies AEV14, AEV15, AEV16, AEV19, AEV20, Core Strategy policies CS02, CS03 and PPG15.

Reasons for Refusal:

- (1) Insufficient details have been submitted in relation to:
 - a. design, materials, finish and method of construction of all new internal and external doors;
 - b. design, materials and finish of any new and replacement windows;
 - c. all new and replacement skirting, cornicing, architraves and moulding;
 - d. design, materials and finish of all rainwater goods;
 - e. the siting, design, materials and finish of the rear courtyard gates together with details of the proposed rear courtyard hard surfacing materials;
 - f. the siting, design, materials and finish of the proposed roof terrace enclosure to apartment 3;
 - g. the siting, design, method of construction, materials and finish of any new enclosure or privacy screens to the verandahs on the front of the building;

h. a schedule of repair for the repair and refurbishment of Staircase 2 and design, material and finish of the third floor extension to Staircase 1.

- (2) Insufficient details of the siting, design, materials, finish and lighting of the proposed external terrace together with siting, design and materials of any proposed terrace access steps, ramp or lift, method of enclosure and main entrance gates and all external surfacing materials.
- (3) Details of any new or replacement external ventilation extracts, flues and other external extract/ventilation fittings proposed for the building.
- (4) Insufficient details of soft landscape works to include proposed finished levels or contours; pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures; retained historic landscape features and proposals for restoration.

(Councillor Stevens declared a personal interest in respect of the above item.)

.6 PLYMOUTH FRUIT SALES, SUTTON ROAD, COXSIDE

Decision:

Application **REFUSED** for the reasons set out in the report.

.7 POCKLINGTON RISE, GEORGE LANE, PLYMPTON, 06/02059/FUL
(Thomas Pocklington Trust)

Decision:

Application **GRANTED**, subject to the conditions and S106 Obligation - Full set out in the report and addendum report.

.8 HMNB DEVONPORT, 07/00034/FUL (Serco Defence and Aerospace)

Decision:

Application **GRANTED** subject to the conditions set out in the report.

.9 NOTRE DAME ROMAN CATHOLIC SCHOOL, NOTRE DAME CLOSE,
DERRIFORD, 07/00046/FUL (Plymouth Diocese)

The application was withdrawn by the applicants.

.10 BEAUMONT HALL, 19 GREENBANK AVENUE, ST JUDES, 07/00224/FUL
(Sutton and Devonport Constituency Labour Party)

Decision:

Application **GRANTED** subject to the conditions set out in the report and the following additional condition:

Condition no. (5)

Grampian condition to require provision of a bus stop prior to the commencement of development.

(Councillors Mrs Aspinall, Stevens, Vincent and Wildy declared prejudicial interests in the above item and withdrew from the meeting.)

(Councillor Nicholson was appointed as Chair for the above item.)

.11 MILLBAY MARINA VILLAGE, CUSTOM HOUSE LANE, MILLBAY,
07/00009/FUL (Midas Homes Ltd & Pinwood Homes Ltd)

Decision:

Application **GRANTED** subject to the conditions and S106 Obligation – Full set out in the report and addendum report, and subject to the following additions and amendments:

S106 Obligation regarding the addition of a 10 per cent admin fee and an additional clause to require a management agency to impose

interior lighting controls for future residents in accordance with Queen's Harbour Master requirements.

Condition (13) – last sentence of first paragraph to read 'No **dwelling**s shall be ...'

Condition (14) – to read '... (the Approved plan for a maximum of **147** cars...).

Condition (16) – to read '... for **40** bicycles to be parked.'

(The request of Councillor Nicholson that the item be deferred for a site visit under criteria 1 was put to the vote and declared lost.)

(At the invitation of the Chair, the Committee heard from the applicant's agent in respect of the above item (.11).)

(At the invitation of the Chair, the Committee heard from an objector in respect of the above item (.11).)

.12 LAND FORMERLY 2 TO 32 ALMA ROAD, PENNYCOMEQUICK,
07/00309/OUT (The Act Foundation)

Decision:

Application **REFUSED** for the reasons set out in the report and addendum report.

127. **PLANNING APPLICATION DECISIONS ISSUED**

The Committee received a report (P 81 06/07) of the Assistant Director of Development (Planning and Regeneration) on decisions issued for the period 1 March 2007 to 21 March 2007 including –

- Committee decisions;
- Delegated decisions, subject to conditions where so indicated;
- Applications withdrawn;
- Applications returned as invalid.

Resolved that the report be noted.

128. **APPEAL DECISIONS**

The Committee received a schedule of decisions made by the Planning Inspectorate on appeals arising from the decisions of the City Council (P 82 06/07).

The following amendment was made to the submitted schedule –

Appeal Synopsis: The final sentence to include the following words '... but suggested this could be addressed by a condition but that the overall scale of the development was appropriate and would balance out the original house. The Inspector concluded that he did not find the proposal harmful to the character or appearance of the streetscene.'

VOTING SCHEDULE

*** PLEASE NOTE ***

A SCHEDULE OF VOTING RELATING TO THE MEETING IS ATTACHED AS A SUPPLEMENT TO THE MINUTES

PLANNING COMMITTEE

DATE OF MEETING – 5 April 2007

SCHEDULE OF VOTING

Minute No.	Voting For	Voting Against	Abstained	Excluded from voting due to Interests Declared	Absent for the item
126.1 Recommendation	Unanimous				
126.2 Withdrawn by applicant – no vote taken.					
126.3 Recommendation	Unanimous				
126.4 Amended recommendation: Deferred for site visit (criteria 1)	Unanimous				
126.5 Recommendation	Councillors Stevens, Simmonds and Wheeler	Councillors Mrs Aspinall, K Foster, Mrs W Foster, Martin Leaves, Lock, Nicholson, Mrs Nicholson and Vincent	Councillor Wildy		
126.6 Recommendation	Councillors Mrs Aspinall, Stevens, Simmonds, Vincent, Wheeler and Wildy Casting Vote Councillor Wildy	Councillors K Foster, Mrs W Foster, Martin Leaves, Lock, Nicholson and Mrs Nicholson			
127.7 Recommendation	Unanimous				

Minute No.	Voting For	Voting Against	Abstained	Excluded from voting due to Interests Declared	Absent for the item
127.8 Recommendation	Unanimous				
127.9 Withdrawn by applicant – no vote taken					
127.10 Recommendation with additional condition	Councillors K Foster, Mrs W Foster, Martin Leaves, Lock, Nicholson, Mrs Nicholson, Simmonds and Wheeler			Councillors Mrs Aspinall, Stevens, Vincent and Wildy	
127.11 Amended Recommendation to Defer for a site visit: Recommendation with additional S106	Councillors K Foster, Mrs W Foster, Martin Leaves, Lock, Nicholson, Mrs Nicholson Councillors Mrs Aspinall, Stevens, Simmonds, Vincent, Wheeler and Wildy Casting Vote Councillor Wildy	Councillors Mrs Aspinall, Stevens, Simmonds, Vincent, Wheeler and Wildy Casting Vote Councillor Wildy Councillors K Foster, Mrs W Foster, Martin Leaves, Lock, Nicholson, Mrs Nicholson			
127.12 Recommendation	Unanimous				

PLANNING APPLICATIONS FOR CONSIDERATION

P 83 06/07

All of the applications included on this agenda have been considered subject to the provisions of the Human Rights Act 1998. This Act gives further effect to the rights included in the European Convention on Human Rights.

Addendums

Any supplementary/additional information or amendments to a planning report will be circulated at the beginning of the Planning Committee meeting as an addendum.

Public speaking at Committee

The Chair will inform the Committee of those Ward Members and/or members of the public who have registered to speak in accordance with the procedure set out in the Council's website.

Participants will be invited to speak at the appropriate time by the Chair of Planning Committee after the introduction of the case by the Planning Officer and in the following order:

- Ward Member
- Supporter
- Objector

After the completion of the public speaking, the Planning Committee will make their deliberations and make a decision on the application.

Committee Request for a Site Visit

If a Member of Planning Committee wishes to move that an agenda item be deferred for a site visit the Member has to refer to one of the following criteria to justify the request:

1. Development where the impact of a proposed development is difficult to visualise from the plans and any supporting material.

The Planning Committee will treat each request for a site visit on its merits.

2. Development in accordance with the development plan that is recommended for approval.

The Planning Committee will exercise a presumption against site visits in this category unless in moving a request for a site visit the member clearly identifies what material planning consideration(s) have not already been taken into account **and** why a site visit rather than a debate at the Planning Committee is needed to inform the Committee before it determines the proposal.

3. Development not in accordance with the development plan that is recommended for refusal.

The Planning Committee will exercise a presumption against site visits in this category unless in moving a request for a site visit the Member clearly identifies what material planning consideration(s) have not already been taken into account **and** why a site visit rather than a debate at the Planning Committee is needed to inform the Committee before it determines the proposal.

4. Development where compliance with the development plan is a matter of judgment.

The Planning Committee will treat each case on its merits, but any member moving a request for a site visit must clearly identify why a site visit rather than a debate at the Planning Committee is needed to inform the Committee before it determines the proposal.

5. Development within Strategic Opportunity Areas or development on Strategic Opportunity Sites as identified in the Local Plan/Local Development Framework.

The Chair of Planning Committee alone will exercise his/her discretion in moving a site visit where, in his/her opinion, it would benefit the Planning Committee to visit a site of strategic importance before a decision is made.

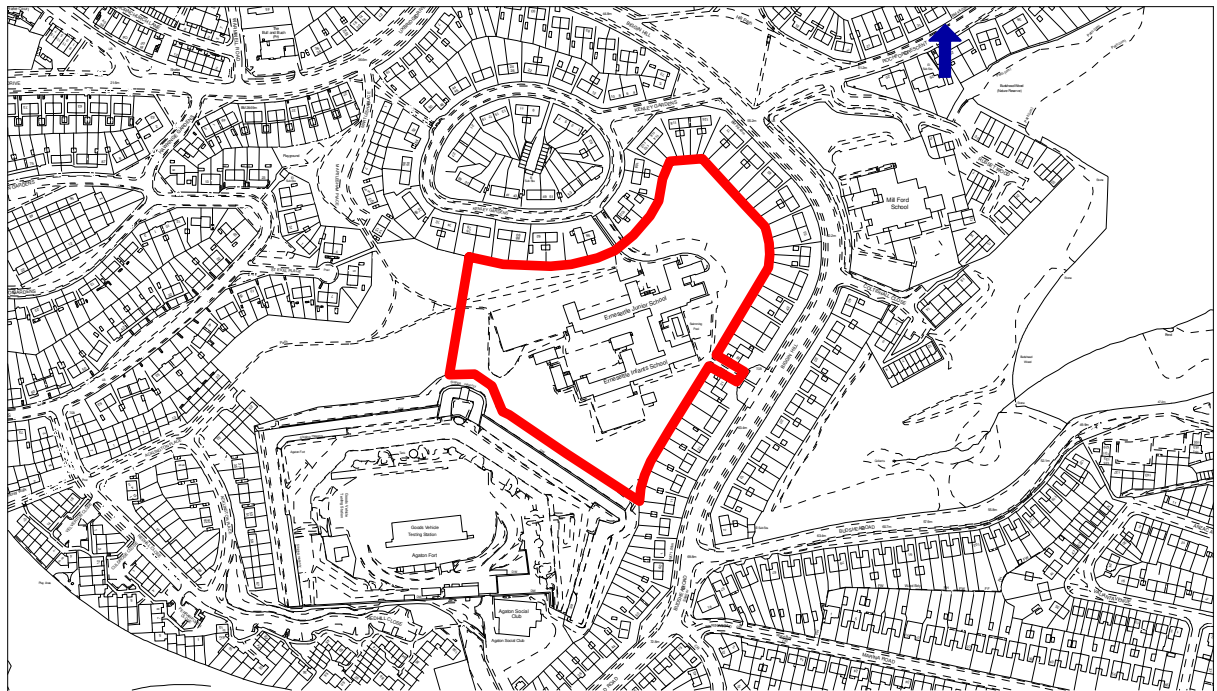
Decisions contrary to Officer recommendation

1. If a decision is to be made contrary to the Head of Planning and Regeneration recommendation, then the Committee will give full reasons for the decision, which will be minuted.
2. In the event that the Committee are minded to grant an application contrary to Officers recommendation then they must provide:
 - (i) full conditions and relevant informatives;
 - (ii) full statement of reasons for approval (as defined in Town & Country Planning (General Development Procedure) (England) (Amendment) Order 2003);
3. In the event that the Committee are minded to refuse an application contrary to Officers recommendation then they must provide:
 - (i) full reasons for refusal which must include a statement as to demonstrable harm caused and a list of the relevant plan and policies which the application is in conflict with;
 - (ii) statement of other policies relevant to the decision.

Where necessary Officers will advise Members of any other relevant planning issues to assist them with their decision.

ITEM: 01

Application Number:	07/00336/FUL
Applicant:	Plymouth City Council
Description of Application:	Variations to planning conditions 9,10 and 11 of planning permission 04/01079 to now permit the phased completion of works to new primary school and children's centre
Type of Application:	Full Application
Site Address:	ERNESETTLE COMMUNITY SCHOOL, BIGGIN HILL ERNESETTLE PLYMOUTH
Ward:	Honicknowle
Valid Date of Application:	09/03/2007
8/13 Week Date:	08/06/2007
Decision Category:	Major
Case Officer :	Jon Fox
Recommendation:	Grant Conditionally



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OFFICERS REPORT

Site Description

The application site consists of the site of the existing Ernesettle Junior School, Infants School, and Nursery School. The site measures approximately 3.0ha in extent and is situated on the western side of Biggin Hill, and immediately to the north of Agaton Fort. The school is surrounded by houses in Biggin Hill and Kenley Gardens to the east and north respectively.

Proposal Description

Variations to planning conditions 9, 10 and 11 of planning permission 04/01079 to now permit the phased completion of works to new primary school and children's centre, as detailed in the relevant planning history below.

Conditions 9, 10 and 11 state:

TRAFFIC SPEED REDUCTION MEASURES/ACCESS

(9) No vehicular use of the proposed access from Biggin Hill shall commence until the new access arrangements have been fully constructed, along with alterations to the existing traffic calming works on Biggin Hill, in accordance with details that shall be submitted to and approved in writing by the Local Planning Authority prior to any work commencing on site. Once the access onto Biggin Hill has been provided, the access to Kenley Gardens shall be altered to exclude vehicular access.

Reason:

In the interests of public safety and convenience.

REINSTATEMENT OF FOOTWAY

(10) The development shall not be brought into use until any the existing footway crossing in Kenley Gardens, which is to be now made redundant, has been removed and the footway reinstated.

Reason:

In the interests of public safety, convenience and amenity.

CAR PARKING PROVISION

(11) The development shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for a maximum of 40 cars to be parked, and for vehicles to turn so that they may enter and leave the site in forward gear.

Reason:

In the opinion of the Local Planning Authority, although some provision needs to be made, the level of car parking provision should be limited in order to assist the promotion of sustainable travel choices.

The proposed variations are as follows:

Variation of Condition 9

TRAFFIC SPEED REDUCTION MEASURES/ACCESS.

(9) No School vehicular use of the proposed access from Biggin Hill shall commence until the new access arrangements have been fully constructed, along with the alterations to the existing traffic calming works on Biggin Hill, in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to occupation of the new school building. School access both pedestrian and vehicular will be from Kenley Gardens until Biggin Hill access is achieved. Once the access onto Biggin Hill has been provided, and the overall project works completed, the access to Kenley Gardens shall be altered to exclude vehicular access.

Variation of Condition 10 REINSTATEMENT OF FOOTWAY

(10) On completion of the development the existing footway crossing in Kenley Gardens shall be removed and the footway reinstated.

Variation of Condition 11 CAR PARKING PROVISION.

(11) The new school buildings shall not be occupied until temporary provisions for the parking of 40 cars has been provided on the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Permanent arrangements for parking shall have been constructed and laid out within the site, prior to the completion of the development in accordance with details previously submitted to and approved in writing by the Local Planning Authority for a maximum of 40 cars to be parked, and for vehicles to turn so that they may enter and leave the site in forward gear.

Relevant Planning History

07/00325 – Application for approval of reserved matters for new primary school with associated play, games and car parking areas, and alterations to existing accesses (and phased demolition of existing school building). The proposals involve off-site works in the highway of Biggin Hill including the construction of a new 4.8 metre wide vehicular access way and associated footway from Biggin Hill, as well as alterations to existing on-street car parking and traffic calming measures. These works are primarily concerned with providing an adequate vehicle visibility splay in Biggin Hill. This application is recommended for approval.

04/01079 – Outline planning permission granted to redevelop site involving demolition of existing buildings and erection of new primary school and community children's centre, with details of new vehicular access from Biggin Hill.

Consultation Responses

Highway Authority

Transport would not wish to raise any objections to the proposed variation of conditions 9, 10 and 11 of the grant of outline planning permission, application number 04/01079, that respectively relate to, access and off-site highway works, reinstatement of a footway and car parking provision.

Representations

None.

Analysis

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.

The proposed amended conditions allow for construction access via Biggin Hill while allowing vehicular access for demolition of the old school, and construction of the external works, via Kenley Gardens while the new school buildings are in use.

Section 106 Obligations

There is no S106 obligation in respect of this application.

Conclusions

The proposed amendments facilitate the construction and demolition works and present no problems from a highway safety point of view. It is therefore recommended that permission be granted to amend conditions 9, 10 and 11 of planning decision notice 04/01079.

Conditions

Recommendation

In respect of the application dated **09/03/2007** and the submitted drawings, **3043 E/P01, Phase 1, Phase 2**, it is recommended to: **Grant Conditionally**

The amended conditions hereby permitted relate to conditions 9, 10 and 11 of planning decision notice 04/01079 and are as follows:

Variation of Condition 9 TRAFFIC SPEED REDUCTION MEASURES/ACCESS.

(9) No School vehicular use of the proposed access from Biggin Hill shall commence until the new access arrangements have been fully constructed, along with the alterations to the existing traffic calming works on Biggin Hill, in accordance with details to be submitted to and approved in writing by the

Local Planning Authority prior to occupation of the new school building. School access both pedestrian and vehicular will be from Kenley Gardens until Biggin Hill access is achieved. Once the access onto Biggin Hill has been provided, and the overall project works completed, the access to Kenley Gardens shall be altered to exclude vehicular access.

Reason:

In the interests of public safety and convenience.

Variation of Condition 10 REINSTATEMENT OF FOOTWAY

(10) On completion of the development the existing footway crossing in Kenley Gardens shall be removed and the footway reinstated.

Reason:

In the interests of public safety and convenience.

Variation of Condition 11 CAR PARKING PROVISION.

(11) The new school buildings shall not be occupied until temporary provisions for the parking of 40 cars has been provided on the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Permanent arrangements for parking shall have been constructed and laid out within the site, prior to the completion of the development in accordance with details previously submitted to and approved in writing by the Local Planning Authority for a maximum of 40 cars to be parked, and for vehicles to turn so that they may enter and leave the site in forward gear.

Reason:

In the opinion of the Local Planning Authority, although some provision needs to be made, the level of car parking provision should be limited in order to assist the promotion of sustainable travel choices.

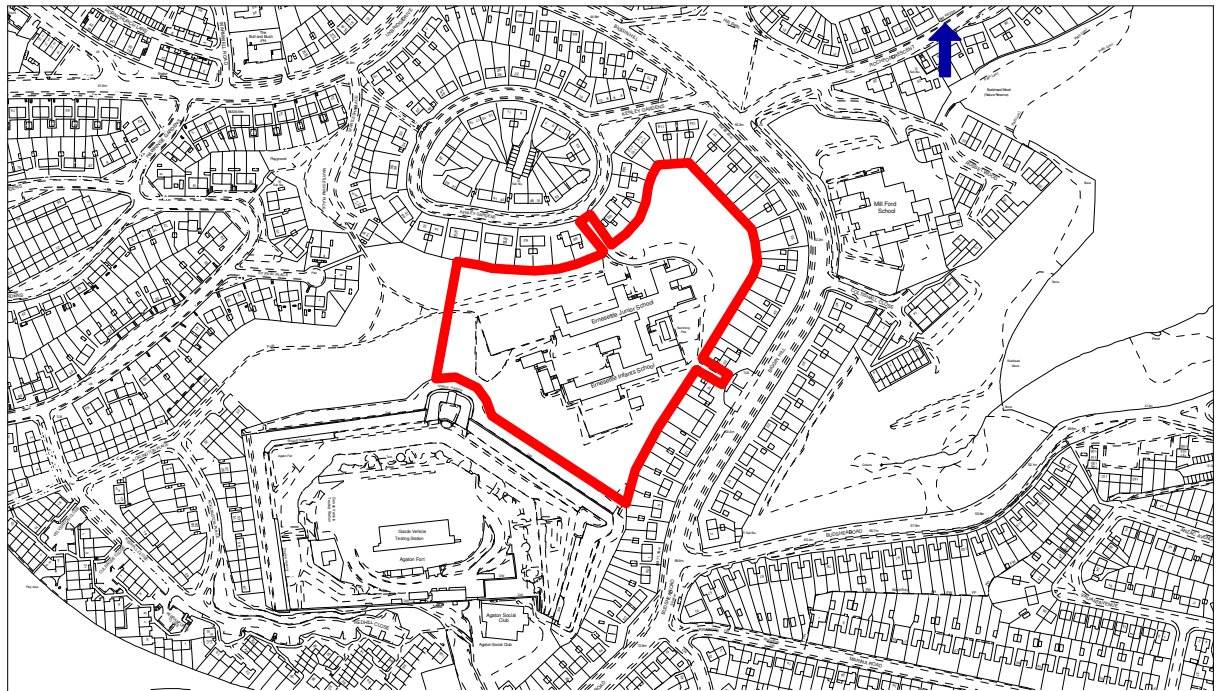
Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations which in this case are considered to be: access and off-site highway works, reinstatement of a footway and car parking provision the proposal is not considered to be demonstrably harmful to local amenities. In the absence of any other overriding considerations, and with the imposition of the specified planning conditions, the proposed development is acceptable and complies with the following policies of the Devon Structure Plan (2001 to 2016) 2004, the adopted City of Plymouth Local Plan First Alteration 1996, Plymouth Local Development Framework, Core Strategy, Regional Spatial Strategy and North Plymstock Area Action Plan (the status of these documents is set out within the City of Plymouth Local Development Scheme 2006), and relevant Planning Guidance Notes, Statements and Government Circulars as follows:

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ITEM: 02

Application Number:	07/00325/FUL
Applicant:	Plymouth City Council
Description of Application:	New primary school with associated play, games and car parking areas, and alterations to existing accesses (and phased demolition of existing school building)
Type of Application:	Full Application
Site Address:	ERNESETTLE COMMUNITY SCHOOL, BIGGIN HILL ERNESETTLE PLYMOUTH
Ward:	Honicknowle
Valid Date of Application:	28/02/2007
8/13 Week Date:	30/05/2007
Decision Category:	Major
Case Officer :	Jon Fox
Recommendation:	Grant Conditionally



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OFFICERS REPORT

Site Description

The application site consists of the site of the existing Ernesettle Junior School, Infants School, and Nursery School. The site measures approximately 3.0ha in extent and is situated on the western side of Biggin Hill, and immediately to the north of Agaton Fort. The school is surrounded by houses in Biggin Hill and Kenley Gardens to the east and north respectively.

Proposal Description

New primary school with associated play, games and car parking areas, and alterations to existing accesses (and phased demolition of existing school building). The proposals involve off-site works in the highway of Biggin Hill including the construction of a new 4.8 metre wide vehicular access way and associated footway from Biggin Hill, as well as alterations to existing on-street car parking and traffic calming measures. These works are primarily concerned with providing an adequate vehicle visibility splay in Biggin Hill.

Relevant Planning History

04/01079 - This was one of a series of seven outline planning applications seeking outline permission to redevelop ageing and run-down school premises in Plymouth with new state of the art schools under the Private Finance Initiative. The other six schools consist of Sir John Hunt Community College, Barne Barton Primary, Chaucer Primary, Montpelier Infant and Juniors, Plym View Primary, and West Park Primary.

This application proposed to demolish all existing buildings on the site and construct a new primary school, nursery school, and children's centre. The submitted illustrative details indicated that the new buildings would be constructed on the site of the existing school buildings. Permission was sought to construct a new vehicular access from Biggin Hill, where a pedestrian access exists at present, and this would replace the existing sub-standard vehicular access in Kenley Gardens. The latter would remain available for use as a pedestrian access to the new school only. The details also indicated that there would be approximately 40 parking spaces on site to serve the new development, where approximately 36 exist at present. This application was granted planning permission, subject to conditions.

07/00336 - Variations to planning conditions 9, 10 and 11 of planning permission 04/01079 to now permit the phased completion of works to new primary school and children's centre. The works referred to in this application relate to the current application for the new school and are recommended for approval under a separate report to this committee.

07/00297 - Installation of security fencing and gates at accesses at Biggin Hill and Kenley Gardens, and on boundary with public open space. This proposed fencing is over and above that which is shown on the plans for the new school. The application for the fencing has been withdrawn following advice from the Local Planning Authority that the application would be refused due to the visual intrusiveness of the fencing.

Consultation Responses

Environment Agency

No response received.

Highway Authority

Have no objections to the development. A number of highway related conditions are reiterated from the outline permission together with a new informative note regarding highway works and traffic orders.

Environmental Services

With regard to the information submitted by the applicant, Environmental Services has no further comment to add.

Access

Level access into the school should be provided from all entrances and the ground landscaped accordingly. The distances proposed on the masterplan are too excessive for disabled people approaching from the north of the site.

An access statement should be provided as soon as possible.

Crime Prevention Officer

No response received.

Representations

Analysis

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.

The main issues in this case relate to the reserved matters of siting, design, external appearance and landscaping. Although details of access were referred to in the outline approval's description of development, condition 1 of that approval requires details of the segregated vehicular and pedestrian access from Biggin Hill.

With regard to siting, design and external appearance, the proposed new building is concentrated in the southern central part of the site in the form of a semi-circular design that makes more efficient use of the remainder of the site compared with the relatively sprawling layout of the existing school buildings. The buildings are a combination of single and two-storey structures that despite their proximity to the south eastern corner of the site, would not unreasonably reduce the privacy and outlook enjoyed by the occupiers of

nearby houses in Biggin Hill. The use of contemporary materials such as standing seam aluminium roof and timber cladding will compliment the innovative semi-circular design. In these respects the proposals are in accordance with policy AEV31 of the adopted City of Plymouth Local Plan First Alteration 1996 and policies CS02, CS14 and CS34 of the Core Strategy of Plymouth's emerging Local Development Framework 2006.

The siting of the building allows for more extensive use of the northern part of the site for play purposes, particularly the formal playing field and running track towards the north eastern corner of the site and the organised hard play games court towards the site's north western corner. Providing that neither of these facilities is artificially illuminated, i.e. by floodlights, then their use will not be harmful to nearby residents in Biggin Hill and Kenley Gardens respectively. In this respect the proposals are in accordance with policy AEV31 of the adopted plan and policies CS14 and CS34 of the Core Strategy of Plymouth's emerging Local Development Framework 2006.

The proposals include fencing around the entire perimeter of the site, save for the existing section of fencing on the boundary with Agaton Fort. The proposed fencing is 'paladin' fencing, which appears to be acceptable in terms of its height and appearance. However, specific elevation details showing the appearance of the fencing are required as well as details of the means of enclosing/screening the new access from Biggin Hill, adjacent to Nos. 31 and 33 Biggin Hill.

With regard to landscaping the existing trees that should be retained are the two trees either side of the proposed vehicular/pedestrian access from Biggin Hill. Although these trees are outside the application site they are nevertheless within land controlled by the Council and will need to be protected during the construction works. The proposed on-site landscaping proposes some architectural type planting of individual trees on various parts of the site and more informal groupings of trees around much of the school perimeter. Where these groupings are adjacent to residential properties the long term effect could be to overshadow those properties and consequently it is recommended that the details of plant species in these areas needs to be amended to ensure that unreasonable overshadowing does not occur, notwithstanding the submitted landscaping details.

With regard to drainage, surface water will be drained to the existing surface water sewer, via an attenuation system to regulate flows. In this respect, and in respect of the submitted flood risk assessment, the views of the Environment Agency are awaited.

With regard to policy CS20 (renewable energy) of the Core Strategy of Plymouth's emerging Local Development Framework 2006, the proposals do not include specific renewable energy measures. This might still be a possibility when the detailed design is completed and might be a requirement of the building regulations. However, from a planning point the outline consent places no such requirement on the scheme and therefore it is not considered appropriate to require such measures now. In other respects the

design of the scheme incorporates a number of energy saving measures and sustainable practices, including use of recycled aggregates, cut and fill of the site to ensure reduction in transport movements and provision of cycle sheds.

With regard to access, the main issue is the creation of a new vehicular access, and associated footway, from Biggin Hill. The new access passes between Nos. 31 and 33 Biggin Hill. Despite its proximity to these properties the use of the vehicular access will not be demonstrably harmful to the neighbours, although the means of screening the road from the properties will need to be carefully considered.

The numbers of staff (teaching and non-teaching) will increase from 61 to 71. In the circumstances it is recommended that a school travel be required to demonstrate the school's aims and ability to help reduce the number of trips made by the private car.

With regard to the phasing of the demolition and construction works, the outline approval required a certain sequence of events regarding the closure and opening of the accesses from Kenley Gardens and Biggin Hill, and also required the provision of 40 cars to be parked. Leaving aside the provision of the car parking spaces these requirements would impede the now proposed phasing of the works and therefore a separate planning application (ref 07/00336) has been submitted for the amendment of the relevant conditions, 9, 10 and 11. However, for the purposes of this application it is recommended that these three conditions be reiterated.

With regard to policy ACR1 (access), the proposals are considered to provide satisfactory access for disabled persons. With regard to the comments of the Access Officer (that the distances proposed on the masterplan are too excessive for disabled people approaching from the north of the site), the site benefits from dual access points and for this reason the siting of the school is not considered to exclude persons with disabilities.

Section 106 Obligations

There is no S106 obligation in respect of this application.

Conclusions

The new primary school will provide an efficiently laid out and sited building that is of a modern and attractive design and materials. The scheme makes more efficient use of the whole site in terms of teaching and play areas. The impacts on residential amenity are not significant and the proposed access for vehicles and pedestrians is fit for purpose and no longer requires car-borne visitors to negotiate the more convoluted route to the school via Kenley Gardens. For these reasons it is recommended that planning permission be granted, subject to the conditions still in force on the outline consent. The following conditions are considered to be discharged:

Condition 1 (approval of reserved matters).

Condition 5 (tree survey).

Condition 15 (archaeological work programme): The Historic Environment Officer considers this condition to be redundant and therefore discharged.

Condition 16 (drainage).

Condition 17 (code of practice during construction): Details are submitted with this application that are considered acceptable and therefore discharge this condition.

All the remaining conditions on the outline planning permission are still in force.

One new condition is required in respect of the proposed planting in areas marked as '2 – Structure Planting' on plan 07701 APP – 3. This planting could result in overshadowing of nearby residential properties.

Recommendation

In respect of the application dated **28/02/2007** and the submitted drawings, **06159 L01.01, 06159 L02.07, 06159 L01.02A, 06159L0401, 06159 L02.04, 06159 L02.03, 06159 L04.02, 07701 APP7A (cross section of structure planting), 07701 APP7A (Paladin perimeter fencing), 07701 APP1 0, 07701 APP-2 0, 07701 APP-3 0, 07701 APP-4 0, 07701 APP-5 0, 07701-06, 234325/SK/4005 P2, 234325/SK/4008 P1, 234325/SK/4009 P1 and accompanying flood risk assessment and aboricultural assessment** , it is recommended to: **Grant Conditionally**

Conditions

DETAILS OF LANDSCAPING

(1) Notwithstanding the submitted details the planting in areas marked as '2 - Structure Planting' on plan 07701 APP - 3 are not approved because such planting could result in overshadowing of nearby residential properties. Further details of the species of planting in these areas is therefore required to be submitted to and approved in writing by the Local Planning Authority and the approved planting shall be carried out in the first planting season following the completion of the development or the first use of the school, whichever is the sooner.

Reason:

To enhance the development and to preserve the amenities of nearby residents.

ILLUMINATION OF OUTSIDE PLAY AREAS

(2) The playing field/running track and hard play games courts hereby permitted shall at all times be non-illuminated.

Reason:

In order to preserve the amenities of nearby residents in accordance with policy AEV31 of the adopted City of Plymouth Local Plan First Alteration 1996 and policy CS34 of the Core Strategy of Plymouth's emerging Local Development Framework 2006.

EXTERNAL LIGHTING

(3) The location, design and specifications for all means of external lighting at the site shall be submitted to and approved in writing by the Local Planning Authority before development commences and the works shall accord with the approved details.

Reason:

To preserve the appearance of the site and to protect residents from the potentially harmful effects of external lighting, in accordance with policy AEV31 of the adopted City of Plymouth Local Plan First Alteration 1996 and policy CS34 of the Core Strategy of Plymouth's emerging Local Development Framework 2006.

INFORMATIVE - BUFFER ZONE FENCE

(1) The applicant is advised that condition 14 of the outline planning permission (application 04/01079) requires the erection of a fence to protect the 25 metre buffer zone between Agaton Fort and the school. Such a fence is not shown on the plans submitted with the reserved matters application and therefore a separate application is required to remove the requirement for the fence and such an application will be considered on its merits.

INFORMATIVE - DETAILS OF ENCLOSURE AND SCREENING

(2) The applicant is advised that this condition is not discharged because there are no specific elevation details submitted with the application and no details of the means of enclosing/screening the new access from Biggin Hill, adjacent to Nos. 31 and 33 Biggin Hill.

INFORMATIVE - HIGHWAY WORKS/TRAFFIC ORDERS

(3) Before any works commence that have an impact on the highway the developer shall; Submit for approval a Method Statement and Risk Assessment and further copies of the drawing for the off-site highway works numbered 234325/SK/4005 - Rev P2; Associated Traffic Order and related costs to be the responsibility of the developer and may take up to 6 months to secure; Obtain an Access to Site Permit from the Highway Authority prior to any work starting on site. For Access to Site Permit contact Peter Harvey on 3045.

INFORMATIVE - DISCHARGED CONDITIONS

(4) The applicant is advised that the following conditions on the outline planning permission are discharged:

Condition 1 (approval of reserved matters).

Condition 5 (tree survey).

Condition 15 (archaeological work programme): The Historic Environment Officer considers this condition to be redundant and therefore discharged.

Condition 16 (drainage).

All the remaining conditions on the outline planning permission are still in force.

INFORMATIVE – CODE OF PRACTICE

(5) The applicant is advised that the details submitted in respect of Condition 17 (code of practice during construction) are not approved at this stage.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations which in this case are considered to be: the reserved matters of siting, design, external appearance and landscaping the proposal is not considered to be demonstrably harmful to local amenities. In the absence of any other overriding considerations, and with the imposition of the specified planning conditions, the proposed development is acceptable and complies with the following policies of the Devon Structure Plan (2001 to 2016) 2004, the adopted City of Plymouth Local Plan First Alteration 1996, Plymouth Local Development Framework, Core Strategy, Regional Spatial Strategy and North Plymouth Area Action Plan (the status of these documents is set out within the City of Plymouth Local Development Scheme 2006), and relevant Planning Guidance Notes, Statements and Government Circulars as follows:

ACR1 - Access for People with Disabilities

AEV11 - Archaeological Preservation

AEV31 - Townscape

AEV4 - Loss of Existing hedgerows, trees or wood

ATR18 - General Parking/Servicing Requirements

ATR5 - The Road Network

CS02 - Design

CS28 - Local Transport Consideration

CS34 - Planning Application Consideration

CS14 - New Education Facilities

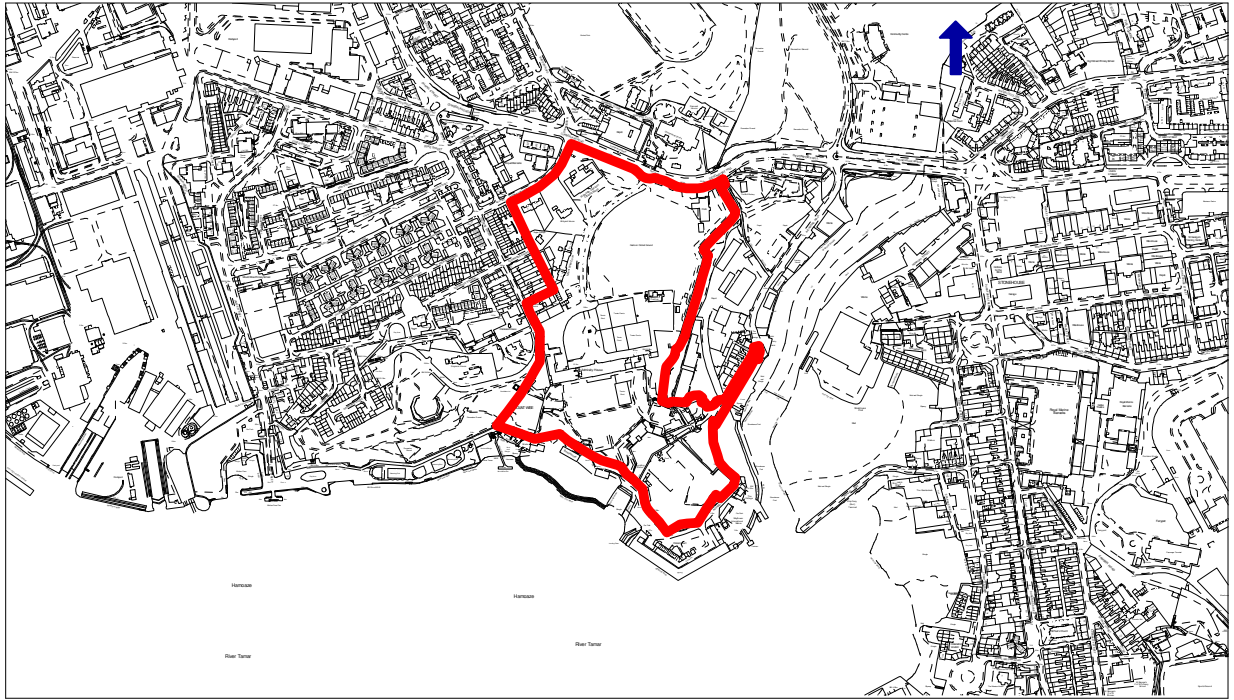
CS18 - Plymouth's Green Space

CS20 - Resource Use

CS03 - Historic Environment

ITEM: 03

Application Number:	06/01646/OUT
Applicant:	Mount Wise Ltd
Description of Application:	Mixed use redevelopment of 450 dwellings (139 houses, 231 flats; 20 sheltered units and 60 care units), 9,150 square metres of commercial floor space including extension and conversion of both the Grade II Listed Admiralty House to a hotel and Mount Wise to offices, café, gym, convenience store and associated roads, parking and landscaping to include retention of the cricket pitch. Outline application with details of layout, scale and access
Type of Application:	Outline Application
Site Address:	FORMER MOD SITE MOUNT WISE DEVONPORT PLYMOUTH
Ward:	Devonport
Valid Date of Application:	09/10/2006
8/13 Week Date:	08/01/2007
Decision Category:	Major
Case Officer :	Jeremy Guise
Recommendation:	Minded to grant conditionally subject to a S106 Agreement (provided outstanding issues are resolved with the EA and the HA), defer for the consideration of any further public representations received, delegated authority to officers to conclude S106 negotiations and to finally determine the application. (An addendum report will update this recommendation)



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OFFICERS REPORT

Site Description

Mount Wise is a 10.4 ha (11.4ha ., if Richmond Walk widening area included) former MoD owned site situated on the eastern side of Devonport. It forms the southern part of the 'green arc', an expanse of undeveloped land that extends from Mount Wise through Brickfields to Devonport Park and was historically a defensive line of fire for the town.

The site contains two important historic buildings: Admiralty House and Mount Wise House, both listed grade II. Admiralty House, is a large, freestanding late eighteenth century house (attributed at James Wyatt) located in sylvan parkland grounds. It occupies the most prominent location on the headland overlooking the Sound and the River Tamar, and despite unsympathetic modern extensions particularly to its western wing, it is an imposing building that dominates the site, and the skyline of this part of the city. Mount Wise House is a large, dual fronted, town house located on the north western fringes of the site, where it adjoins urban Devonport. It forms the southern most 'book end' building on the eastern side of George Street, a terrace of substantial Georgian houses. Internally it has been much altered for military purposes, but externally it makes a contribution to the overall character of the site and the adjoining townscape.

The 200+ year military use of the site has left a mixed and varied legacy: from the archaeological remnants of the historic 'Devonport lines' (defensive positions, which include the last Bastion built in England) and St Georges barracks, to the massive subterranean bunker complex and the former officers' cricket pitch which is of minor counties standard and of ongoing importance to the city.

As a military enclave the site was separate from the city, divided from it by high railings with limited, and restricted, access points. This legacy remains. The main access is from Devonport Hill/Cumberland Street (A374) to the north, and sweeps into Admiralty House past the cricket pitch via the avenue of mature trees. The far southern part of the site, containing the bunker complex and fruit orchard, is accessed off Richmond Walk via a narrow ramp.

The immediate surrounding area is also of varied character. The tight urban grain of terraced streets: George Street, Clowance Close, Pembroke Street and recent Barrett's development at Cumberland Close adjoin to the north and west. Mount Wise Park and waterfront open space, the southernmost tip of the green arc, are located to the south west; and ziggurat style flats of Ocean Court and boatyards, on lower ground, to the south and east.

Owing to its prominence the site is visible on the skyline from Mount Edgecumbe; the Sound; the Royal William Yard and Stonehouse Creek and is the focal point for key strategic views. Indeed the military celebrated and used this prominence with a flagpole, known as 'The Admiral's Salute'.

Proposal Description

In its amended form the application seeks outline planning permission for a mixed use redevelopment of 450 dwellings (139 houses, 231 flats, 20 sheltered units and 60 care homes), 9,150sqm. of commercial floor space including extension and conversion of both the grade II listed Admiralty House to a hotel and Mount Wise House to offices, café, gym, convenience store and associated roads, car parking and landscaping. The outline application includes details of layout, scale and access

As can be surmised from the description, the site contains a number of natural and man made features that act as constraints on its development potential: significant differences in levels (especially in the eastern and southern sides); it is the focus of key strategic views; mature parkland landscape; limited access points; important listed buildings; one of the best cricket pitches in the city and archaeological remnants.

The proposal seeks to respond to these constraints by concentrating relatively high density development in four areas: the North West corner, the area immediately to the north and around Admiralty House, the far north east corner of the site and to the south off Richmond Walk around the military bunker and entrance. This leaves three areas of relatively untouched open space in between: the cricket pitch and surrounds; the area in front of Admiralty House and the centre of the lower garden, a secluded area in the far south west

The applicants have identified four character areas within the site: area A - Lower garden off Richmond Walk; area B – Admiralty House and environs; area C -The North West Corner and Area D - North East corner/ cricket pitch. It is envisaged that, if approved, the site will be developed in phases starting with area C, followed by areas B, A and D.

Area A

The proposal shows 91 dwellings (19x3 bed houses and 72 flats/ maisonettes); 810sqm of commercial space and 4,650sqm of data storage space and 1,111sqm of parking located in the lower garden accessed from Richmond Walk.

The existing nuclear bunker is utilised to provide data storage with other uses contained in five new buildings. The main ones are an eight storey slab block rising from Richmond Walk to provide 1,111sqm of parking on the frontage, two storeys of car park and six storeys of flats above. This building divides into two unequal wings above the parking to provide a pedestrian route way into the site and a vista towards Stonehouse Creek.

To the north a new marine employment building 810sqm is proposed at the entrance to the site from Richmond Walk.

To the west of this block, within the 'bowel' of the lower garden, two crescents are shown opposite one another, forming a kind of amphitheatre around communal open space that provides a seaward vista to the south west. The northern crescent building would comprise 32 flats arranged on three storeys with parking to the rear. It would screen the unsightly concrete elevation of the nuclear bunker. The southern crescent is shown comprising of 19 three storey townhouses, with integral garages and small rear yards.

Vehicular access to this part of the site is only achievable from Richmond Walk. It is proposed to widen a section of this road, in front of Bakers Place cottages to cope with additional traffic generated (compensating the adjoining landowner by implementing an already approved permission to extend into Stonehouse Creek); improve the road junctions and provide vehicular access to the residential property via a ramp, to the east which turns through the flat blocks. Pedestrian access to this part of the site is shown from Mount Wise, via the Rose Garden (daylight hours only) and Richmond Walk via a new stepped access.

The centre of the 'amphitheatre' feature is shown as a communal garden, open to the public to avoid creation of a gated community, and a small, private play space is shown in the far south eastern corner.

Area B

The proposal shows 70 dwellings (39 houses and 31 flats); a 46 bed hotel, a 60 unit care home and 972sqm of commercial office space located in the environs of Admiralty House.

Admiralty House is left intact by the proposal except for the removal of the twentieth century accretions and the large 1970s extension on the western side. Indicative drawings have been submitted that demonstrate how it might be converted into a 46 bed boutique hotel with minimal changes to its appearance and historic features. A few three storey town houses are shown either side of the house, in alignment with it, beyond the existing lodges. The established gardens to the south are retained. They are to be divided into two with the upper gardens and lawns, containing the Admiral's Salute, becoming the grounds of the hotel and the lower gardens, separated by a 'ha ha' (ditched boundary treatment), available to the public on a controlled basis between dawn and dusk.

To the north of Admiralty House, in the area currently occupied by the sweeping entrance approach and tennis courts, a three sided 'quadrangle' is proposed open at the north. It is envisaged that this would have a focal feature in the centre and parking for the hotel and residencies. On either side of the 'quadrangle', deliberately aligned with the lodges two rows of two story terraced town houses would extend northwards. In the indicative plans and drawings that accompany the application these appear in contemporary architectural style with mono pitch roofs and uniform repetitive features that provide some rhythm to their frontages. Irregular shaped, three storey, blocks visually contain these terraces at the northern end, opposite the cricket pitch

and Mount Wise House, the eastern one contains 12 flats and the western one 972sqm of commercial floorspace.

In the extreme east of the site, above the cliff face, a 60 unit care home is proposed. This is shown as a wedge shaped, three storey, building containing rows of single aspect flatlets, separated by a large central atrium, tapered to reflect the shape.

Area C

The proposal shows 133 dwellings (81 houses and 52 flats)]; 20 category 1 elderly units; 1,669 sqm of commercial space and 290sqm of retail space and parking area located in the north western part of the site.

Most of the new family housing proposed on the site is concentrated in the north western area arranged in a series of streets and crescents round the principle of perimeter blocks with abutting rear gardens/ yards. The urban pattern is high density residential designed to match that existing immediately outside the site and provide an attractive frontage to the cricket pitch. Road and pedestrian connections also integrate with the existing, even to the extent of providing a pedestrian route way through from the cricket pitch, past the proposed play space and above ground archaeological remnant to Clowance Close.

Three storey blocks of flats are shown located at either end of this part of the site, adjacent to the Cumberland Road frontage in the north and an area of trees and communal parking in the south.

Mount Wise House occupies the far south western extremity of this part of the site. In its amended form the proposal shows it retained and converted into commercial offices, its' later additions removed and replaced with subservient extensions to provide a modern, DDA compliant lift/stairwell, and a '1.5' storey rear extension.

Area D

The proposal shows 76 dwellings all flats; 500sqm café/bistro; 260 sqm gym and 470sqm of community pavilion together with 3,450sqm parking /bike and plant store in the podium located in the north east.

The retained cricket pitch represents a very significant constraint to development in this area, effectively restricting it to the northern and southern edges of the cricket pitch.

A single, podium building, is proposed in the northern part of this area containing a café/bistro gym opening towards the cricket pitch and parking, bike and plant store on the ground floor together with three six storey blocks of flats on the upper floors. The blocks are shown rising from a podium feature which rises from the cricket pitch over the roofs of much of the ground floor. They are arranged as radiating spokes, or fingers, opening from Devonport Hill to maximise aspect, minimise direct overlooking and, for safety, provide mostly end elevations to the pitch.

The cricket pavilion and community facility is shown in a new stand alone, pavilion style building to the south of the cricket field, with associated parking located under the tree canopies to the west.

A number of topic reports have been provided in support of the application covering: archaeology, heritage assessment; arboricultural design/ preliminary method Survey; ecological survey;

Since submission the applicants have amended the proposal chiefly in relation to the main building in area D; the extensions to the Admiralty and Mount Wise Houses and ramped access arrangement into area A. They have also provided a draft Section 106 Agreement, detailing the clauses covered, and suggested contribution figures. This is supported by a confidential viability assessment.

Relevant Planning History

The site has been a military enclave outside the remit of civil control for over 200+ years. This has both preserved its unique landscaped character and led to some unsympathetic changes such as the 1960s extensions, developments in its grounds including, of course, the huge concrete bunker complex built outside Local Planning Authority control. Since the site has been decommissioned the new owners have successfully applied to English Heritage for a Certificate of immunity from listing in respect of the former HMS Vivid; and, legally, demolished it along with a number of other freestanding twentieth century buildings located in the grounds. Most recently the whole site has been included in the extended Devonport Conservation Area.

Consultation Responses

Environment Agency

The Environment Agency maintains objection to this proposal on flood risk grounds.

The Flood Risk Assessment (FRA) provided is acceptable as it adequately details the flood risks to the development. The mitigation method proposed has demonstrated that the development will be safe with regards to flooding and therefore passes part c of the exception test. But exception tests a and b are required. Hence the Agency maintain their objection

Environmental Services

Make comments and recommendations about the following matters: Land Quality – Before development commences seek site investigation report documenting the ground conditions of the site incorporating a 'conceptual model' of all potential pollutant linkages and an assessment of risk to identified receptors. Construction Noise – Seek Code of Construction Practice to be agreed with Council prior to commencement. Noise & Odour from commercial premises – seek control of ventilation and extract systems from commercial premises and restriction on opening hours. Refuse and litter – seek details of arrangements for both commercial and domestic buildings.

Deliveries – seek control over day and time of deliveries and refuse collection. Drainage details commercial buildings – seek details (note BC matter). Light – Control sought over future floodlighting.

South West Water – Have no objections subject to foul and surface water generated by the development being kept totally separate.

Natural England - Based upon the information provided, Natural England has no objection to the proposed development. It is their view that, either alone or in combination with other plans or projects, it would not be likely to have a significant effect on the interest features of Plymouth Sound and estuaries special area of conservation(SAC) or any of the features of special scientific interest of the Tamar-Tavy Estuary Site of Special Scientific Interest (SSSI). However, Natural England advice that all recommendations in the protected species are carried out.

Highways Agency

Have issued a direction that the Planning Authority shall not grant planning permission for a period of 6 months from 8th November 2006:- ‘to give the applicant time to submit a revised Transport Assessment and Travel Plan to enable the Highways Agency to assess the impact of the development on the safety and free flow of traffic on the A38 trunk road.’

Highway Authority

There are a number of elements to the transport issues: the impact on the citywide road system (reflected in the Highway Agency [HA] Directive); the impact on the surrounding road network and sustainable transport.

Citywide Road System

The Highways Agency maintains their objection to the proposal and the Council is not in a position to approve the application. Despite the applicants efforts to provide further information this Directive remains in place. (see above)

Surrounding road network

The site is a peninsula headland, vehicles will, for the most part, access the wider road network from one of two points Devonport Hill/ Cumberland Street. The main junction impacted upon will be Devonport Hill/Stonehouse Bridge/Kings Road/Richmond Walk and the existing main entrance into the site from Devonport Hill / Cumberland Street.

The Devonport Hill roundabout would require improvements to cope with the proposed development. It will require further improvements to cope with the other large developments in the area: Vision (South Yard Enclave) and Millbay. In order to avoid a series of piecemeal improvements which only address the additional capacity arising from each development, it is proposed, in accordance with best practice, that the requirements are pooled and a proportionate contributions/ undertaking for work sought from each development. The timings and sequentially of these improvement requirement make this a complicated matter to gauge. However, Mount Wise as the closest

major development to this junction will be required to take the lead in ensuring that this improvement scheme is in place.

The current width of Richmond Walk limits the capacity of area A to accommodate new residential development. In order to overcome highway issues in relation to the width of this road, it is proposed to widen the road in front of Bakers Place and provide a ramped access to the area. There are overall highway benefits to securing a wider road along Richmond Walk, but remaining highway uncertainty about the suitability of the ramped access.

Whilst it is generally assumed that the junction /road improvements required to make the proposal acceptable can be physically be achieved, this needs to be properly demonstrated and the requirements tied in to delivery with the development

Sustainable Transport

The third set of issues focus upon sustainable transport. The proposal seeks to provide an average of just over one parking space per residential unit. This level of provision is compatible with an inner city location where frequent and accessible public transport is available.

At present areas B, C and D are reasonably accessible to public transport from Devonport Hill/Cumberland Street (400m. walking distance threshold); but area A is not.

In order to improve accessibility and use buses (No. 34 and 34B) could be rerouted into the site. Improvements towards public transport will require significant contributions.

The package of contributions offered is not at present sufficient

Queen's Harbour Master, Plymouth

Is content with the outline plans. The plans outline a significant change in the volume of buildings on a site overlooking the Narrows, one of the most constrained sections of deep-water channel between Plymouth Sound and the Hamoaze. It will be important that the detailed lighting design is such that the conspicuousness of the existing navigation aids is not significantly degraded.

Crime Prevention / Architectural Liaison Officer

Make a number of comments and observations about the application that can be summarised as follows:-

- Support controlled public access to parts of the site in line with security issues of the commercial units, hotel, care home and gardens immediately to the front of the hotel.
- Suggest that the pedestrian entrance into Clowance Close is made as large as possible.
- Points out the high levels of car crime in Plymouth and raises concerns in relation to the shared /mixed underground car parking arrangements. Access needs to be controlled to prevent unauthorised entry with inward opening automatic gates; lighting and light coloured walls and ceilings.
- Raises very serious concerns in relation to the proposed access into the southern residential area, opposite Ocean Court. General access through a car parking area must be avoided.

- Points out the City's obligations under the Crime & Disorder Act 1988, and that Plymouth's Crime Reduction Strategy (2005-08) is designed to build on the success of previous strategies, reduce crime within the city and make it a safer, more attractive place.

Devonport Regeneration Community Partnership (DRCP)

Commend the constructive way that the developers have responded to the concerns from stakeholders and the public. In overall terms the proposed balance of uses within the development, housing, employment and recreation is considered to meet DRCP objectives.

Welcomes improvements to permeability and avoidance of a 'gated community'; the extension of the 'green arch'; retention of the cricket pitch, with new community pavilion and the proposed new uses for Admiralty and Mount Wise Houses. Note favourably that the quantum of employment space, exceeds target; and do not have any objection, in principle, to the quantum of housing proposed, although would not wish to see density, access and traffic impact upon the environmental quality of the site. View these matters as appropriately judged by the Local planning Authority. Ideally would like to see more houses than flats, but appreciate the difficulties in achieve in this in areas A and D. The DRCP consultation response goes on to provide detailed comments upon the four characterisation areas, all generally supportive.

Plymouth Design Panel

Have considered the site three times during the course of the evolution of the proposal: on 25th April; 13th July and 18th October. Their comments have been highly influential in shaping the design of the proposal, particularly in relation to the area around Admiralty House and the tall buildings, which were a feature of earlier designs.

The comments of 18th October relate substantially to the proposal as currently submitted (there have been some amendments to Admiralty and Mount Wise Houses and to the large mixed use block in area D).

In general the Panel were pleased with the progress of the scheme, but retained some concerns about the amount of development proposed taking into consideration the unique assets of the site, given its location, the stature of admiralty House, and the open landscape that it holds. It considered that these issues would be more satisfactorily resolved if the quantum of development were reduced. Comments relating to specific areas can be summarised as follows:-

Area A (Lower garden) - Welcomed the two viewpoints, but felt that the allocation of space within this area lacked a clear strategy in relation to vehicular and pedestrian movement. Overall thought the design in this area had not yet yielded its full potential and that the density sought was a factor in this.

Area B (Admiralty House and Quadrangle) – Sought further details of quality of architecture. Commented that the precise nature of the rhythm and hierarchy of the architecture of Admiralty House needs to be recognised and respected in the responses to the adjacent buildings. Raised concern about the lack of private / secure garden for the care home / sheltered housing, considering this essential.

Area C (North West & Mount Wise House) – Sought a sensitive architectural approach to the extension to Mount Wise House (subsequently revised) and raised concerns about private garden sizes backing onto Pembroke Street, as this might indicate overdevelopment.

Area D (Fingered mixed use buildings) – Welcomed the omission of the tower building, but found that the apparent remoulding of this element in the form of a plinth and three fingered block was overtly complex and represented a serious negative impact on one of the most important assets of the site, namely the generosity of the open landscape and sense of connection to the sea experienced on approach to the site along Devonport Hill. Expressed the view that this was another indication of overdevelopment and disliked the free standing entrance stair towers and considered there to be confusion over public and private territory. (Note:- subsequent amendments have deleted the freestanding entrance towers, integrating them into the towers; and have improved the definition of the public and private territory).

English Heritage

Have not been invited to comment directly on this application as none of the listed buildings are grade I or II*. They did issue a Certificate of Immunity from listing prior to the demolition of Vivid House.

Sport England

Objects to the proposal raising the following concerns:-

- i) The retention of the cricket ground is welcomed however, it is a little disappointing that the 'current deal' is only for a 21 year lease. We would strongly recommend that this part of the site is given to the community / cricket club in perpetuity secured by a S106.
- ii) All new homes around the cricket ground should be far enough away as to not cause a health and safety issue, now and in the future. The final layout of the site should reflect the needs of amenity of the future residents which does not conflict with the needs of cricket and the cricket club.
- iii) Sport England and the City Council are very concerned over the proposed loss of numerous tennis courts on the site and wish to see them reinstated or replaced off-site at a suitable location secured by a S106.
- iv) Up to 2016 the Council have identified the evidenced key shortages of sports facility and playing pitch provision and according to their developer contribution calculators, 500 new homes in this part of the City could generate a total contribution of £689,599 which should be secured by an s106.

England & Wales Cricket Broad (ECB):

Supports the continued use and modification of the cricket pitch within the scheme, which fits within their standards. Understand that Mount Wise Ltd. will be committed to a 21 year lease to as local cricket club, which will assist the club to retain grants for various other funding organisations in the future. Support the redevelopment of the cricket pavilion which will help with the future expansion of the club and are fully supportive of the principle of outfield being used for public open space provided the square remains dedicated to the club in the leasehold arrangement

ECB see this development as a positive contribution towards cricket in Plymouth and the wider surrounding area. Historically the ground has been in private ownership, however, through the club this facility will be able to be enjoyed by players and spectators alike.

Ministry of Defence

Have no comments to make on this application

Civil Aviation Authority

No comment received

Health and Safety Executive

No comment received

Representations

Consultation letters have been sent to surrounding properties, four site notices posted and a press notice. This has resulted in receipt of ten letters of representation (LOR's), including one from the Devonport Planning Forum. All letters object to the proposal, although most only object to a particular aspect of it. The grounds of objection can be summarised as follows:-

Devonport Planning Forum - Object to the 8 storey block of flats on Richmond Walk. This is the only green area in Richmond Walk and has never been developed if flats are allowed to be built there it will be the end of conservation and nature there.

Grounds of objection:-

The proposed extension to Mount Wise House will block all direct sunlight to rear gardens of properties in George Street and considerably reduce the amount of natural daylight to rear rooms and tenement kitchens. Proposal has the potential to overlook rear gardens if windows are shown in rear elevation.

The proposals diverge from the Deposit Local Plan, Devonport Development Framework and from the Devonport Action Area Plan Issues & Options/ Preferred Options as the parkland is not preserved to preserve a green arc and the number of dwellings proposed is 6 times the number in the Preferred Options Report.

Developer ignored the Council's intention to extend the Devonport Conservation area, by demolishing buildings on site before designation, notably Vivid House.

- The proposal is so large in scope and so widely different from previous objectives that, if pursued, there must be a public inquiry.
- I object to any more than 80 dwellings. I object to high rise buildings being used for dwellings unless they are of exceptional quality suitable for affluent occupiers. If they are not they will encourage development of a sink estate, of which Devonport has enough. I object to buildings south and south east of the block-houses because they will incur a materially significant increase in traffic in Richmond Walk both during construction and subsequent occupation.
- Build a building same proportions as Mount Wise House huge building will affect the amount of sunlight Being a widow and a pensioner spend a lot of time in garden
- Concerned about potential disruption that business may experience during the construction process. Access route from Richmond Walk is not the best solution in the longer term for the area
- A better road solution required disturbance during building works Better access could be provided through the Jewson's site that is believed to be for sale
- Loosing parking outside Bakers Place totally unacceptable
- Concerned that the widening of Richmond Walk will would cause the boatyard to extend into Stonehouse Creek on piles and that piling work will cause vibration damage to old buildings.
- The plan is extremely bad for Richmond Walk being only a quick fix devaluing the quality of life of the existing residents rather than bring forward looking and working towards raising the area.

Consultations have been undertaken into the final amended plans. Any further comments received will be reported in the addendum report or at Committee; however the advertisement period expires after the Committee meeting, ie on 4 May – and therefore it will be necessary to seek delegated authority to consider any last minute representations received.

Analysis

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.

The key issues in this case are:-

- The principle of mixed use redevelopment of the area (policies AHR2, AHR3, AHR17, AHR19, AHR21 AHR 25)
- The dwelling mix and residential profile (policies AHR17, AHR18 and CS15)
- The design and appearance of the proposed new buildings (policy AEV31 and AEV40)
- Open space –sporting facilities, public access, trees play space and wildlife habitat (Policy AEV38 AEV4; AEV7 and AEV10)
- The impact upon the historic environment including archaeology and listed buildings (Policy AEV1; AEV12; AEV14; AEV15 and AEV16)
- Impact upon the amenities of neighbouring properties (policies AEV14 and AHR5)
- The proposed employment uses (Policy AER10 and CS01)
- Off site impact and mitigation measures/ contributions (policy Air 2 and
- Highway implications; parking and impact upon the surrounding road network(policy ATR5, ATR12, of the Adopted Plan POL38, POL44, POL47, POL48 of the Deposit Plan)

The principle of mixed use development of the area

The long military occupation of the Former MoD site Mount Wise has contributed towards the traditional isolation of Devonport. Its availability for inclusion within the fabric of the city represents an important opportunity to improve the permeability connections through the site linking Devonport with Stonehouse and the wider city beyond and achieve a high quality mixed use development.

Proposal DP06 of the Devonport Area Action Plan sets out comprehensively the Council's objectives for the site. It states:-

“the land at the former Ministry of Defence Mount Wise will be developed as a high quality mixed use scheme, ensuring the sensitive restoration of the site having regard to its historical significance, and the integration of the site into the wider community. The site will provide for :-

- 7,500 sqm of employment uses (to include marine office, creative and cultural sector industries)
- In the region of 300 dwellings, of a mix of house types and sizes and of which at least 90 will be affordable and 50 built to Lifetime Homes standard; at least 50 per cent should be houses.
- Non –residential institutional uses , including health or educational / training facilities, indoor and / or outdoor sporting facilities and hotel

The scheme will also deliver:

1. public access through all parts of the site (the creation of a private gated community on the site will not be acceptable)

2. an overall comprehensive and integrated scheme for the site which is acceptable in environmental terms
3. development in the context of a Conservation Plan for the site
4. a safe, convenient community and sustainable movement and transport network for all within and, where appropriate, beyond the new development with local vehicular access which enables public transport linkages through the site, and into the existing residential areas of south Devonport to be realised
5. a high quality transport interchange at a convenient and accessible location within or adjacent to the development
6. pedestrian and cycle access through the site along Mount Wise headland, providing a link in the 'green arc'.
7. the preparation of Design Codes that must be submitted prior to the submission of reserved matters applications and will form a key element in the consideration of these applications, to cover high quality public realm, open spaces and architecture
8. sensitive restoration and reuse of Admiralty House and Mount Wise House and their attractive landscaped setting
9. public realm enhancements to the George Street approach to Mount Wise Park
10. restoration of historic surfaces
11. protection for other historic assets and archaeological features on the site, and their setting and opportunities for presentation, interpretation and promotion of these features
12. protection of habitats and the incorporation of a wildlife corridor
13. the protection of important trees
14. the retention of the cricket pitch, which should be brought into community use, complementing the proposed new recreational facilities at Brickfields
15. the development of HMS Vivid site to provide attractive frontage to the cricket pitch
16. an assessment of land contamination and implementation of appropriate mitigation
17. assessment of the risk of flooding - the development should be designed to avoid unnecessary development in areas of high risk and to minimise the impact of development on flooding, or provide mitigation measures to reduce the impacts of potential flooding
18. re-connection to the waterfront
19. the protection of important views through, into and beyond the site

The proposal represents a mixed use development that contains most of the elements identified in DP06. It broadly accords with the Council's, in principle, objectives for the site.

Your officers have looked again at the capacity of the site and are now satisfied that it can accommodate 450 dwellings, despite this being 50% higher than the figure suggested in DP06. Government and local authority policy is to maximise the use of previously developed land and, it is expected that the overall package of community benefits arising from the proposal will outweigh any concerns about overdevelopment.

The dwelling mix and residential profile

The dwelling mix proposes a 60/40 split in favour of flats over houses, if the care home and Category 1 elderly units are excluded from the calculation (these are all flats, and including them tips the ratio further in favour of flats).

Although Devonport currently has a high number of flats (82%), and it was hoped that the proposal could include more houses and make a larger contribution towards addressing this imbalance in the wider area, it is now accepted that the physical characteristics of the site do not lend themselves easily to the provision of houses at the density sought and that it is much better developed at this ratio.

The site's main contribution towards improving the range, quality and choice of housing in the area will be a significant increase in the number of private sector dwellings within the area. Excluding the 60 unit care home, it is proposed that 293 dwellings (75%) are full owner occupied/ private rented and a further 39 (10%) are shared equity. The owner occupied tenure is currently underrepresented in Devonport– only 18% compared with 69% nationally. The proposal will extend the housing market locally and promote choice for those who can afford it.

The design and appearance of the proposed new buildings

The design, layout and appearance of the proposed new buildings is better in some places than others. First the positives: Admiralty House is kept as the pre-eminent building on the headland and changes to key strategic views from Mount Edgecumbe, The Hamoaze, Stonehouse Creek and peninsula are limited; the southern arm of Devonport's strategic 'green arch' which runs through the grounds of Admiralty House and the cricket pitch before extending, outside the site on into Brickfields and on into Devonport Park beyond, is substantively retained in sporting or amenity use along with most of the mature trees, parkland setting and wildlife habitat; the tree sided 'quadrangle', and development either side, proposed in area B, to the north of Admiralty House is subservient to, and appropriate in scale to, the approach to this important historic building. Similarly the pattern of traditional style perimeter blocks proposed in area C relate well to the neighbouring George Street and Pembroke Street, outside the site, provide active frontage to the cricket pitch and have the potential to integrate well into the existing urban grain of this part of Devonport.

In both areas B and C previous concerns about land levels, relationships to trees and parking areas have been addressed, although some residual concerns about the limited space available for private gardens persist. But, overall, in these two areas, it is considered that the application proposal provides a robust framework on which to design a modern interpretation of the terrace, the crescent, and apartment block.

The development potential of site A is restricted by its access. Most of this part of the site is an elevated 'amphitheatre' constrained on the northern side by the cold war bunker and on the southern side by Ocean Court marina and the surrounding retaining wall. Pedestrian access from the main part of the site, to the north, is limited, and vehicular access is only achievable from Richmond Walk, via a ramped access.

Concerns that the development of an eight storey block of 42 flats/ 810sqm. of marine employment uses and a double Crescent of 49 houses and flats in the amphitheatre area represents overdevelopment of this part of the site have been put aside and it is now accepted that development proposal represents best use of previously developed land and would help deliver the wider benefits to the city which accrue from approving the overall development package.

The other design considerations on the merits of the proposal for this part of the site revolve around residual concerns about the height and prominence of the proposed commercial/ flat block in relation to strategic views and the setting of Admiralty House; and the commendable maximisation of views from the proposed development within the 'amphitheatre'. Given that the height of the flat/commercial block has been amended, so that it is below the tree crown, and has the support of the Plymouth Design Panel; it is, on balance, considered to be acceptable to develop a block of this height in this location.

In area D, the North East corner adjacent to Devonport Hill, the proposed plinth like structure with partly subterranean service road/ car park running through the centre and three medium height slab blocks would create the single biggest building on the site. This form of building is more often found in, and more appropriate to, the city centre. The post submission amendments only partly address the issues raised by the Plymouth Design Panel, in respect of the flat entrances and some improved definition between public and private space. Their substantive concerns about the form of development and relationship to the landscape, particularly Devonport Hill of such a monolithic building remain. However, it is quite difficult to design a high density residential scheme in this part of the site that relates well to the cricket pitch, historic landscape and Devonport Hill frontage. On balance, the current proposal is considered to be acceptable.

Since the application was previously reported to Committee the proposed commercial office space has been relocated to a three storey block in area B, adjacent to Mount Wise House and reduced in size. This reduces the scope for conflict between the residential and commercial uses – although the shared use with the café / bistro means that the parking area would still need to be properly managed.

Open space –sporting facilities, public access, trees and play space

The former garrison cricket ground, is the most important sporting facility on the site. Its retention, and managed availability to the wider public, fulfils a key objective of DP06/14 and is a feature of this proposal, welcomed by ECB and your officers. Sport England's concern that the pitch should be permanently

provided for public use is shared, but if it is to remain privately owned and managed then beyond securing its future availability for community use, via a section 106 clause, it would not be appropriate to prescribe management arrangements 21 years hence. The loss of the existing tennis courts to the north east of Admiralty House is regrettable, but there are others in the area and they were never available to the wider public anyway. Retention of the cricket pitch and provision of a new community pavilion, (managed by the cricket club, but available for other community uses) is considered to be sufficient Section 106 contribution towards sporting facilities within the city. Sport England's request for a £689,000 contribution towards off site sporting facilities is not supported.

Securing public access to the site, and avoiding the creation of a gated community are the first in the 14 point list of objectives in DP06. In its most recent amendment, which deletes the gated community concept in the far south, the proposal substantively satisfies this objective. Areas B and C, in the centre and north western parts of the site, are shown permanently integrated into the surrounding street network, with new vehicular accesses proposed onto Pembroke Street and pedestrian accesses onto Clowance Close and George Street. These streets and route ways would become part of the wider cityscape, always accessible, linking Devonport to the wider city and contributing towards providing permeability through the site and addressing the historical problem of severance.

In the proposed plan, the eastern side of the site and gardens to the south of Admiralty House contain areas that are not immediately overlooked, commercial uses that are not always occupied and other institutional type uses, such as the care home and hotel, that difficult to secure. Access to this area provides a route way through the site from Cumberland Street/Devonport Hill to Mount Wise Park and, of course, grand seascape vistas. But it is not a primary route, and is likely to be used mainly for pleasure. If unrestricted public access has to be provided for this area, the developer, with Police Architectural Liaison officer support, would seek secure fencing and lighting. This would diminish the experience of the sylvan landscape and headland and, possibly, conflict with the setting of Admiralty House. A Section 106 clause, to secure permanent public access to this space, between dawn and dusk, is considered to represent a satisfactory compromise between the objectives of providing public access to this magnificent site and ensuring that it is safe and the landscape not compromised by inappropriate security fencing and lighting.

The concentration of mature trees representing a wide diversity of species (45) is the site's most significant natural feature beyond its inherent elevated headland location. The proposal retains most of these trees, but does seek the removal of approximately 24% to facilitate the development. It offers protection from construction damage for the retained trees; relocation, where feasible, and replacement planting for those lost. As all the trees are covered by a group TPO (No. 22), and located within the extended Devonport Conservation Area, the underlying assumption of policy AEV4 of the Adopted Plan and Strategy Objective 11 of the Core strategy is to require retention.

However, it is acknowledged that, inevitably, some trees will have to be lost to fulfil the wider policy objectives for the site.

The proposal has been designed to retain the sylvan setting of the site and ensure that mature trees remain the dominant feature of the landscaped setting of Admiralty House.

As expected, the site exceeds many times over the casual play space requirements set out in Supplementary Planning Guidance Note 11 (SPG11), but the provision of equipped play space is still required. The proposal would provide a significant number of family sized dwellings which will generate a demand for equipped play space in accordance with SPG11. It is considered that this should be provided substantively on site, in accessible and safe locations and a commuted contribution towards off site provision only secured, if necessary, for a small part.

The proposal shows two equipped play areas: under trees in area A, and on the eastern side of area D. The play areas proposed satisfy the policy considerations of SPG11. Discussions continue with the applicants with regard to the specification of equipment, adoption by the council and future maintenance payment.

Impact upon Historic Environment

The listed buildings, surviving archaeological remnants and modern bunkers of Mount Wise reflect developments in 200+ years of defensive warfare. Whilst the thickness of the concrete, and prohibitive cost of removal, is likely to substantially preserve the modern bunker complex more proactive protection is required to preserve the earlier remains and buildings. A comprehensive protective regime provided by: listing of the historic buildings; specific reference to the archaeological remnants of Devonport Dock Lines (defensive positions) and Georges Square barracks in Policies AEV12 and AEV11/2 of the Adopted plan; and inclusion within the recently extended Devonport Conservation Area.

The archaeological evaluation conducted by Exeter Archaeology, the applicants consultants, has confirmed the presence of well preserved archaeological remains on site, particularly in areas B and C. The proposal has been informed by these remains with mitigation measures, preserving in situ where possible and comprehensively recording where the development would result in removal. Two of the above ground features in area C have been incorporated into the design, one as a feature of the pedestrian walkway from the cricket pitch to Clowance Close, and a visitor interpretation board is sought for the Admiral's Rose garden (historic gun battery/ magazine site). The Council's archaeological officer is satisfied that, in the event that the proposal is recommended for approval, a conditional regime can be put in place to secure a programme of archaeological work and control the method of construction to satisfactorily mitigate the impact of the proposed development upon archaeological remains.

The application has been submitted in outline, but involves change of use, partial demolition and extension to both listed buildings in addition to significant development within the grounds. These changes will require specific listed building consent, and are the subject of separate Listed Building applications (ref. 07/00011 Admiralty House & ref. 07/00014 Mount Wise House). These applications are under separate consideration, and will be reported to the Committee as soon as possible. Negotiations are required regarding the listed building details of the proposals; officers are optimistic that the necessary issues can be satisfactorily addressed. (These negotiations, on the listed building details, can be progressed as a separate issue). The Council also needs to be fully satisfied, at this outline stage, that both buildings can be altered to accommodate the proposed uses, including the quantum of development where the applicant's have sought to fix.

It is axiomatic that neither Admiralty or Mount Wise House are going to be used for the purposes for which they were first built, military residencies. A hotel and commercial office use, respectively, is supported, in principle, as alternative uses capable of safeguarding their retention by meeting the costs of their future upkeep, and accords with DP06 and PPG15. After considerable discussion, revision and amendment, the proposal, as currently submitted, demonstrates that Admiralty House can be satisfactorily converted into a 46 bed boutique hotel without inappropriate subdivision of the main reception rooms or jarring external changes; and that Mount Wise House can be converted and extended into 1,668sqm of commercial offices, including DDA compliant access, without a large extension that would compromise its appearance and adversely impact upon the amenity of neighbours.

The appearance of both buildings would benefit from the removal of inappropriate twentieth century additions, with the demolition of the 1970s office block attached to Admiralty House particularly welcome.

Assessment of the impact of the proposal upon the setting of the listed buildings, is a more subjective judgement; but, in this case, is supported. With the removal of the proposed tall buildings from the proposal, Admiralty House is shown retaining its position as the pre-eminent building on the Mount Wise headland. Its southern elevation gardens and the historically significant Admiral's Salute remain virtually unchanged. The proposal, does however, introduce a three sided 'quadrangle' feature of high density housing on the northern elevation. Constructed in contemporary architectural style, and subservient to the historic house, this would considerably alter the main approach to the building, focusing views, claim the applicant's architects and historic environment consultants. This opinion is supported by the Plymouth Design Panel, who having successfully sought amendments to delete the fourth side of the quadrangle from the scheme and secure a better relation of the far western terrace to George Street/ Mount Wise Park, are in principle supportive about this element of the proposal. Your officers do not dissent from the consensus view and are satisfied that the setting of the listed buildings will not be adversely affected by the proposal.

Impact upon the amenities of neighbouring properties

As a longstanding Military enclave the site is somewhat separate from Devonport and only really interfaces with neighbouring property in the north west corner, around Pembroke and George Street and in the far south adjacent to Ocean Court. This particular proposal also includes widening to Richmond Walk, impacting on residential properties in Bakers Place and adjoining commercial properties.

As a result of pre-application community consultation, and subsequent post submission amendments, the access into the site from Clowance Close is pedestrian only and the size of the proposed extension to Mount Wise House has been reduced to 1.5 storeys to address concerns about overlooking and overshadowing. In its amended form the proposal provides a satisfactory relationship with properties in George Street, Clowance Close and Pembroke Street and satisfies the policy requirements of AEV14 (Privacy and overlooking) and AHR5 (Character of Residential Areas).

Additional plans have been provided showing the proposed road widening and remodelled resident parking on Richmond Walk. These show a satisfactory arrangement that helps satisfy DP09 (Richmond Walk objective of the Action Area Plan by providing improved connectivity to Mount Wise). Residents maintain concerns about additional traffic, construction traffic and potential damage from pilling in Stonehouse Creek, necessary to compensate for the road widening. Where these are planning matters, appropriate conditions can be appended to any approval granted

Employment

A key objective of DP06, and Core Strategy Policy CS01 (Development of Sustainable linked communities) is to secure a mixed use development that provides jobs as well as residential and leisure facilities on site.

This proposal seeks to satisfy this objective by providing a total of Xsqm of employment space primarily in two locations within the site: around Mount Wise House and off Richmond Walk. The conversion and extension of Mount Wise House into 1,668 sqm of commercial office space with a three storey commercial building providing a further 972sqm of commercial office space in a three storey building opposite represents one cluster. The other is area A where a new building providing 810 sqm of commercial office space is planned to join the 4,650sqm of data storage space off Richmond walk in area A. There is some concern that, the data storage element, which generates few direct jobs and little on site activity, represents such a large percentage of the total employment space on site. However, this is tempered by an appreciation that the underground bunker presents a challenge to finding a purposeful use owing to its severely restricted access, lack of natural light and, in part damp conditions. The proposed use of nuclear bunker, the most modern dry part, for 4,650sqm of data storage, despite its limited employment potential, represents a suitable use of this area and is supported.

The marine employment space within area A and on a level with Richmond Walk, at the far southern part of the site, is particularly welcomed. Policy

DP09 (Richmond Walk) of the Area Action Plan sees this area remaining in employment particularly marine related uses

Off site impact and mitigation measures/ contributions

Policy AIR2 (The Impact of development) of the Adopted Plan and the more recent Policy CS33 (Community Benefits /Planning Obligations) set out the overarching framework for negotiation of planning obligation and agreements. The basic premise is that obligation requirements are intended to offset the impact of the development upon the local area; are reasonable within the terms of Circular 05/2005; and, in broad terms, fair in relation to comparable development elsewhere in the city.

In many instances there are formulae and standard charges relating to impacts, such as SPG3 (affordable housing); IPS4 (Educational Needs) and SPG 11 (play space). It is expected that development proposals will normally provide public goods on site, or off site contributions in accordance with these formula and only if there are exceptional constraints. The process for assessing such claims is submission of a (confidential) Viability Assessment, otherwise known as an 'open book' approach

Affordable housing –

The applicants have provisionally offered the headline of 25% the total being affordable dwellings with a 60:40 split in favour of social rented providing the dwellings are clustered only in areas B and C of the site and the developers secure significant grant to aid delivery. Discussions are ongoing about the exact terms proposed. There are important details of this offer in relation to deliverability and, given the viability assessment outcome, competing Section 106 claims on contributions. Your officers need to be fully satisfied that this number of affordable dwellings, with at least this ratio of social rented will be delivered on site before finalising their recommendation.

However, we are moving towards recommending that Members accept a derogation from policy CS15 of the Core Strategy and DP06 of the AAP in relation to the requirement that at least 30% of the total number of dwellings are affordable and a partial relaxation that they be 'integrated' into the development. This is justified on the grounds that it shows flexibility in deference to the developer's economic constraints, demonstrated by the assessed viability appraisal, and an acknowledgement of the wider benefits that would accrue to the city from securing the redevelopment.

Members may recall that the Storage Enclave Site, which members approved in outline January 2006, included 463 residential units, 25% affordable based on a 80/20 tenure mix in favour of social rented. The headline figure for this proposal is comparable but in the absence of a final agreement to secure appropriate affordable housing on site it technically contrary to policy AHR18 of the adopted Plan and CS15 of the Core Strategy.

Education – Contributions towards the provision of education arising from residential development are assessed, in the first instance, against Interim Planning Statement 4 (IPS4), which works on the principle of only seeking

contributions where a proposed development would exceed the capacity of local schools within the catchment area.

The Mount Wise site falls within the catchment area for Parkside secondary school; and Mount Wise and Marlborough Street primary schools (St. Joseph's RC primary school is also within the area, but it is small and entry is restricted). All three state entry schools currently have excess capacity, but it is expected that the excess capacity of the two primary schools will be fully exhausted by the Storage Enclave development, which already has permission.

As the AAP acknowledges: 'Devonport also has low educational attainment and is the sixth poorest performing neighbourhood in Plymouth for development at key stage 1 and 2, i.e. Neither of the Primary Schools meet key stage 2 targets for Maths or English, and this trend continues in the secondary school...'

Lifelong Learning and Asset Management officers are exploring the provision of new primary school within the area to replace both Mount Wise and Marlborough Street; but, to date, this is not a definite commitment. Securing contributions towards Educational Infrastructure is a Community Benefit priority of the Area Action Plan. The Plan makes clear that the contribution is sought for provision of a new primary school *or improvements to the existing primary schools in the area.*

The applicants have accepted the principle of providing a contribution towards education but section 106 negotiations about the level of contribution and the terms of its provision are ongoing.

Further consideration of contributions, particularly in relation to transport, to be provided in Addendum Report taking into account Highway Authority comments and assessment of viability appraisal.

Highway Comments

At the date of writing there is a Directive from the Highways Agency preventing the LPA from approving the application. It is believed that this is related to the overall contribution package towards sustainable transport which has yet to be resolved. There are significant differences between the contribution level offered and that sought by the Highways which need to be considered with reference to the wider contribution package and viability.

It is believed that the off site junction and road widening proposed in the surrounding area can be physically accommodated. But the applicants estimates of costs, and hence what is being offered for contributions, are considered to be too low. This is the subject of further negotiations which will be reported in an Addendum report.

Section 106 Obligations

The applicants have submitted a draft Section 106 Agreement, but as currently submitted it is not acceptable and requires amendment and improvement, particularly in relation to the proposed affordable Housing package and transport. Negotiations are ongoing and will be the subject of an addendum report.

Conclusions

The redevelopment of the Mount Wise site provides an exciting opportunity for Devonport and the wider city.

Since the application was previously reported to Planning Committee the developers have made some changes to the proposal, mainly affecting areas A and D. In area A the ramped vehicular access has been relocated further to the east, outside the building envelope, and the maritime employment moved to a separate building. In area D the employment space, proposed under the podium, has been removed and reproduced, in reduced size, in area B, opposite Mount Wise House. These changes are considered to be decisive. In the context of the wider benefits that this redevelopment proposal secures for the city - the re-use of the listed buildings; retention of most of the protected trees; preservation of the cricket pitch; provision of public access and securing a high density mixed use scheme that makes best use of previously developed land -, this proposal is considered to be the pinnacle of what is achievable on this site at the present moment.

Providing the package of community benefits offered can be negotiated at, or close to, the usual policy standard; the Highways Agency can be persuaded to withdraw their Directive against the Local Planning Authority granting permission; the Environment Agency can be satisfied in relation to the Exception Tests; and public consultation does not result in the identification of new, unaddressed issues, it is considered in the best interests of the city that this development goes ahead.

An addendum report will be presented to the Committee, providing Members with an update on ongoing negotiations, and the outcome of ongoing consultations the EA and HA. Members will also be given details of any representations received in response to the current additional public consultation exercise; however, given that the publicity period expires on 4 May, officers will have to seek delegated authority from the Committee to consider any representations received after the Committee meeting.

Recommendation

In respect of the application dated 09/10/2006 and the submitted drawings, 114(12)001RevA; 114(12)002RevA; 114(12)005RevC; 114(12)006RevD; 114(12)010RevC; 114(12)011RevC; 114(12)012RevA; 114(12)013RevC 114(12)014RevC; 114(12)30RevC; 114(12)31RevC; 114(12)32RevC; 114(12)051RevA; 114(12)052RevB; 114(12)053RevB; 114(12)057RevC; 114(12)058RevA; 114(12)061RevA; D112321/001RevA; D112321/T/02; D112321/002RevA; D112321/T/006RevC; 06/157/101RevA; 06/157/105RevB; 06/157/106RevA; SK/PLAY/01; SK/PLAY/02; SK/PLAY/03 -(114(12)020RevB; 114(12)021RevA; 114(12)040RevD; 114(12)041RevC; 114(12)042RevB; 114(12)043RevC; 113(12)044RevC; 114(12)045RevA; 114(12)049RevA; 114(12)050RevA; 114(12)062RevB; 114(12)063RevB; 114(12)064RevC; 114(12)075RevB; 114(12)076RevB; 114(12)077RevB)

The recommendation, at this stage, is:-

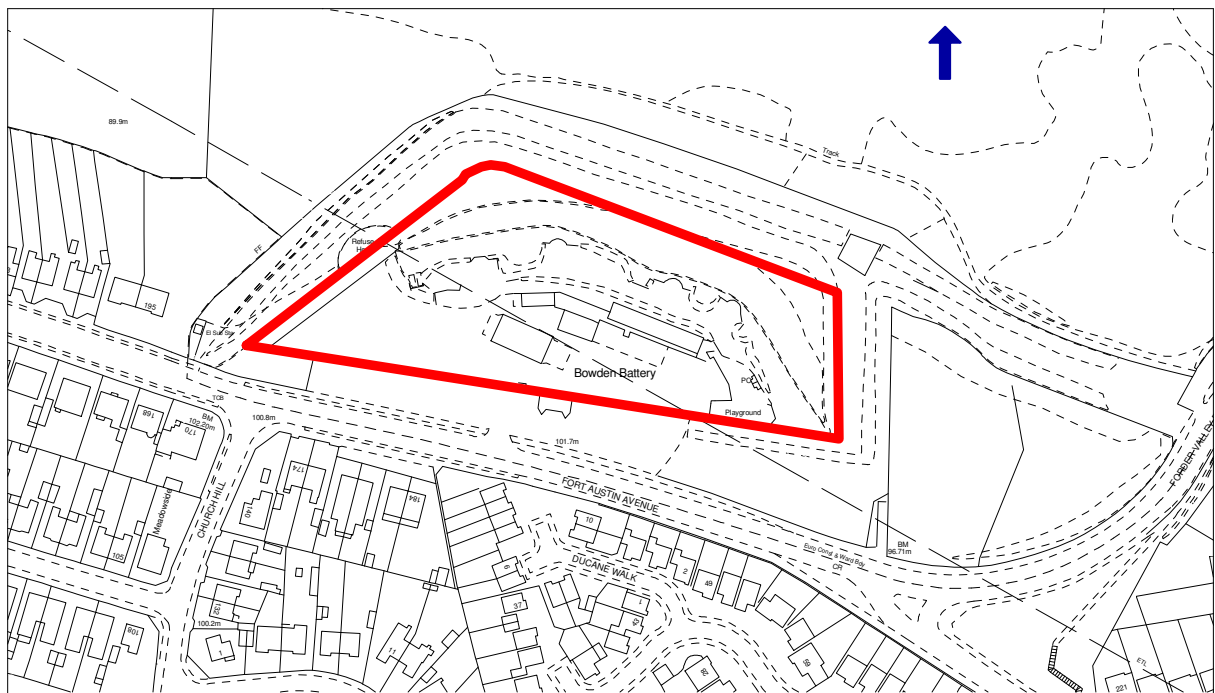
Minded to grant conditionally subject to a S106 Agreement (provided outstanding issues are resolved with the EA and the HA), defer for the consideration of any further public representations received, delegated authority to officers to conclude S106 negotiations and to finally determine the application.

(An addendum report will update this recommendation)

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ITEM: 04

Application Number:	07/00015/FUL
Applicant:	Plymouth Garden Centre
Description of Application:	Erection of a coffee shop, erection of a covered walkway, extension to existing aquatics building, erection of WC for disabled persons, covered access and installation of septic tank
Type of Application:	Full Application
Site Address:	PLYMOUTH GARDEN CENTRE FORT AUSTIN AVENUE CROWNHILL PLYMOUTH
Ward:	Eggbuckland
Valid Date of Application:	31/01/2007
8/13 Week Date:	02/05/2007
Decision Category:	Major
Case Officer :	Jon Fox
Recommendation:	Refuse



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OFFICERS REPORT

Site Description

Long established garden centre within the bounds of, and immediately adjacent to, Bowden Battery, which is a Scheduled Monument (County No. 36101) constructed between 1862 and 1868 and forming part of the important Victorian defences surrounding Plymouth. The scheduling extends over much of the site including its associated glacis, but the former area of the parade ground which is now occupied by the garden centre has been excluded from the scheduling.

Proposal Description

Erection of a coffee shop, erection of a covered walkway, extension to existing aquatics building, erection of WC for disabled persons, covered access and installation of septic tank.

Relevant Planning History

04/02237 - Freestanding building providing staff facilities. This application was approved on the basis that it is a temporary structure and is without foundations that could impinge on the scheduled monument. Approval was granted subject to the following condition:

'The building hereby permitted shall be removed and the land restored to its former condition on or before the 28th January 2010, in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority before any works commence on site.

Reason:

In the opinion of the Local Planning Authority the temporary building to which this permission relates will by the said date have fulfilled its required purpose.'

Otherwise, the garden centre has been added to incrementally over the years.

Consultation Responses

Environment Agency

No response received.

Highway Authority

Have no objections providing the proposed buildings are used only for purposes ancillary to the garden centre business.

English Heritage

EH were initially made aware of these proposals in July 2006 and advised the owner that it was now an appropriate time to prepare a conservation plan; this would provide both English Heritage and Plymouth City Council with a yardstick on which to judge the current proposals, whilst forming the basis of a long term management strategy. EH are not aware of any progress in preparing the plan and have concerns over the scale of the works in terms of the site's overall capacity.

There are concerns over certain aspects of the current scheme, including the following:

1. The increased size and scale of the coffee shop will have a much greater impact on the setting of monument lying immediately next to the scheduled area and one of the surviving gun positions. No attempt has been made to incorporate this feature within the proposed interpretation scheme.
2. The retail pods have been set back thereby impinging on the sight lines between the gun emplacements.
3. The covered way and the roofs between the retail pods have a negative impact on this sensitive part of the site.
4. The septic tank and part of the proposed pipeline lies within the Scheduled area and Scheduled Monument Consent will therefore be needed; any future application should include details of the proposed groundwork's together with a programme of archaeological mitigation.
5. No progress has been made in preparing the Conservation Management Plan and in particular linking the current scheme to the future management and vision for the site.

EH therefore suggest the local planning authority liaises with the owner and English Heritage to address these matters by amending the scheme and providing further information where appropriate.

Access

Queries whether an access statement has been submitted and has no further comments at this stage.

Representations

Analysis

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.

The proposed buildings and works to construct the septic tank do not unreasonably affect residential amenity and would not be harmful in transport terms providing the proposed buildings are used only for purposes ancillary to the garden centre business. The main issue therefore is the impact of the proposed buildings on the Bowden Battery Ancient Scheduled Monument and its setting, particularly that part of the proposed development that lies close to the northern edge of the site.

With regard to the more sensitive northern part of the proposed development, the coffee shop, walkway and retail pods would clearly have an affect upon the setting of the Scheduled Monument. The development would almost

completely obscure the currently visible westernmost gun emplacement and public access to the middle and eastern gun emplacements (although retained) would appear to be restricted. The coffee shop and associated elements represent an overdevelopment of that historically sensitive part of the site and would represent a significant impact upon the setting of the monument. The proposals are therefore contrary to policy AEV11, which states that planning permission for developments that seriously damage nationally important remains, or their character or setting, will be refused. Policy AEV12 states that Bowden Battery will be protected and enhanced through the preparation of management strategies and, subject to policy AEV11, favourable consideration will be given to development schemes which emphasise the original form and function of the site and improve public access to it. However, there is no management strategy in this case and therefore the proposals are not well conceived in terms of the long term future and conservation of the scheduled site.

Section 106 Obligations

There is no S106 obligation in respect of this application.

Conclusions

It is recognized that the owner of the garden centre has to meet the commercial needs of the business and that there are positive aspirations for enhancing the public interpretation of the fort. However, the proposed development is premature in that the proposals are not conceived within the framework of a management plan for the site and, partly as a result of this, would be demonstrably harmful to the setting of the scheduled ancient monument of the Bowden Battery. The proposals are therefore contrary to policies AEV11, AEV12 and AEV13 of the adopted City of Plymouth Local Plan First Alteration 1996 and policy CS03 of the Core Strategy of Plymouth's emerging Local Development Framework 2006. In the circumstances it is recommended that planning permission be refused.

Recommendation

In respect of the application dated **31/01/2007** and the submitted drawings, **SF107:2:09 (Additional plan showing extent of foundations), SF107:3:08, SF107:3:04, SF107:2:06A, SF107:2:05A, SF107:2:03B, SF107:2:02C and accompanying design and access statement** , it is recommended to:

Refuse

Reasons for Refusal

(1) The proposed coffee shop and associated elements represent an overdevelopment of the historically sensitive northern part of the garden centre site and would have a significant adverse impact upon the setting of the scheduled ancient monument of the Bowden Battery. In particular:

1. The size and scale of the proposed coffee shop will have a significantly adverse impact on the setting of scheduled ancient monument lying immediately next to the scheduled area and one of the surviving gun positions.

2. The proposed retail pods are set back thereby impinging on the sight lines between the scheduled gun emplacements.
3. The covered way and the roofs between the retail pods have a negative impact on this sensitive part of the site.
4. No progress has been made in preparing the Conservation Management Plan and in particular linking the current scheme to the future management and vision for the site.

The proposals are therefore contrary to policies AEV11, AEV12 and AEV13 of the adopted City of Plymouth Local Plan First Alteration 1996 and policy CS03 of the Core Strategy of Plymouth's emerging Local Development Framework 2006.

INFORMATIVE - SITE MANAGEMENT PLAN

(1) The applicant is advised that, in accordance with policy AEV12 of the adopted City of Plymouth Local Plan First Alteration 1996, any future applications for development at the site should be made in the context of a Conservation Management Plan that links proposed development to the future management and vision for the site as a whole. In this regard the applicant is advised to liaise with the City Council's Archaeological Officer and English Heritage.

Relevant Local Plan Policies

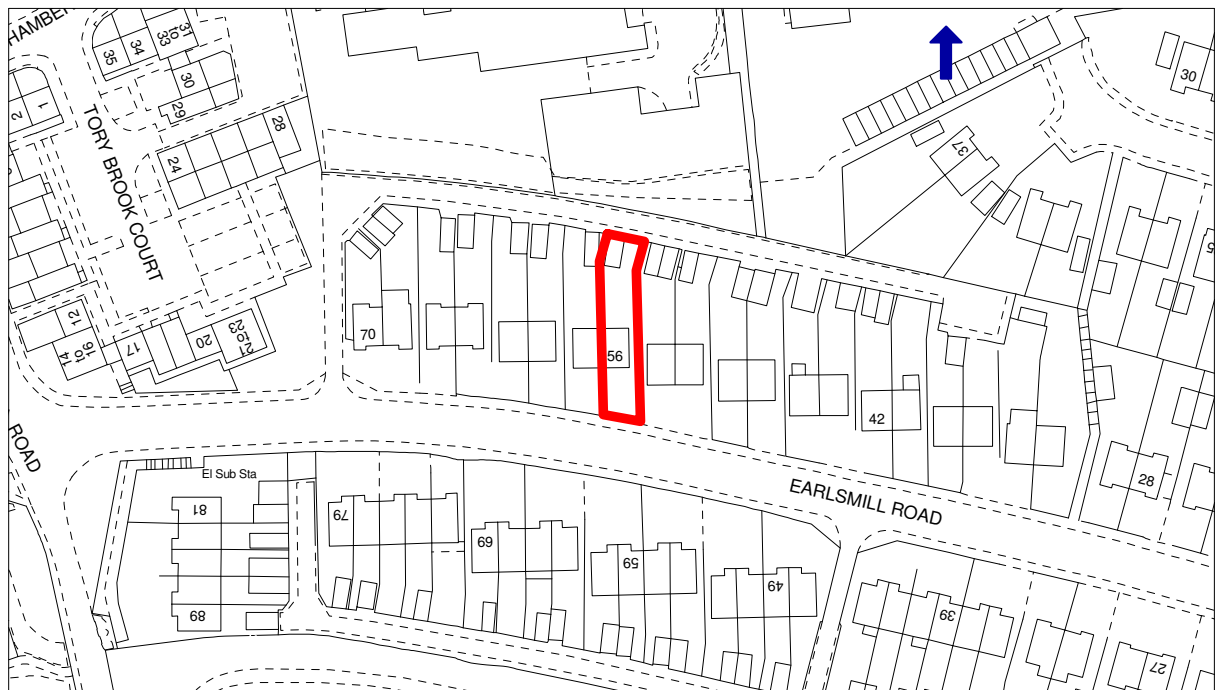
The following policies from the Devon Structure Plan (2001 to 2016) 2004, the adopted City of Plymouth Local Plan First Alteration 1996, the City of Plymouth Local Plan (1995-2011) First Deposit 2001, Plymouth Local Development Framework and Regional Spatial Strategy (the status of these documents is set out within the City of Plymouth Local Development Scheme 2006), and relevant Planning Guidance Notes, Statements and Government Circulars were taken into account determining this application:

- AEV11 - Archaeological Preservation
- AEV12 - Protection and Enhancement
- AEV13 - Protection of Ancient Monuments
- AEV31 - Townscape
- ATR18 - General Parking/Servicing Requirements
- ATR5 - The Road Network
- CS28 - Local Transport Consideration
- CS34 - Planning Application Consideration
- CS03 - Historic Environment

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ITEM: 05

Application Number:	07/00228/FUL
Applicant:	Miss H Rickett
Description of Application:	Private motor garage and boundary wall to rear
Type of Application:	Full Application
Site Address:	56 EARLS MILL ROAD PLYMPTON PLYMOUTH
Ward:	Plymp St Mary
Valid Date of Application:	15/02/2007
8/13 Week Date:	12/04/2007
Decision Category:	Plymouth City Council Employee
Case Officer :	Jessica Dunstan
Recommendation:	Grant Conditionally



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OFFICERS REPORT

Site Description

56 Earls Mill Road is a semi-detached property in the Plympton area of Plymouth.

Proposal Description

The proposal is for a single garage 3700mm wide, 5500mm deep and 2540 mm in height and a boundary wall 2259mm in height at the bottom of the rear garden fronting a rear service lane.

Relevant Planning History

There is no relevant planning history.

Consultation Responses

There are no consultations to consider.

Representations

No letters of representation have been received.

Analysis

This application turns upon policy AHR15 of the City of Plymouth Local Plan First Alterations 1996 and its supplementary guidance (SPG) Note 2 – House and Roof Alterations.

The primary planning considerations are: the impact on the neighbouring amenity and the impact on the character and visual appearance of the area (streetscene) as detailed below.

The proposed garage and boundary wall are located at the bottom of the rear garden a considerable distance away from both the existing house and the neighbouring properties. This, along with the proposed garage and walls limited height, and the presence of a similar garage in the attached neighbour's garden immediately adjacent to the proposed garage means that there will be no unreasonable loss to neighbouring amenity.

With regards to impact on the streetscene, the proposed garage and wall can only be viewed from the rear service lane which already has a number of similar garages fronting onto it. Therefore it is considered that there is no unreasonable impact on the existing streetscene.

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.

Conclusions

It is considered that the proposed garage and boundary wall at the rear of 56 Earls Mill Road, Plympton complies with Policy AHR15. Therefore this application is recommended for approval.

Recommendation

In respect of the application dated **15/02/2007** and the submitted drawings, **07-034/01, site plan**, it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(1) 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.

INFORMATIVE: PROPERTY RIGHTS

(1) 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.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be the impact on neighbouring amenity and streetscene, the proposal is not considered to be demonstrably harmful to local amenities. In the absence of any other overriding considerations, and with the imposition of the specified planning condition, the proposed development is acceptable and complies with the following policies of the Devon Structure Plan (2001-2016) 2004, the adopted City of Plymouth Local Plan First Alteration 1996, Plymouth Local Development Framework, Core Strategy, Regional Spatial Strategy and North Plymstock Area Action Plan (the status of these documents is set out within the City of Plymouth Local Development Scheme 2006), and relevant Planning Guidance Notes, Statements and Government Circulars as follows:

AEV31 - Townscape

AHR15 - Misc. Householder Developments

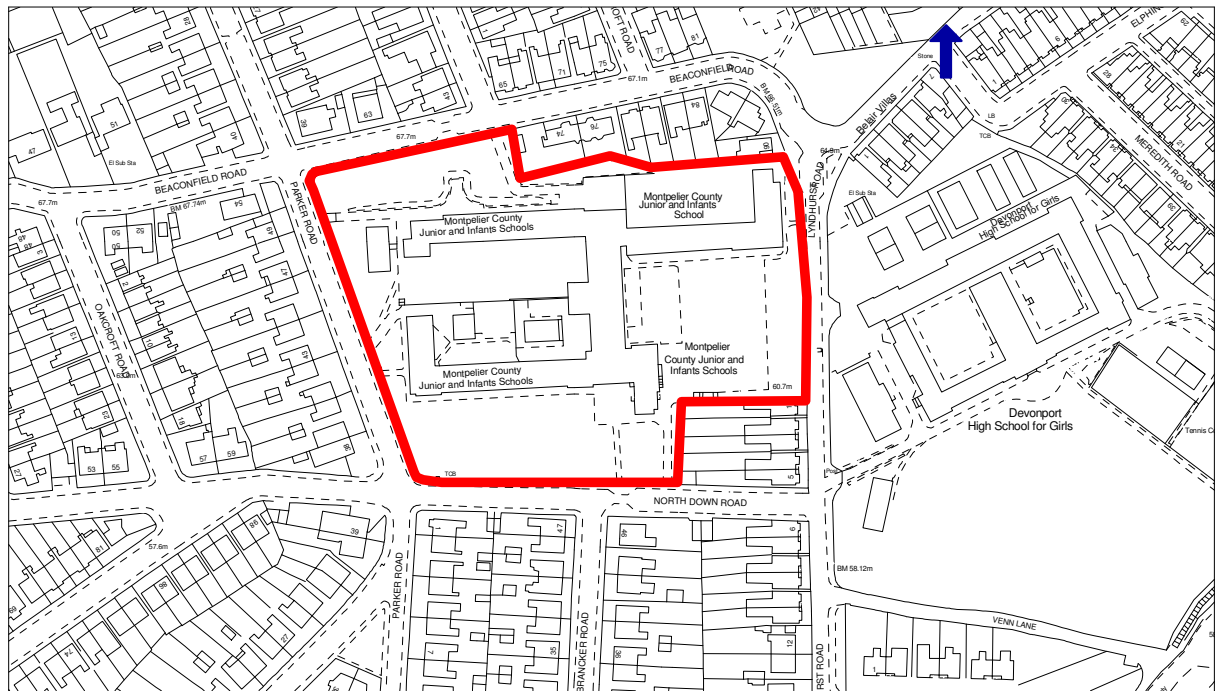
SPG2 - House and Roof Alterations

CS34 - Planning Applications

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ITEM: 06

Application Number:	06/01830/FUL
Applicant:	Montpelier Primary School
Description of Application:	Retention of 2.4m fencing on street frontage of school site
Type of Application:	Full Application
Site Address:	MONTPELIER PRIMARY SCHOOL, BEACONFIELD ROAD BEACON PARK PLYMOUTH
Ward:	Peeverell
Valid Date of Application:	09/01/2007
8/13 Week Date:	10/04/2007
Decision Category:	Major
Case Officer :	Jessica Dunstan
Recommendation:	Grant



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OFFICERS REPORT

Site Description

Montpelier Primary School is located on Beaconfield Road in the Beacon Park area of Plymouth. The school is enclosed on four sides by highways.

Proposal Description

The proposal is for the installation of 2.4m fencing around the perimeter of the school.

Relevant Planning History

None

Consultation Responses

Crime Prevention / Architectural Liaison Officer – No opposed to granting permission. Suggested 2.4m Paladin fencing system is highly recommended.
Transport Officer – No objections to permission being granted.

Representations

A W Newman (47 Brancker Road) – Consider application to be invalid because there are no supporting plans, Design and Access Statement (DAS) and fencing has already been installed.

Liz Drysdale (Parker Road) – The proposed fencing has already been erected.

Analysis

The main issues to consider for the application are the impacts on the character and appearance of the area and impacts on surrounding highway.

CHARACTER AND APPEARANCE OF THE AREA

The fencing is not considered to be detrimental to the character and appearance of the locality. The fencing is green and transparent, having less of a visual impact than wooden fencing / a wall or metal railings. The photographs show the fencing to be in place at no detriment to the visual appearance of the locality.

The Design and Access Statement (DAS) provides some background information to the need for the fencing. The school has experienced several instances of vandalism and theft necessitating higher fencing to protect the site. The Crime Prevention officer recommends that the fencing should be a minimum 2m in height and anti-climb. The proposed Paladin fencing is in keeping with the recommendations of the Crime Prevention Officer and is considered to be acceptable in visual terms.

HIGHWAY SAFETY

The Transport Officer was satisfied that the fencing does not pose a threat to highway safety because the fencing does not impact on any existing access points or disabled access.

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.

Section 106 Obligations

N/A

Conclusions

The proposal is recommended for approval.

Recommendation

In respect of the application dated **09/01/2007** and the submitted drawings, **site location plan, Design and Access Statement, site plan new build**, it is recommended to: **Grant**

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations which in this case are considered to be: the impact of the proposal on the character and appearance of the area, the impact of the proposal on highway safety, the proposal is not considered to be demonstrably harmful to local amenities. In the absence of any other overriding considerations, and with the imposition of the specified planning conditions, the proposed development is acceptable and complies with the following policies of the Devon Structure Plan (1) 2004, the adopted City of Plymouth Local Plan First Alteration 1996, Plymouth Local Development Framework, Core Strategy, Regional Spatial Strategy and North Plymstock Area Action Plan (the status of these documents is set out within the City of Plymouth Local Development Scheme 2006), and relevant Planning Guidance Notes, Statements and Government Circulars as follows:

CS34 - Planning Application Consideration

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OFFICERS REPORT

Site Description

The site is particularly visually prominent being sited on the crest of Devonport Hill, with open views from many surrounding vantage points. Within the site are 3 main buildings: the Cumberland Centre, The Willows and Damerel House. The Cumberland Centre is the largest of the buildings on site and provides for a range of care functions. Damerel House provides a drug treatment service and The Willows contains a community based pain management centre.

One of the main constraints of the site is the lack of visibility from the surrounding area, in effect the centre turns its' back on the local area through a combination of building design and landscape setting. In general terms one can only glimpse roof tops and it is not obvious what exists in the centre or indeed how you arrive there.

Currently there are 2 principle arrival points: on foot and by bus via Devonport Hill and by car from Damerel Close. Both points of arrival lack a clear identity and it is not clear where you are arriving at? The Devonport Hill access is very ambiguous and appears very narrow with an abundance of trees, lack of footpath access and no clear sign of where to arrive at the building. Similarly the arrival from Damerel Close is poor, there is a car park at the front that takes a windy route and the entrance is off set which makes it very unclear to users of the site.

There is a main bus route along Devonport Hill which provides access into and out of the city centre to the surrounding environs, the services available are comprehensive.

Proposal Description

Detailed planning permission is sought for the erection of a dental school.

Relevant Planning History

07/00086 – Outline application to develop land by erection of dental school, new Primary Care Centre and reconfiguration of Cumberland Centre – **APPROVED**

Consultation Responses

Highway Authority – No objections in principle, recommends certain conditions to be attached. Also recommends Section 106 agreement to require £15000 for the provision of covered bus shelters along Devonport Hill or towards other such measures as necessary.

Environmental Services – Recommend further ground testing to ensure potential contaminants are detected if they exist. A condition will deal with this issue.

Representations – One representation has been forthcoming, it supports the principle of the new dental school but raises concerns over the design and sustainability of the building. The issues were raised by a local interest group (Voice of Devonport) and the concerns have subsequently been dealt with following a meeting with the architects and the applicant. These issues will be considered in the report.

Analysis

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.

This application has followed on from significant pre-application discussions.

In consideration of this detailed planning application regard is had to the most recent planning policy position, namely that of proposal DP12 (dental training school and GP surgery) contained within the Devonport Area Action Plan. Proposal DP15 (The 'Green Arc') is also highly relevant as this site looks at access into the surrounding parkland.

The principle of the development should be assessed against Proposal 12 which considers:

- conservation / interpretation of the Devonport dock lines
- rationalisation of the parking
- improved access to site, particularly in relation to pedestrians
- sensitivity relationship with other uses at Brickfields
- green travel plan
- buildings of an appropriate scale and design respecting the prominent and sensitive nature of the site.

With these factors in mind the proposals can be assessed and evaluated.

Due to the demolition of Damerel House and The Willows and the positioning of the new buildings, there is by necessity a reconfiguration of the parking area. There is a distinct benefit in reconfiguring the parking areas as this will help to make the campus more legible. Parking has been provided in a piecemeal manner historically and this has led to small pockets all over the campus which makes it a very confusing and disjointed environment for visitors and patients. The proposals will provide a unifying surface treatment and also break up the expanse of parking through the use structured planting. The space can also accommodate other uses when not in use as a car park.

Access will be vastly improved. Full disabled access will be provided from the Devonport Hill end as well as well as a new entrance point, this will link

through the Cumberland Centre to allow access to the new facilities. Pedestrian access will be improved in particular with a new entrance point from the park connecting through the site. There will also be a new footpath through the woodland area that will sweep around the part of the site that has never seen public access.

Adjacent users will not be affected as a result of the proposals. The majority of the footprint of the site will remain as it is, the only incursion will be at a part of the site that cannot be used for other meaningful purposes. The 'tongue' of land that extends beyond the current site is an isolated parcel of land that is raised above the adjacent sports pitch. In real terms it is too small to accommodate any size of sports pitch. There is no further incursion into the rest of the surrounding parkland.

The new use will be required to enter into a travel plan; this will be assisted with the provision of new pedestrian routes, cycle parking and associated facilities and ready access to public transport. The site is considered to be well located to allow for a successful travel plan to be entered into and enforced. The applicant is happy to commence work on this aspect with the Council's travel plan officer.

Trees within the site are to be retained although there are small minor trees to the east of the site that may require removal if the building relationship is too tight. The impact of this on the overall site would not be harmful to the parkland setting.

The design has been considered within the Design and Access statement submitted with the application, this has been revised following detailed comments. The principle building materials will consist of a combination to include render walls, timber panels, rough stone around the base, metal cladding for the roof and smooth blocks around the windows. The exact specification is to be agreed by condition. Coloured glass will be introduced along the elevation to the park to add visual interest. The ventilation stacks will be finished in a material that picks them out as positive architectural features. The stair tower at the end of the building rises above the rest of the majority of the main structure. It is anticipated that this will be fitted with signage to help provide some visual interest. Lighting of the building will also provide night time interest and a clear presence in the park to create a safer environment. The building is 'crisp' and modern in terms of the architectural treatment. To some extent this can be a subjective issue. The scale of the building is considered to be appropriate to the site setting. It is felt that the mass of the building will provide an appropriate enclosure to this part of the park and provide a decent level of surveillance which currently does not exist.

The application has been the subject of a consultation exercise with the local community and key stakeholders. The response to the consultation seems to have been generally positive with some comments vis-à-vis the design and sustainability credentials of the building.

Part of the submission talks about sustainability both in terms of the actual building and how people arrive there. Details have been worked up as part of a NEAT assessment which is used by the NHS. The intention of the assessment is to provide a holistic evaluation which considers location, proximity of public transport, green travel plans along with the performance of the building in terms of energy consumption. The latest assessment of this building has produced a score of 61.8% which is rated as very good, the highest rating is 70 and over. There are now firm commitments to the project which include:

- High insulation, 28% over minimum Building Regulations requirement with benefits in terms of reduced energy consumption as a result.
- Water harvesting from surface water for re-use within the building.
- Sustainable urban drainage systems will be used throughout the development to reduce the impact on drains and reduce the potential for flooding.
- Natural ventilation (the 3 main stacks on the building) controlled through mechanical and electrical engineering.
- Intelligent energy saving equipment within the building in terms of lighting and power consumption.
- Recycling of materials produced on site.

There is an aspiration to use combined heat and power for the whole campus or possibly a biomass boiler fuelling. This has to be worked through with all the users on the Cumberland Campus to spread the cost and to make it effective. The applicant cannot commit to this yet and needs to conduct further evaluation.

It is felt to be a reasonable response to reducing energy consumption. The proposals have yet to be finalised in terms of specific measures and it is reasonable to require the actual proposals to be agreed with the Local Authority, as such this will be a condition of the consent. It is felt that the requirements imposed by policy CS20 (Resource Use) of the core strategy are substantively met.

Area vision 1 of the core strategy considers how Devonport should develop. Of the 7 criterion there are three which require consideration in this proposal. Improvements to the connectivity of the site, protection of natural and historic assets and requiring high quality development that is also safe. It is considered that the proposal meet all of these criterion.

Due regard has been had in relation to the design and historic environment in relation to policies CS02 and CS03 of the core strategy. In the same vein the natural environment is respected and will be managed accordingly in accord with policies CS18 and 19 of the core strategy.

Section 106 Obligations

A contribution of £15000 is being sought to allow for either the provision of upgraded bus stops/shelters outside of the site or funding towards an accessibility audit that is taking place in Devonport.

Conclusions

It is considered that the proposed dental school development will be a positive measure in this area as it directly responds to current planning policy, namely the Devonport Area Action Plan. It introduces benefits to the physical environment in terms of improving the sites' links with the surrounding area and assists with improving the 'green arc'. The aim of the area action plan is to improve the legibility of the campus and to integrate the site with the surroundings, it does this successfully. The proposals will mean an extended range of health related uses and a new dental school. The scheme is supported by the necessary infrastructure in the form of a Section 106 agreement and is recommended for approval subject to conditions.

Recommendation

In respect of the application dated **22/01/2007** and the submitted drawings,

Amended plans and additional information

06D18-D-001/002/100/110 Rev B/111 RevB/113/120 Rev A/121 Rev A/122 Rev A/130/142, Transport Statement and accompanying Design and Access Statement. , it is recommended to: **Grant Subject to S106 Obligation - Full**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(1) 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.

CODE OF PRACTICE DURING CONSTRUCTION

(2) Before any development is commenced, a Code of Practice shall be submitted to and approved by the Local Planning Authority which shall indicate measures to mitigate against adverse effects of noise, dust and traffic generation during the construction of the proposed development. The Code of Practice shall indicate: -

- a. the proposed hours of operation of construction activities;
- b. the frequency, duration and means of operation involving demolitions, excavations, drilling, piling, concrete production and dredging operations;
- c. sound attenuation measures to be incorporated to reduce noise at source;
- d. details of measures to be taken to reduce the generation of dust;
- e. the routes of construction traffic to and from the site including any off site routes for the disposal of excavated material.

The Code of Practice shall be strictly adhered to during all stages of the construction of the proposed development.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy AEV49 of the adopted City of Plymouth Local Plan First Alteration 1996.

EXTERNAL MATERIALS

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

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS02 of the Core Strategy of the City of Plymouth Local Development Framework 2006-2021.

SUSTAINABILITY MEASURES

(4) Prior to the commencement of development a list of measures to be utilised on the development in terms of sustainability shall be agreed in writing by the Local Planning Authority and thereafter adhered to.

REASON:

To reduce the impact of development on the environment in accordance with policy CS20 of the Core Strategy of the City of Plymouth Local Development Framework 2006-2021.

PROGRAMME OF ARCHAEOLOGICAL WORK

(5) No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. (Developers will wish to ensure that in drawing up a scheme, the timetable for the investigation is included within the details of the agreed scheme).

Reason:

In accordance with Policy AEV11 of the adopted City of Plymouth Local Plan First Alteration 1996.

LANDSCAPE DESIGN PROPOSALS

(6) No development shall take place until full details of both hard and soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage, power,

communications cables, pipelines etc., indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant].

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policy AEV38 of the adopted City of Plymouth Local Plan First Alteration 1996.

CONTAMINATION MEASURES

(7) Prior to the commencement of any works pursuant to this permission, the developer shall submit for the written approval of Plymouth City Council:

I. A site investigation report documenting the ground conditions and ground gas regime of the site, incorporating a "conceptual model" of all the potential pollutant linkages and an assessment of risk to identified receptors;

NB: All investigations should follow the principles outlined in BS10175 (2001): Investigation of Potentially Contaminated Land and for residential developments, CIRIA C659 (2006): Assessing Risks posed by hazardous ground gases to buildings and CIRIA R149 (1995) Protecting development from methane. Regard should be had to the Guidance for the Safe Development of Housing on land affected by contamination, EA & NHBC, R & D Publication 66).

ii.If risk assessment identifies unacceptable risk's) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants and/or gases when the site is developed.

The remediation scheme, must be agreed in writing by Plymouth City Council before the development hereby permitted commences. Any variation to the scheme shall be agreed in writing with Plymouth City Council in advance of works being undertaken.

The Remediation scheme will set out in detail the means by which the agreed works will be validated. Any validation must be provided in report form and approved by Plymouth City Council.

The presence of any significant unsuspected contamination that becomes evident during development of the site shall be brought to the attention of Plymouth City Council and an investigation and remediation scheme agreed with Plymouth City Council to be implemented.

Reason:

To ensure that the site is developed in a safe manner and to ensure that occupants of the site are not subject to potential sources of pollution in accord with policy CS22 do the Core Strategy to the Local Development Framework 2006-2021.

TREE PROTECTION DURING CONSTRUCTION

(8) The existing trees and/or hedgerows shown to be retained on the approved plans shall be properly protected with appropriate fencing during construction works. The erection of fencing for the protection of any retained tree or hedgerow shall be undertaken in accordance with Section 9 of BS 5837:2005 (Trees in relation to construction - recommendations) before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall an excavation be made, without the written consent of the local planning authority.

Reason:

To ensure that any trees or hedgerows to be retained are protected during construction work in accordance with Policy AEV4 of the adopted City of Plymouth Local Plan First Alteration 1996.

CAR PARKING PROVISION

(9) The development shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for a maximum of 84 cars to be parked.

Reason:

In the opinion of the Local Planning Authority, although some provision needs to be made, the level of car parking provision should be limited in order to assist the promotion of sustainable travel choices.

CAR PARKING RESTRICTION

(10) No part of the site shall at any time be used for the parking of vehicles other than that part specifically shown for that purpose on the approved plan.

Reason:

In the opinion of the Local Planning Authority the level of car parking provision should be limited in order to assist the promotion of more sustainable travel choices.

CYCLE PROVISION

(11) The development shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for 5 bicycles to be parked.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with PPG13.

CYCLE STORAGE

(12) The secure area for storing cycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

To ensure that there are secure storage facilities available for occupiers of or visitors to the building.

GRAMPIAN (ACCESS/HIGHWAY IMPROVEMENTS)

(13) The use hereby permitted shall not commence until the proposed access and improvements to the existing highway shown on the approved plans have been completed.

Reason:

In the interests of highway and pedestrian safety in accordance with policy CS34 of the core strategy of the Local Development Framework 2006-2021.

PEDESTRIAN/CYCLE ACCESS

(14) The building shall not be occupied until a means of access for pedestrians and cyclists has been constructed in accordance with the approved plans.

Reason:

To ensure that an appropriate and safe access is provided in the interests of public safety, convenience and amenity.

LOADING AND UNLOADING PROVISION

(15) Before the development hereby permitted is first brought into use, adequate provision shall be made to enable goods vehicles to be loaded and unloaded within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason:

To enable such vehicles to be loaded and unloaded off the public highway so as to avoid:-

- (i) damage to amenity;
- (ii) prejudice to public safety and convenience; and
- (iii) interference with the free flow of traffic on the highway.

USE OF LOADING AREAS

(16) The land indicated on the approved plans for the loading and unloading of vehicles shall not be used for any other purposes unless an alternative and equivalent area of land within the curtilage of the site is provided for loading and unloading with the prior consent in writing of the Local Planning Authority.

Reason:

To ensure that space is available at all times to enable such vehicles to be loaded and unloaded off the public highway so as to avoid:-

- a. damage to amenity;

- b. prejudice to public safety and convenience, and
- c. interference with the free flow of traffic on the highway.

Statement of Reasons for Approval and Relevant Policies

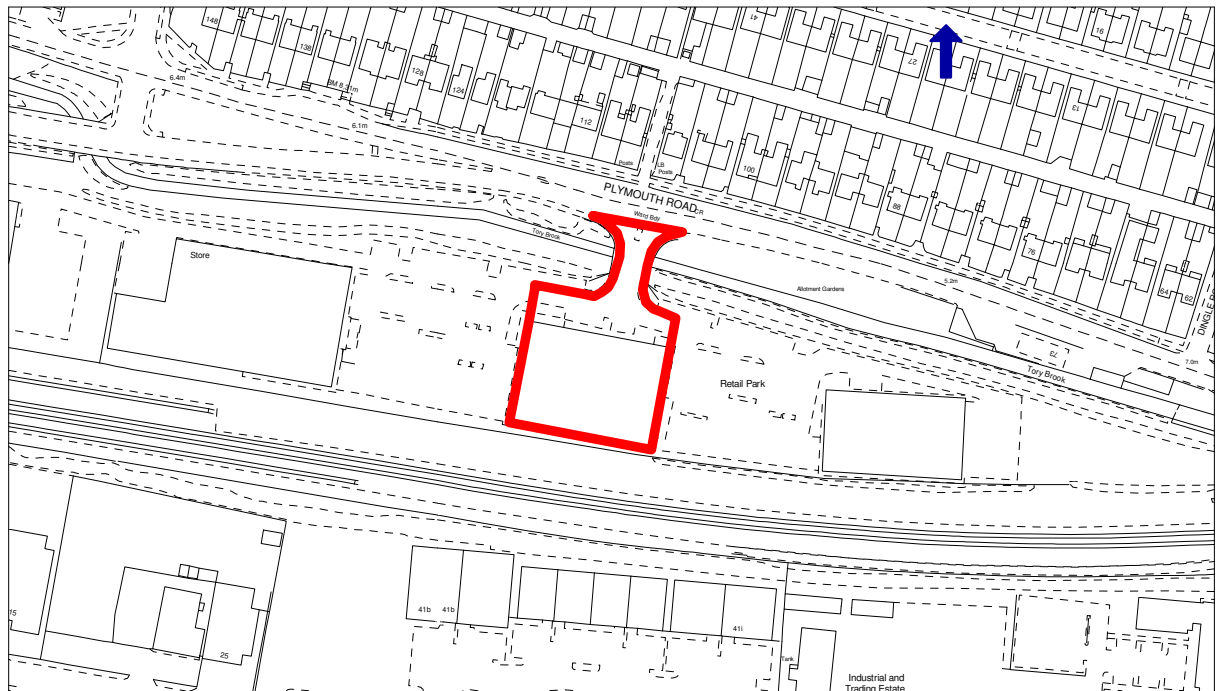
Having regard to the main planning considerations which in this case are considered to be: the compatibility of the proposed use with the prevailing planning policy background, the acceptability of the proposed design, the infrastructure requirement and associated matters, the proposal is not considered to be demonstrably harmful to local amenities. In the absence of any other overriding considerations, and with the imposition of the specified planning conditions, the proposed development is acceptable and complies with the following policies of the Devon Structure Plan (2001 to 2016) 2004, the adopted City of Plymouth Local Plan First Alteration 1996, Plymouth Local Development Framework, Core Strategy, Regional Spatial Strategy and North Plymstock Area Action Plan (the status of these documents is set out within the City of Plymouth Local Development Scheme 2006), and relevant Planning Guidance Notes, Statements and Government Circulars as follows:

- PPG13 - Transport
- PPG15 - Planning and the Historic Environment
- PPS1 - Delivering Sustainable Development
- CS02 - Design
- CS28 - Local Transport Consideration
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS22 - Pollution
- CS18 - Plymouth's Green Space
- CS19 - Wildlife
- CS20 - Resource Use
- CS22 - Pollution
- CS03 - Historic Environment
- CS32 - Designing Out Crime

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ITEM: 08

Application Number:	07/00148/FUL
Applicant:	Royal London Mutual Insurance Society Ltd
Description of Application:	Installation of mezzanine floors in units 2A and 2B for retail sales and ancillary storage
Type of Application:	Full Application
Site Address:	ERRILL RETAIL PARK PLYMOUTH ROAD PLYMPTON PLYMOUTH
Ward:	Plympton Erle
Valid Date of Application:	30/01/2007
8/13 Week Date:	01/05/2007
Decision Category:	Major
Case Officer :	Carly Francis
Recommendation:	Grant Conditionally



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OFFICERS REPORT

Site Description

Errill Retail Park is situated on the southern side of Plymouth Road roughly half way between Marsh Mills and the commercial centre of Plympton. The retail park is accessed directly off Plymouth Road and is sandwiched between the Tory Brook, at the front of the site, and the main railway line at the rear. The site is currently occupied by three retail warehouse units comprising of Focus DIY, Co-op Homemaker and Allied Carpets. The Building subject of alterations in this application is the Homemaker building.

Proposal Description

Installation of mezzanine floors in units 2A and 2B for retail sales and ancillary storage.

Relevant Planning History

05/02220 (FULL) Refurbishment works, including reconfiguration of unit 2 to form two retail units, amendments to external appearance of buildings and enhancement of external areas with works to trees- GRANTED.

03/01773 (FULL) Refurbishment and extension to retail units with associated improvements- GRANTED.

97/01133 (ADV) Illuminated signs at site entrance- GRANTED.

Consultation Responses

Highway Authority- no objections.

Planning Policy- no objections.

Representations

Nil.

Analysis

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.

The main issues to consider here are the increase of retail floorspace and its impacts on the character of the area, the surrounding amenity and on the highway.

Planning Consent was granted in February 2006 for various refurbishments to the retail park including amendments to the existing eaves heights and reconfiguration of Unit 2 into two separate units- Unit 2A and 2B.

With this consent granted, the applicants propose to install mezzanine floorspace for Units 2A (760 sq m) and 2B (800sq m). The total proposed additional floorspace amounts to 1560 sq m; however only 200sq m is proposed for retail shopping floorspace, the remaining is proposed for storage purposes. There is an existing mezzanine within Unit 2 comprising 464sq m.

The Transport Department comment that they have reviewed the previous planning application (ref 05/02220) in which the sub-division of unit 2 was approved. In this application works to improve the pedestrian flows around the whole site were conditioned.

This current application will only result in an increase of approx. 200m² of retail space by way of mezzanine floors. The remainder of the mezzanine floor is proposed for storage purposes and as such will have staff access only. Therefore they state that the actual impact on the surrounding highway network is negligible. The applicant has submitted a transport statement which concludes this.

They state that the previous application recommended that travel plan conditions and provisions to improve the local vicinity were attached to the grant of permission so there is no need to attach the same conditions again. The Transport Department have no objections to the proposed installation of the mezzanine floors.

The Planning Policy Department comment that they are satisfied that both national and local policies have been complied with. Concerns were initially raised that policy CS09 of the Core Strategy would not be complied with. This policy states that proposals on the park will have to enhance the recognised shortcomings in the provisions at Marsh Mills. However enhancements relating to landscaping and access have been conditioned as part of the previous planning application approval (05/02220) and therefore on this basis the Planning Policy Department do not wish to raise objections.

The proposed mezzanines would not have a detrimental impact to the character of the building and do not raise any planning concerns.

Conclusions

It is not considered that the installation of mezzanine floors would have a detrimental impact on the surrounding area or on the highway; this application is therefore recommended for approval.

Recommendation

In respect of the application dated **30/01/2007** and the submitted drawings, **Site Location Plan, 650/13, 650/11, 650/01E, 650/01B, 650/09B** , it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(1)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.

USE RESTRICTION

(2)The premises shall be used for storage and retail as set out in the plans submitted and hereby approved. The level of net internal floorspace shall be restricted to those uses approved and any proposed changes must be made the subject of a separate planning application.

Reason:

The Local Planning Authority considers that the use of the premises as specified in the plans as appropriate, but that a proposal to change the use of any part of the premises would need to be made the subject of a separate planning application to be considered on it's merits.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations which in this case are considered to be:the increase in retail floorspace and subsequent impact on the surrounding area and highway, the proposal is not considered to be demonstrably harmful to local amenities. In the absence of any other overriding considerations, and with the imposition of the specified planning conditions, the proposed development is acceptable and complies with the following policies of the Devon Structure Plan (2001 to 2016) 2004, the adopted City of Plymouth Local Plan First Alteration 1996, Plymouth Local Development Framework, Core Strategy, Regional Spatial Strategy and North Plymstock Area Action Plan (the status of these documents is set out within the City of Plymouth Local Development Scheme 2006), and relevant Planning Guidance Notes, Statements and Government Circulars as follows:

ATR18 - General Parking/Servicing Requirements

ATR5 - The Road Network

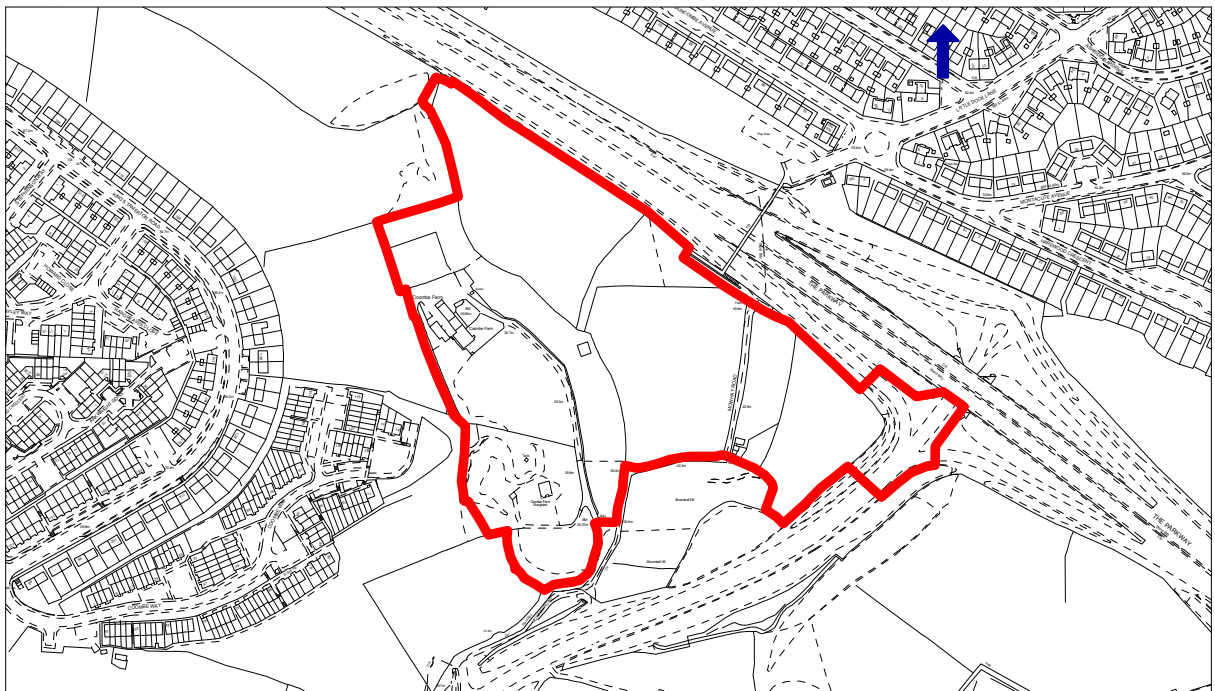
CS28 - Local Transport Consideration

CS34 - Planning Application Consideration

CS09 - Marsh Mills Retail Parks

ITEM: 09

Application Number:	06/00018/OUT
Applicant:	Chelverton Deeley Freed
Description of Application:	Outline application to develop land for employment purposes, together with a bulky goods retail unit
Type of Application:	Outline Application
Site Address:	LAND AT JUNCTION OF ST BUDEAUX BYPASS AND THE PARKWAY ST BUDEAUX PLYMOUTH
Ward:	St Budeaux
Valid Date of Application:	06/01/2006
8/13 Week Date:	07/04/2006
Decision Category:	Major
Case Officer :	Robert McMillan
Recommendation:	Not Determined (Refuse if the applicants had not appealed against non-determination)



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OFFICERS REPORT

Site Description

The site is at the north end of the St Budeaux By-Pass by the junction with the A38(T) Parkway on the northwest side of the by-pass. The site has an area of 6.8ha. It is in an attractive wooded valley of a stream that flows down to Weston Mill with the land rising up to both sides of the by-pass and either side of the A38(T) to the north west. The site is roughly triangular in shape. The northeast boundary is the A38(T) and its slip road. The south east boundary comprises open land, the by-pass, Bromball Hill and Mowhay Road. The south west and west boundary is open and wooded land rising steeply up to the houses in Coombe Way and Kings Tamerton Road.

The site is open wooded land with a bungalow in the south west in the location of a former quarry and the empty and derelict Coombe Farm buildings in the northwest served by a long track. The levels vary rising up either side of the valley floor that runs through the site in a north west to south east direction. Mowhay Road runs alongside the site from its junction with the by-pass, then through the site to link with the footbridge link to Honicknowle over the A38(T). The main belt of trees follows the valley floor with a line of trees linking this area to the A38(T) to the west of the footbridge. There are belts to the west of Coombe Farm and three areas surrounding Coombe Farm Bungalow. In the eastern part there are trees either side of Mowhay Road and east of this a hedgerow. The remaining land north east of the main central belt are fields, formerly used for the keeping of horses.

The eastern edge of the site includes part of the by-pass and A38(T) slip roads to enable improvements to the highway.

Proposal Description

The proposals are to develop the site for employment units and a bulky goods retail warehouse as 'enabling development' to provide the enhanced value and income to develop the site. The application is in outline with all matters reserved apart from means of access.

The application is accompanied with an illustrative layout plan. This shows 25 employment units varying in size from 140 sq m to 1162 sq m giving a total of 9,534 sq m and a retail warehouse of 4648 sq m with a garden centre of 930 sq m. There would be a new roundabout junction east of the site south of the Parkway. This would also be a junction with the St Budeaux By-Pass, and the A38(T) west bound on and off slips roads. The layout is detailed and shows ample parking with 182 spaces for the employment units and 262 for the retail warehouse together with servicing arrangements. The existing footpath linking the footbridge over the Parkway to Mowhay Road would be diverted to the east.

Parts of the site are subject to steep slopes so there would be considerable ground works and changes in level to make the scheme practicable.

Background History

98/00943 – FULL – Erection of non-food retail warehouse and garden centre and industrial buildings and car parking – REFUSED by SOS.

89/03144 – OUTLINE – Erection of buildings for B1 uses –GRANTED – Not implemented.

80/02188 – FULL – Change of use of western part of the site from agriculture to riding stables – GRANTED.

Consultation Responses

Highways Agency

Holding direction for 6 months to refuse to allow them sufficient time to assess impact on the A38 trunk road and the proposed Weston Mill junction improvement.

The Countryside Agency

No formal comments

Environment Agency

Objects because:

1. a proper assessment of flood risk has not been undertaken as required by PPG25;
2. insufficient information has been submitted on existing watercourse and wetland habitats; and
3. the unnecessary culverting of a watercourse.

South West RDA

There is insufficient information to determine if the application will help deliver the Regional Economic Strategy. As such the application does not demonstrate that: it is sustainable, will complement other regeneration initiatives nearby it will have a positive impact on deprived wards close by and appropriate measures are introduced to reduce the need to travel by car. SWRDA could only support the application if the applicants submit additional evidence to deal with its concerns.

Natural England

No comments or objections.

Highway Authority

Insufficient traffic modelling work has been undertaken in order to determine what impact the additional traffic generated by the development and new proposed roundabout would have both on the existing local road and trunk network in terms of congestion and queuing. At present queuing takes place on the A38 eastbound off-slip and there are concerns that the development would add to this problem, increasing the potential for accidents to occur as traffic stacks back onto the main A38. This situation is also likely to occur on the westbound off-slip and on the A3064 (St Budeaux By-Pass) itself.

The sustainability of the site and accessibility to non-car modes of travel is considered to be very poor with no bus services directly serving the site and a potentially long journey on foot required to reach the nearest available stops. It is understood that the local bus operators has been consulted and they have confirmed that it would be commercially unviable to introduce a new or re-direct existing services along the A3064 to serve this site. The linkages to existing pedestrian and cycle networks are poor and the likely travel distances appear to be greater than those in PPG13 (Transport). As a result it is expected that the proposed development will inevitably lead to excessive car based travel and high parking demands due to the close proximity of the site to the A38 Trunk Road Network and poor accessibility to the site by non-car modes. For these reasons the Local Highway Authority advises refusal on grounds of insufficient modelling and increased danger and congestion on the trunk road and local road network; and the shortcomings of the site and proposal in relation to sustainable modes of travel.

South West Water

The previous drainage comments remain valid but does not formally object.

Environmental Services

The Environmental Statement (ES) does not address the land quality issues. There is probably a former landfill site on the land that might be contaminated. Further information is required in the ES to deal with this. If permission is granted conditions should be attached dealing with land contamination matters and any importation of soil and material.

The site is close to dwellings and a noise impact assessment should be undertaken to deal with likely uses and vehicular movements. Artificial lighting should not be intrusive. Construction shall accord with the Council's code of practice there should be adequate provision for storage and disposal of waste and recycling materials. The applicants should carry out a rodent survey to avoid pest nuisance.

TIE – Drainage

Standard drainage comments. Pay special attention to the sewers that cross the site and the requirement that the development is sited so as not to prejudice the operation of the sewer, its structure and maintenance or access to it.

Asset Management

It has considered the confidential financial appraisal and the case for the retail floorspace is justified in development finance terms.

Representations

8 local residents wrote making the following comments:

1. It should remain as one of the few remaining uncultivated and natural areas in Plymouth;
2. Harm to wildlife and their habitats;
3. Increase in traffic and added danger on the roads;

4. Increased traffic will add to danger on the western access to the A38(T) that is combined with the exit from the A38 to the St Budeaux junction;
5. Increased noise;
6. Increased pollution;
7. Not necessary as: other retail and business parks have empty units; there is the industrial estate nearby at Burrington Way; and there is suitable land at Tamar Way north of The Parkway;
8. It is a remnant of the old Trelawney estate and Weston Mill village;
9. It will cause chaos;
10. Reference to the nature conservation value of Ham Woods that is now a nature reserve on the other side of the valley;
11. Proposed layout is agreeable provided the landscaping is carried out and safeguarding conditions are attached to prevent noise and pollution;
12. Lack of clarity on the exact location of the site.

Analysis

Introduction

This is a difficult case given the planning history of the site and the policy background and the changing emphasis in the development plan. The main issues with this application relate to: pre-application discussions and consideration of the application against a changing policy framework; status of different parts of the development plan; strategic matters; employment policy; retail policy; transport, highways and accessibility; landscape and trees, nature conservation, flood risk and environmental health matters.

Background

The applicants first approached officers in December 2004 for development along the lines of this application and received a response that it could be acceptable in principle as it accorded with the 1996 adopted local plan policy AER 10.6 Officers always had reservations about the accessibility issues raised by the Inspector and Secretary of State when refusing permission for the retail and employment application in 2000 and landscape impacts.

Discussions and meetings took place in 2005 and the applicants agreed to submit an Environmental Statement to comply with the Environmental Impact Assessment (EIA) Regulations and to be consistent as one had been submitted with the previous application. At this stage the Local Development Framework Core Strategy (CS) was at the earlier 'Issues and Options' and 'Preferred Options' stages and the key 2006 Employment Land Review and Shopping Study evidence reports had not been prepared. Officers had to give advice in a rapidly changing policy situation.

The applicants were informed that the site would be considered as a Lyons Review relocation site and they would proceed at their own risk. They continued work on it and the Environmental Statement and made the application in January 2006.

During the consideration of the application progress was made on the CS achieving greater weight as a material consideration that will culminate in its

adoption in April 2007. This has an influence on officer advice. Objections were raised on several matters including transport, highways and accessibility, employment, retail and environmental reasons. The applicants sought to clarify and overcome these by holding further meetings. In October 2006 they stated they would submit further information to deal with concerns with the Environmental Statement raised by consultees. They submitted this in February 2007. As they did this under Regulation 19 of the EIA Regulations the City Council had to undertake a full reconsultation exercise. While this was underway the applicants lodged an appeal against non-determination. The application will now be determined by the Inspector. The purpose of this report is to find out what Members would have decided if they still had the power to determine the application.

Policy

The development plan comprises Regional Planning Guidance for the South West 2001 (RPG10), the Devon Structure Plan 2004 (DSP) the Plymouth Local Development Framework Core Strategy Development Plan Document 2007 (from 23 April 2007) (CS) and the adopted Local Plan First Alteration 1996 (FALP). The draft Regional Spatial Strategy is a material consideration and will replace RPG10 when it is adopted in 2008. The Proposals part of the First Deposit Version of the Local Plan is also material until replaced in stages by Action Area Plans and the Key Site Allocations Development Plan Document (DPD).

Status of different parts of the development plan

'The Planning System: General Principles' that accompanies PPS1: Delivering Sustainable Development emphasises Section 38 of the Planning and Compulsory Purchase Act 2004 (PACPA) that the statutory Development Plan will continue to be the starting point in determining planning applications unless material considerations indicate otherwise. When conflicts between policies arise, decisions should be taken in the light of all material considerations, including local priorities and needs, guided by relevant national policy.

The applicants have argued strongly that the application accords with the Act and Government advice as it is consistent with Proposal AER10.6 of the adopted local plan (FALP) and that objections raised by consultees and officers relating to employment policy, retail policy, transport, highway and accessibility matters, landscape and flood risk can all be overcome to achieve an acceptable development.

Officers from the outset have had reservations on accessibility grounds following the previous Secretary of State's decision and as time has moved on have attached more weight to the CS which will be the latest part of the Development Plan on 23 April 2007 and other more recent parts of the Development Plan comprising RPG10 and the DSP. Section 38 (5) of the PACPA states that where a policy contained in a development plan conflicts with another policy in the development plan the conflict must be resolved in favour of the last document to be adopted, approved or published.

Strategic policy

RPG 10 identifies Plymouth as one of the region's 11 Principal Urban Areas (PUAs) and the strategic policies seek to tackle the long term and deep seated economic and social problems in this western sub region (SS 1). Most of the development should take place in the PUAs (SS 2). SS 3 focuses new employment development in a number of cities and towns including Plymouth. Policy SS17 promotes employment investment and economic regeneration and diversification within Plymouth through the development of brownfield land. The RSS starts in policy SD1 by emphasising a development strategy that stabilises and reduces the ecological footprint by developing a low carbon and resource using economy, reducing the need to travel especially by car by effective planning of development improving public transport and requiring a shift to more sustainable means of travel. Policy SD2 focuses on climate change by reducing greenhouse gas emissions avoiding development in flood risk areas and reducing the effects of flooding. Policy SD3 seeks to ensure that development respects the landscape and the impact of the economy, transport and development is reduced. SD4 aims to create sustainable communities by realising economic prosperity and reducing disparity encouraging business activity and linking homes, jobs and services so that places have the potential to become more self contained and reducing the need to travel. Development Policy A states that the primary focus for development will be at 'Strategically Significant Cities and Towns' (SSTCs) including Plymouth which offer the greatest opportunity for employment and accessibility by non car modes. Policies SR32-34 deal with Plymouth where measures will be taken to transform and revitalise the city for significant growth in economic activity and homes by providing a range of employment opportunities.

The Structure Plan starts by ensuring that sustainable development is achieved by conserving resources, protecting environmental assets, meeting community needs and developing a sustainable and accessible transport system (ST1). Policy ST3 seeks to maintain and enhance the self sufficiency of communities by providing a balance of housing and employment and local services to maximise accessibility. ST5 follows RPG10 by directing strategic development to the PUAs and developing and diversifying the economy by offering a range of employment sites, enhancing Plymouth's commercial role and regional services function.

These aims are carried forward and developed locally in strategic objectives SO1-3 of the CS to continue Plymouth's urban renaissance to establish a city of international quality, to increase the population to over 300,000, by providing quality employment provision and supporting regeneration and diversification. The benefits will spread to the citizens by developing sustainable linked communities ensuring that development takes place where it can promote the effective and sustainable use of resources and fully accessible neighbourhoods well served by public transport, walking and cycling infrastructure.

Set against such an extensive policy framework the principle of the employment part of this application theoretically accords with the objectives of

achieving economic sustainability. The site although centrally located with good accessibility by the car has difficulties as it is somewhat isolated by the area's topography from nearby communities with poor accessibility for walking, cycling and public transport and situated by a junction on the strategic highway network that has capacity problems at peak times. The accessibility problem was a major reason why permission for retail and employment uses was refused by the Secretary of State in 2000. Since then the policy framework on this issue has developed further as outlined above and has become more strict.

Employment policy

The applicants argue that the application should be permitted because it will provide 9,534 sq m of employment site together with the necessary enabling retail development in accordance with part of the development plan - FALP Proposal 10.6. Also it accords with the emerging RSS and Regional Economic Strategy in providing a comparatively small amount of employment land in the western part of the city where there is a shortage of potential employment sites that will benefit disadvantaged areas.

The FALP is part of the development plan and so an important document in considering this application. But it was drawn up at a time when the city was facing a difficult economic situation with significant redundancies, including those in the Dockyard. The city was then dependent on new employment land that was in short supply leading to a requirement of 90ha until 2001. DSP Policy ST7 states that 160 ha of employment land is required for the PUA from 2001 to 2016 including the extensive areas at Langage and Sherford. RSS policy SR35 gives an allocation for the wider Travel To Work Area of 150 ha from 2006 to 2026 stating that it will focus on the intensification of the City's urban area through reuse of brownfield land complemented by the strategic urban extension at Sherford.

RPG10 Policy EC 3 aims to provide a range of employment sites at sustainable locations well integrated with the existing settlement pattern and being likely to provide a realistic choice of access including being well served by public transport. DSP Policy ST20 states that local plans should reassess all existing and allocated employment sites in terms of needs and to maximise residential and mixed use development in sustainable locations. Policy ST21 states that economic and social regeneration priority should be given to the deprived parts of the PUAs.

The City Council carried out employment land reviews in 2004 and 2006 looking at this issue in detail. The Employment Land Review 2006 (ELR) looked at the key sectors and employment areas to match forecast employment growth to land requirements and concluded that 40ha is required from 2006 to 2016 with a further 22 ha until 2021. This is stated in policy CS04 that specifies that sites should be well located to public transport infrastructure and the key locations are the City Centre and Waterfront and Northern Corridor at the Derriford area. Paragraphs 6.16-6.17 state that 5.7 ha are required along the A38 corridor and another 14.67 ha by 2021. This corridor includes several areas comprising Ernesettle, the application site,

Honicknowle, Marsh Mills and Newnham. Paragraph 6.21 states that sites will be allocated at the best locations that meet demand by a thorough review of existing permissions and allocations through the Action Area Plans and Key Site Allocations DPD.

The Inspector's report of the examination of the Core Strategy found that it met the conformity test by conforming with the draft RSS and being consistent with the DSP. It concluded that the evidence base is up to date and formidable and supersedes the information supplied for the RSS but the ELR will be the first stage in assessing the suitability of sites that will be fully reviewed in subsequent DPDs.

The site's allocation in the 1996 adopted local plan is an important consideration in planning law and practice that cannot be ignored. But the equally important material considerations of the changes to the planning policy framework and disadvantages of the site in terms of poor accessibility for more sustainable modes of travel mean that the matter must be thoroughly examined through the DPD process and the local planning authority (LPA) do not have to 'slavishly adhere' to the 1996 local plan.

Retail policy

The applicants state that they need to provide an element of non-food retail to provide a higher land value and return to enable the lower value employment development to occur. Initially they considered two types: a DIY store and builders' yard/garden centre; and a bulky good store, both with an area of 4,648 sq m. Subsequently, following receipt of the Council's retail consultants report on their retail assessment they agreed to restricting the use to the DIY format. Consequently the analysis below concentrates on a DIY store. Paragraph 3.4 of PPS6: Planning for Town Centres states that applicants should demonstrate:

1. The need for development;
2. It is of an appropriate scale;
3. The sequential test has been applied;
4. There are no unacceptable impacts on existing centres; and
5. The location is accessible.

The LPA's consultants had concerns about the extent of the applicants' primary catchment area (PCA) and sought further explanation that was not provided. The applicants state there is a qualitative need as there is a shortage of DIY and bulky goods retail warehouses in the western part of the city which this proposal would seek to redress. In terms of quantitative need the LPA's consultants conclude that there is potentially a quantitative need for the DIY element. But this should not be given significant weight with other DIY stores a short drive away. On the sequential test they are not aware of any other preferable sites other than the vacant site at Marsh Mills. They agree with the applicants that the DIY store would not have a significantly adverse impact on any centres as it is likely to be felt on other similar out of centre stores.

They do not consider the accessibility test that was so important at the 2000 appeal. Officers consider that the site has and, notwithstanding the applicants' proposed improvements, will continue to have poor accessibility for people walking and cycling to it and using public transport.

RPG10 Policy EC 6 seeks to locate new retail development in the centres of PUAs and ensuring that the vitality and viability of existing centres is protected and enhanced. DSP Policy SH1 applies the sequential test for new retail location. Two of the criteria aim to promote accessibility by sustainable travel means and reduce reliance on the car. This is repeated in SH3 on retail warehousing. RSS Policy TC1 aims to protect the vitality and viability of town and city centres and that they are not harmed by inappropriate development elsewhere. FALP Policy ASR1 seeks to ensure that new development maintains the existing hierarchy of shopping centres. Policy ASR 14 deals with retail warehouses and has 4 criteria. It should not harm existing centres. If located at an out of centre site it should be for DIY or bulky goods. It complies with the third point as Proposal 10.6 allows for higher value uses, including retail, on this allocated site to enable the employment development to happen. It does not comply with the fourth point as it is not accessible by a choice of means of transport and would cause undue congestion or highway safety problems.

The most recent development plan policy on 23 April 2007 will be CS08. This sets out seven considerations for new retail development.

1. Supports the delivery of the spatial planning vision and strategy as set out in this Core Strategy.

Paragraph 7.14 states that where there is a need for out of centre development it will be directed to existing retail destinations ensuring that unsustainable piecemeal development does not occur. This proposal will not comply with the spatial strategy for retail development as it would be an isolated site with poor accessibility for more sustainable travel modes.

2. In relation to development in or on the edge of district or local centres, or at out-of-centre locations, meets a proven need.

For the DIY store there is limited quantitative and minimal qualitative need.

3. Is appropriate in scale and function to its location.

Not applicable.

4. Is fully integrated with the existing shopping area, except in the case of new centres where these are proposed.

Not applicable

5. Complies with the sequential approach to site selection, which prioritises development in existing centres, then edge-of-centre sites, and only then out-of-centre sites which are accessible by a choice of means of transport.

There are no sequentially preferable sites for the DIY store but this site is not accessible by a choice of means of transport.

6. Will not have an unacceptable adverse impact, including cumulative impact, on the vitality and viability of the City Centre and surrounding district and local centres.

The DIY store will not have an adverse impact on the shopping centres.

7. Helps maintain and develop the range of shops to meet the needs of the local community within the centre.

Not applicable.

In summary this is an unusual case as the rationale for limited retail floorspace dates back to the 1996 local plan as enabling development to ensure that the employment units would be built to comply with proposal 10.6. The Secretary of State's decision in 2000 found that the site had poor accessibility for more sustainable travel modes. Since then other parts of the development plan including RPG10 and the DSP have been adopted and the CS is about to be adopted. All of these stress that employment and retail development must be accessible by sustainable travel modes. As this site does not it would not comply with policies SH1 and CS08.

Transport: Traffic generation and impact

The transport policies of RPG10 aim to reduce the need to travel and locating major development on sites where there is a good choice of travel by sustainable transport (TRAN 1). TRAN 2 aims to maintain the strategic transport system. TRAN 3 encourages more sustainable travel choices. TRAN 5 deals with demand management that ensures appropriate maximum parking standards are applied. TRAN 10 gives priority to walking cycling and public transport so that bus networks provide access to all major employment and retail sites.

RSS policy TR1 Gives prioritisation to public transport provision and seeks better integration of development proposals and public transport provision. TR4 aims to ensure that the trunk road network maintains its strategic function to maintain its safe and efficient operation and to avoid congestion.

DSP Policies TR1 and TR2 support a sustainable travel strategy and the coordination of land use and travel planning. TR3 and TR4 deal with travel management and parking to discourage car based travel and encourages more sustainable modes and the use of travel plans. Policies TR5, TR7 and TR9 repeat the transport hierarchy of walking, cycling and public transport stating that new development is well related to pedestrian and cycle routes. Major new development should be located where it can maximise accessibility to public transport. TR10 aims to maintain and enhance the strategic road

network so that new development does not adversely affect the network in terms of traffic and road safety.

CS policy CS28 aims to promote a high quality transport system by ensuring new commercial development should be provided at locations well served by a variety of travel modes including public transport, promoting walking and cycling, applying the Council's parking standards.

FALP policy ATR4 states that the needs of cyclists and pedestrians shall be adequately catered for in the design of new roads and junctions. Policy ATR5 seeks to prevent development that exceeds the network's capacity, conflicts with the free flow of traffic or creates problems of highway safety. Policy ATR8 states that development where the public travel to should be within 400m of a regular and frequent public transport service.

The A38 Weston Mill junction with St Budeaux Bypass (A3064) experiences congestion in the peak hours especially in the morning on the eastbound off-slip road. The main proposed access arrangement is to create a new roundabout to the east of the site. Transport officers state that this could well lead to queuing on the westbound off-slip road and on the approaches to the roundabout especially from the south in the afternoon peak. Also traffic could approach it from the north at excessive speeds that could increase the risk of accidents. Transport officers and the Highways Agency are concerned that inadequate traffic modelling work has been done to assess fully the impacts of the development and highway alterations on the existing network and trunk road. The evidence submitted by the applicants does not establish that satisfactory highway conditions will prevail.

The Highway Authority and the Highways Agency are concerned that the new proposed junction arrangement will lead to increased congestion on the St Budeaux By-Pass and additional queuing traffic on the A38 east and westbound off-slips (the eastbound off-slip already suffers from queuing traffic in the am peak hour). This is likely to lead to increased potential for accidents as fast moving traffic comes up to the back of vehicles stationary vehicles. As such the application conflicts with DSP policy TR10 RSS policy TR4 and ATR5.

Sustainability

As stated in sections above this is a critical issue with this application dating back to the SoS's 2000 decision where he concluded that : "Of even greater concern to the Secretary of State is the site's failure to provide high accessibility for customers and employees by means other than the private car." The 50 mph speed limit on the St Budeaux By-pass does not make it conducive to cycling while the only ready means of access for pedestrians is for residents in Honicknowle via the footbridge over the A38.

With public transport there are no existing bus services on the St Budeaux By-pass. The nearest bus stops are to the north involving a walk of 850m well over the sustainable maximum in RPG10 of 400m. The transport assessment confirms that the local bus operators do not intend providing a service along

the By-pass. The applicants would introduce a two hour minibus service during the morning and evening peaks at a 20 minute frequency linking the adjoining residential areas to the site. This would run for 5 years. Once it stopped the users would have to travel by other means including the car.

The applicants have also proposed a combined footway and cycleway alongside the A38 running westwards to link with the bus stops by the St Budeaux junction. This would not be an attractive route next to a busy road and the walking distance is again well over the maximum distance of 400m at 760m, but closer to 1km from the centre of the site.

The applicants submitted further information on accessibility matters but these do not address the shortcomings of the site in terms of sustainability and the limited opportunities for the more sustainable means of travel contrary to policies TRAN 1, TRAN 3 and TRAN 10 , DSP policies TR1-3, TR6 and TR9, CO28, ATR8 and RSS policy TR1.

Landscape and trees

The applicants landscape consultants worked with officers to determine the approach to landscape design and the degree of detail required with the application and ES. The existing landscape is semi-natural dominated by belts of mature trees and hedgerows. When the site was allocated for employment development in 1996 the LPA then envisaged that there would be a change to the landscape.

The Arboricultural Overview shows clearly that there would be a dramatic loss of trees and hedges in the higher categories 1 and 2. There is also potential for further loss affected by changes in levels and the landform including those at Broomball Hill subject to a tree preservation order.

The applicants have sought to mitigate these loss by substantial new tree planting particularly along the north eastern boundary with the A38. They provide plans showing that proposed area of some retained trees and new planting would be similar to the existing treed area of about 2.32ha. The landscape report concludes that the proposals will result in high levels of adverse visual impact altering the character of the landscape from one dominated by (natural) landscape to one in which buildings are seen in a landscape setting. The landscape officer stated that the landscape recommendations are largely sound. But, even if there were not other objections to this application, they do not come close to providing reasonable mitigation for such major loss of trees and change in landform. A further problem with the design is that the applicants have not worked their proposals into the character of the landscape, topography and treed areas but have sought to impose a new built landform that removes so many mature trees and features that would harm the landscape quality and visual amenity to an unacceptable degree. Consequently the proposal conflicts with policies EN1, SD3, CO6, CS18, AEV4, AEV8, AEV31 and AEV38.

Nature conservation

The Regulation 19 response from the applicants states that the environmental impacts have been fully explored through technical appendices 1 and 1A regarding the loss of trees: this is not correct. Although they have looked at the trees as individual species they have not looked at the ecological function of the trees as a corridor, bat roost or foraging area. It has been identified, in technical appendix 2 'Ecological Assessment', that bats may use the hedgerow and woodland edge for foraging and there are a number of trees with high bat roost potential and many trees with moderate potential. The significance of the impact of removing these features requires clarification.

The impact should be assessed using results from emergence surveys that should be conducted during the summer months; Coombe Farm should also be included in these surveys. Without looking at the ecological function of the trees/hedgerows there is no evidence that the mitigation they have proposed will protect existing biodiversity. Bat roosts are protected under the Wildlife and Countryside Act and their habitats should be protected as detailed in PPS9: Biodiversity and Geological Conservation.

The loss of significant hedgerows and protected trees has not been mitigated to an adequate level. The proposed landscaping will result in the short term in a loss of tree cover and in the long term almost the same level of cover. This is not acceptable as the mitigation does not equal the existing situation and it will take approximately 20 years to reach a similar level of cover. The inadequate proposed biodiversity enhancements are considered to be inadequate.

Policy CS19 dictates that development should seek to achieve a net gain in biodiversity by designing in wildlife and ensuring any unavoidable impacts are appropriately mitigated for. This development does not have the evidence base to understand the existing nature conservation features of the site, it is not possible therefore to ensure that appropriate mitigation or enhancement has been provided.

As detailed above, a full assessment of the impacts from the development has not been conducted. Further survey work is required and mitigation measures may need to be produced dependant on the outcomes of the surveys.

Although it is accepted that some loss of green space and trees/hedgerows will result due to the allocation of the site for development, a more sensitive layout would be expected. The current application has not fully taken account of protected species or the principles advocated in PPS 9. It is also contrary to policy CS19.

Flood risk

The Environment Agency (EA) have raised objections on drainage and flood risk and ecological reasons. Part of the site is in Flood Zone 3 which is the high risk zone. It is likely that the main flood risk relates to potential increase in surface water run off.

There is uncertainty concerning existence of the open water feature shown on the Ordnance Survey map is still present. If it is present any culverting would be resisted by the EA and further ecological work would be required. The applicants state it is not. Officers will check this before the meeting.

There is insufficient information to determine if there is enough space for an effective Sustainable Urban Drainage System (SUDS). They conclude that there is insufficient information to enable the EA to make an informed comment on the environmental impacts of the development.

Environmental health matters

The site was either used for landfill or former landfill material has been deposited on site. The ES does not adequately deal with this matter. Further information should have been provided. A noise survey should have been undertaken to determine the level of background noise. The applicants were informed of this in March 2006 but did not carry out the necessary additional work. These matters could be covered by condition but should be dealt with at the application stage as part of the EIA process.

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.

Section 106 Obligations

None has been proposed

Conclusions

This has been a difficult case owing to the changing emphasis of different parts of the development plan particularly as the Core Strategy (CS) has progressed during the consideration of the application. The allocation for employment use in the 1996 adopted local plan is an important fact. If the Inspector were to allow the appeal there would be benefits with the provision of employment units and jobs in the western part of the city together with a DIY outlet. The Secretary of State's decision in 2000 and more recent parts of the development plan at regional, county and city level also have great weight. The main drawbacks with this application are the poor sustainability of its location with limited accessibility for pedestrians and cyclists and public transport passengers as no bus service runs along St Budeaux By-pass. The CS establishes that there is now a reduced demand for employment land within the city and that all permitted and allocated sites will be reviewed as part of the ongoing LDF process through relevant DPDs. The proposed tree and hedge loss and changes to the landform would harm the landscape. The ES does not provide sufficient information to assess fully the impacts on protected species and nature conservation interests, flood risk and surface water drainage, ground contamination and noise. These disadvantages

outweigh the benefits of the scheme and the appeal should be resisted for the suggested reasons for refusal if the LPA had retained its power to determine the application.

Recommendation

In respect of the application dated 06-Jan-2006 and the submitted drawings, **Site location plan,, 0285-P01B, 0285-P02A, 0285-X01, Environment Statement, Futher information added to the Environmental Statement under Article 19 of the Regulations and letters from the applicant's agents dated 31 May 2006, 6 October 2006 and 28 February 2007.**, it is recommended to: **Not Determined (Refuse if the applicants had not appealed against non-determination)**

Reasons for Refusal

UNACCEPTABLE TRAFFIC IMPACT

(1)Insufficient traffic modelling has been undertaken in order to determine what impact the increased level of traffic generated by the development would have both on the Local and Trunk Road Networks. The Highway Authority is concerned that the new proposed junction arrangement will lead to increased congestion on the A3064 (St Budeaux By-pass) and additional queuing on the A38 East and Westbound off-slips (the Eastbound off-slip already suffers from queuing traffic in the am peak hour). This is likely to lead to increased potential for accidents to occur as fast moving traffic comes up to the back of stationary vehicles. It is the view of the Highway Authority that the proposed development is likely to give rise to issues of highway safety and capacity which is contrary to policies TR1 and TR10 of the Devon Structure Plan 2004, ATR 5 of the adopted City of Plymouth Local Plan First Alteration 1996 and TR4 of the Draft Regional Spatial Strategy for the South West 2006 – 2026, 2006.

INADEQUATE ACCESSIBILITY FOR MORE SUSTAINABLE TRAVEL MODES

(2)It is the view of the Highway Authority (and supported by the Highways Agency) that the various measures put forward by the applicant do not address the short-comings of the site in terms of sustainability and the limited opportunities that exist regarding the use of alternative modes of transport when making journeys to and from the site (walking, cycling, public transport etc). Due to the close proximity of the site to the Trunk Road Network, the private car is likely to be the only realistic option in terms of mode choice for staff/customers travelling to and from the development. The proposed development is therefore considered to be contrary to Policies TRAN 1, TRAN 3 and TRAN 10 of the Regional Planning Guidance for the South West (RPG 10) 2001, TR1 – TR3, TR6 and TR9 of the Devon Structure Plan 2004, CO28 of the Adopted Plymouth Local Development Framework Core Strategy Development Plan Document 2004, ATR8 of the adopted City of Plymouth Local Plan First Alteration and TR1 of the Draft Regional Spatial Strategy for the South West 2006 – 2026, 2006 and Planning Policy Guidance Note 13 (Transport).

INADEQUATE ACCESSIBILITY FOR MORE SUSTAINABLE TRAVEL MODES AND NEED TO REVIEW SUITABILITY OF SITE FOR MIXED EMPLOYMENT AND RETAIL USE

(3)The site is allocated in part of the development plan in the Adopted City of Plymouth Local Plan First Alteration 1996 as an employment site at a time when there was a shortage of employment sites in the city. Other more recent parts of the development plans stress the need for employment and retail sites to be sited at sustainable locations that have adequate and realistic accessibility for the more sustainable modes of travel of walking, cycling and public transport. The up to date adopted Core Strategy is based on a sound evidence base demonstrating a lower requirement for employment land to be allocated at the most appropriate locations to meet demand. All the permissions and allocations will be reviewed through the Action Area Plans and Sustainable Neighbourhood (Key Site Allocations) Development Plan Document. Until this site is thoroughly reviewed in this process its inadequate accessibility for the more sustainable travel modes is contrary to policies EC3 of Regional Planning Guidance for the South West (RPG 10) 2001, ST20, SH1 and SH3 of the Devon Structure Plan 2004, CS04 and CS08 of the Adopted Plymouth Local Development Framework Core Strategy Development Plan Document 2004 and ASR14.4 of the Adopted City of Plymouth Local Plan First Alteration 1996

LOSS OF TREES AND HEDGES AND HARM TO LANDSCAPE

(4)Notwithstanding the fact that the site is allocated for employment development in part of the development plan the proposals would involve the substantial loss of mature trees and hedges and changes to the landform that would harm the landscape quality and visual amenity to an unacceptable degree. As such it is contrary to policies EN1 of the Regional Planning Guidance for the South West (RPG 10) 2001, CO6 of the Devon Structure Plan 2004, CS18 of the Adopted Plymouth Local Development Framework Core Strategy Development Plan Document 2004 and AEV4, AEV8, AEV31 and AEV38 of the Adopted City of Plymouth Local Plan First Alteration 1996.

INSUFFICIENT INFORMATION AND HARM TO NATURE CONSERVATION

(5)Insufficient information has been submitted with the application and Environmental Statement on protected species, unavoidable impacts on nature conservation interests are not adequately mitigated and there is inadequate biodiversity gain. Consequently the application and Environmental Statement in its current form is contrary to policies CO10 of the Devon Structure Plan 2004 and CS19 of the Adopted Plymouth Local Development Framework Core Strategy Development Plan Document 2004.

INSUFFICIENT INFORMATION TO ASSESS FULLY IMPACTS ON FLOOD RISK AND DRAINAGE, GROUND CONTAMINATION AND NOISE

(6)Insufficient information has been submitted with the application and Environmental Statement to assess fully the impacts of flood risk and surface water drainage, ground contamination, and noise impacts on the site and surroundings to ensure that flood risk and drainage, ground contamination and noise problems will not occur. In the absence of this information the application is contrary to policies RE 1 and RE 2 of the Regional Planning

Guidance for the South West (RPG 10) 2001, CO13 and CO16 of the Devon Structure Plan 2004 and CS21 and CS22 of the Adopted Plymouth Local Development Framework Core Strategy Development Plan Document 2004

Relevant Local Plan Policies

The following policies from the Devon Structure Plan (2001 to 2016) 2004, the adopted City of Plymouth Local Plan First Alteration 1996, the City of Plymouth Local Plan (1995-2011) First Deposit 2001, Plymouth Local Development Framework and Regional Spatial Strategy (the status of these documents is set out within the City of Plymouth Local Development Scheme 2006), and relevant Planning Guidance Notes, Statements and Government Circulars were taken into account determining this application:

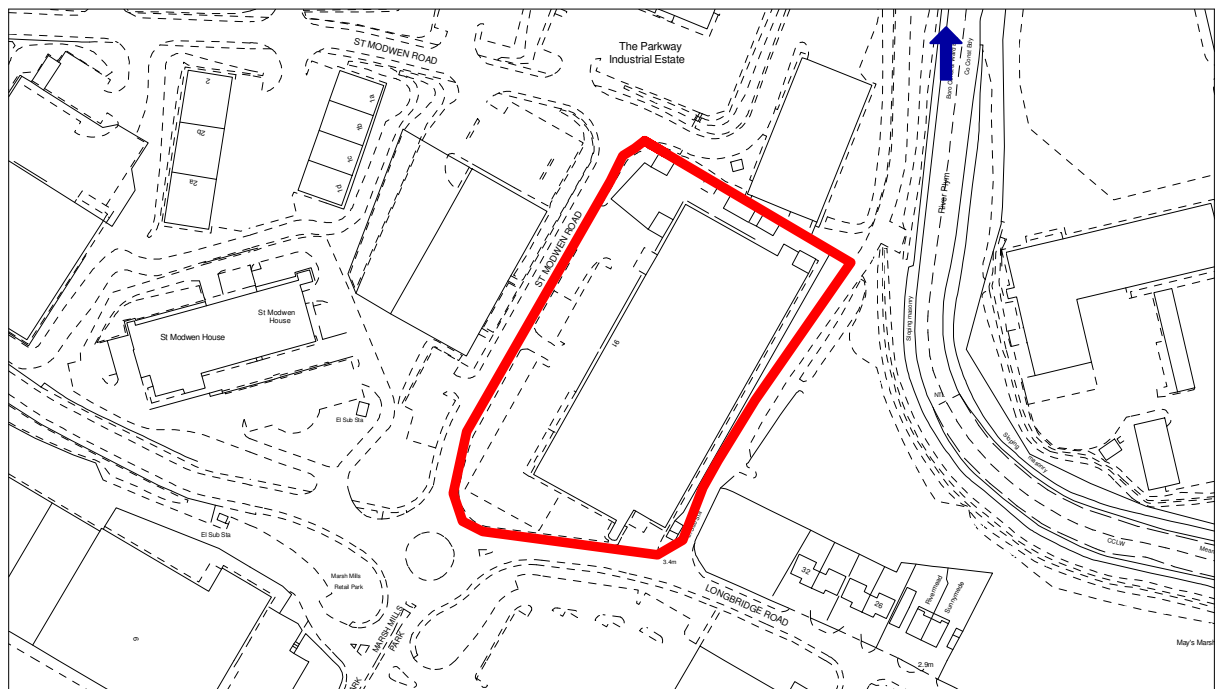
- AER10 - New Employment Sites
- AER18 - Env.Standards for Employment Development
- AEV10 - Wildlife Movement
- AEV31 - Townscape
- AEV32 - Communication corridors
- AEV33 - Pedestrian Circulation
- AEV38 - Landscaping and Enhancement Schemes
- AEV39 - Enhancement of Main Access Corridors
- AEV4 - Loss of Existing hedgerows,trees or wood
- AEV45 - Access for Disabled Persons
- AEV47 - Safe and Secure Environments
- AEV49 - Pollution
- AEV5 - Implementation of community woodland sch
- AEV50 - Contaminated Land
- AEV51 - Energy and Recycling
- AEV7 - Preservation of SLINCs
- AEV8 - Nature Conservation Features
- AIR1 - Decisions on Planning Applications
- AIR2 - Provision for infrastructure and amenity
- ASR1 - Hierarchy of Shopping Centres
- ASR14 - Retail Warehouses - Dev.Criteria
- ASR25 - Equal Access for People with Disabilities
- ATR10 - Bretonside Bus Station
- ATR4 - Cyclists and Pedestrians
- ATR5 - The Road Network
- PPG13 - Transport
- PPG9 - Nature Conservation
- PPS1 - Delivering Sustainable Development
- PPS6 - Planning for Town Centres
- PPS23 - Planning & Pollution Control
- CS32 - Designing out Crime
- CS33 - Commuinty Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS22 - Pollution
- CS08 - Retail Development Considerations
- CS09 - Marsh Mills Retail Parks

CS18 - Plymouth's Green Space
CS19 - Wildlife
CS20 - Resource Use
CS21 - Flood Risk
CS01 - Sustainable Linked Communities
CS02 - Design
CS04 - Future Employment Provision
PPS25 - Development and Flood Risk

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ITEM: 10

Application Number:	07/00179/FUL
Applicant:	Rok Development
Description of Application:	Redevelopment of site by erection of industrial unit (Use Classes B1/B8) and a non-food bulky goods retail unit with associated access and car parking areas
Type of Application:	Full Application
Site Address:	UNIT J 91 ST MODWEN ROAD MARSH MILLS PLYMOUTH
Ward:	Moor View
Valid Date of Application:	06/02/2007
8/13 Week Date:	08/05/2007
Decision Category:	Major
Case Officer :	Robert McMillan
Recommendation:	Minded to Grant Conditionally subject to S106 Agreement, (provided no objections raised by the Environment Agency), minded to refuse if objections raised by the Environment Agency – delegated authority to officers to act accordingly upon receipt of Environment Agency observations.



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OFFICERS REPORT

Site Description

The site is in the Parkway Industrial Estate, close to Marsh Mills Retail Park by the roundabout entrance to the retail park on the north side of Longbridge Road at its junction with St Modwyn Road. The site has an area of 1.12 hectares and a frontages with St Modwyn Road of 150 metres and Longbridge Road of 70 metres. Marsh Mills Retail Park lies to the south, with employment units to the west and north and open land to the east beyond which is a row of 6 houses. The River Plym also lies to the east of the site and has been “canalised” in the interests of flood prevention.

The site comprises a large industrial building mainly in brown metal cladding with offices at the southern part in brick cream rendered panels and glazing. The parking area is on the western part. The site is reasonably landscaped with trees on the southern, western and eastern verges that is a feature of The Parkway Industrial Estate.

Proposal Description

The proposal is to demolish the existing building and to redevelop the site with two buildings: the southern one would be a retail warehouse of 2,350 sq m and the northern one would be a warehouse or B1 light industrial unit of 2,226 sq m. Each would have a vehicular access off St Modwyn Road with a large area of parking for the retail unit fronting Longbridge Road and a smaller one for the other unit at the northern end facing St Modwyn Road. A pedestrian access would be provided from Longbridge Road linking with a new pedestrian crossing and another crossing would be sited further west along Longbridge Road. The buildings would be of a traditional warehouse design 9 metres high finished in metal cladding, brickwork and some glazing under a profiled metal roof.

The landscaping scheme retains many trees including the Scots Pine at the front and Birch, Sycamores and Horse Chestnut around the edge of the site. New trees would be planted together with a Devon Hedgebank along the southern and western boundaries.

Relevant Planning History

06/00951 - Redevelopment of site by erection of industrial unit (Use Classes B1/B8) and a non-food bulky goods retail unit with associated access and car parking areas – WITHDRAWN.

04/00268 – OUT- Outline application for 4,183 sq m of non-food retail space parking and servicing – WITHDRAWN.

01/00281 – FULL - Change of use, conversion and partial demolition of premises to form 7 units for use within Classes B1/B2/ and B8 with ancillary trade sales – GRANTED – not implemented.

85/03473 – FULL - Formation of access way and re-alignment of highway together with raising floor level of block J2 warehouse – GRANTED.

83/02504 – FULL – Erection of a factory – GRANTED.

80/03848 – FULL – Erection of industrial/warehouse units and parking etc – GRANTED.

79/03216/OUT – Construction of roads and sewers – GRANTED.

Consultation Responses

Highways Agency

Directs refusal as is awaiting further information from the applicant to enable the Highways Agency to assess the impact on the safety and free flow of traffic on the A38. It requires more information in relation to the Road Safety Audit, pedestrian facilities and travel plan. It concludes that it hopes it can remove its holding direction when it receives the additional information.

Highway Authority

No objection subject to conditions and a section 106 contribution. There will be a slight decrease in traffic flows in the morning rush hour compared with the current employment use and a slight increase in the evening peak. There will be a 7 – 9% increase in the Saturday afternoon peak but this does not coincide with the general highway traffic peak. The parking is adequate and complies with standards. The layout and points of access are acceptable. The cycle parking should be secure and covered and provided for staff and customers and preferably separated between the two uses. Staff lockers should be provided. The proposed two pedestrian crossings on Longbridge Road will improve links to Marsh Mills Retail Park. The site is served by regular bus services and there are bus stops nearby. There should be a contribution for bus boarders.

Environment Agency

No comments received

South West Water

No objection provided that surface water is not connected to the public drainage system. If soakaways are to be used satisfactory percolation tests are required.

Environmental Services

No objections subject to controlling conditions concerning hours of operation and deliveries, noise from plant and machinery, lighting and code of practice.

Representations

The local planning authority (LPA) received seven letters of representation, six of which are the same, raising the following points:

1. Object to retail use;
2. Increase in traffic;
3. Inadequate parking leading to an Increase in on street parking;
4. If granted the following matters must be covered by condition:
 1. hours of opening to be controlled;
 2. no noise nuisance from machinery and vent extractors;
 3. no harm from odours;
 4. delivery hours should be restrained;
 5. control over possible overnight lorry parking;
 6. control over lighting;
 7. if the conditions are inadequate will complain to the Council or Ombudsman.

Analysis

The main issues with this application are: the principle of permitting the substitution of some of the employment floorspace for retail use at this location; highway and transport matters; flood risk; design, appearance and landscaping and residential amenity.

Background

A similar application was made in 2006 but withdrawn in order for the applicant to overcome some concerns primarily relating to highways and transport issues.

The update on the Core Strategy is that the independent Inspector appointed by the Secretary of State examined the 'Soundness' of the Submitted Core Strategy in January and February. The Inspector reported back to the Council on 3 April 2007 stating that the Core Strategy was sound with agreed changes. The Core Strategy objectives and policies quoted in this report relate to the latest version referred to as 'Appendix 1' on the Council's web site that will now go to Full Council on 23 April for formal Adoption.

Principle of mixed use development

The northern building proposed for B1 or B8, employment or warehouse use, will continue the lawful use of the site in accordance with Core Strategy (CS) policy CS04, Devon Structure Plan (DSP) policy ST16 and Adopted Local Plan First Alteration (FALP) policy AER1.

The use of the southern building for non-food retail purposes is more controversial and must be assessed against policies CS5, AER2, ST20 and draft Regional Spatial Strategy (RSS) policy E4.

FALP policy AER2 adopted a strict approach and sought generally to retain employment sites for such uses. It will shortly be superseded by the more recent flexible policies that have responded to the changing economic circumstances and reduced demands for employment land in aggregate. The employment chapter of the Core Strategy recognises that less employment land is needed to meet the growth in jobs that can be broken down into key sectors and areas. For the Plymouth Principle Urban Area 40 hectares are

required between 2006-16 with a further 22 ha up to 2021. The key locations are the City Centre and Waterfront and Northern Corridor.

In policy CS05 a change of use will be permitted if there are clear environmental regeneration and sustainable community benefits. There are 5 criteria that should be considered if a change of use is to be permitted. The premises have been empty for 7 years during which they have been actively marketed. This points to the view that the current premises are not viable for the commercial market. It appears that it could be used for two of the key sectors of advanced engineering or creative industries but these types of employment have shown no active interest to date. Criteria 3 and 4 relating to tourism and marine employment do not apply. Finally the neighbourhood has a good range of employment opportunities at The Parkway Industrial estate and Marsh Mills and Coypool retail parks. DSP policy ST20 and RSS policy E4 adopt a less strict approach for redevelopment of employment sites for mixed use schemes.

Initially the applicant was negotiating with the Council to use the employment building as document and archive store for the Plymouth History Centre but the Museum Service have made alternative arrangements. But a modern building would be more suited to current industrial and warehouse requirements. A mixed use redevelopment would put this brownfield site to a beneficial use and provide a number of jobs. A named occupier for the employment unit is preferable as if it remains empty for any length of time there could be pressure for a change of use to another non-food retail use. But as this is speculation the proposals would accord in general with employment policies CS05, ST20 and E4.

PPS6: Planning for Town Centres sets out in paragraph 3.4 five tests for applicants to meet with retail proposals. These are: need both quantitative and qualitative, scale, sequential test, impact on existing centres and accessibility. This approach is applied locally in policy CS08 of the Core Strategy. The applicant submitted a retail assessment that deals with these matters which are assessed below.

Need for the development

Quantitative need: The quantitative need case for the development is correctly based on the 2006 retail study for the city, which identifies quantitative need. By relating comparative goods expenditure to floorspace requirements the Plymouth Shopping Study estimates floorspace requirements for 2011 of 22,631 sq m – 36,775 sq m. This proposal for 1,858 sq m would be 5.1% - 8.2% of the aggregate allowing for 91.8% - 94.9% to be taken up elsewhere in the city.

Qualitative need:

The applicants retail assessment bases the qualitative need on the assumption that development, demonstrate qualitative need by addressing the shortcomings of the retail park in line with policy CS09. CS09 is not a basis for qualitative need, it is a policy which seek to directs development and which also seeks to ensure improvements to the Marsh Mills area. As such qualitative need has not been demonstrated in this application. However PPS6 is clear that it is

quantitative need which carries the greatest weight in demonstrating need, since this has been done, need has been demonstrated.

Scale

The floorspace of the Marsh Mills Retail Park is about 15,846 sq m. The proposed retail floorspace is 1858 sq m. This is an increase of 11.7% which is consistent with the site and its context with the adjoining Retail Park and of an appropriate scale.

Sequential approach

PPS6 and policy CS08 directs retail development to existing centres, then edge of centre and only then out of centre locations. Marsh Mills Retail Park is an anomaly because despite the amount of retail floorspace and variety of goods sold it is classified as an out of centre location and is not a district centre. This location while being on the edge of this retail park is still an out of centre location. There are some irregularities with the sequential search, this is due to the search being based on an area which is formed around a single storey development requirement. PPS6 states that:

'In applying the sequential approach, and considering alternative sites, developers and operators should be able to demonstrate that in seeking to find a site in or on the edge of existing centres they have been flexible about their proposed business model in terms of the following planning considerations: the scale of their development; the format of their development; car parking provision; and the scope for disaggregation.'

In relation to this application two issues arise, first the end user is not confirmed, therefore operational requirement should be more flexible and secondly the assessment acknowledges that a possible occupier is installing a mezzanine floor in their existing store, clearly demonstrating that such retailers can operate from multi level stores. But even if a two storey development model was adopted it is considered that none of the sites explored in the retail assessment would be capable of taking this development and this site meets the sequential test.

Impacts

The impacts arising from this development are not substantive enough to cause any unduly negative impact on either the city centre or the surrounding district or local centres.

Accessibility

The site is on an industrial estate adjoining a retail park with adequate facilities for pedestrians and cyclists. It is served a regular bus service with a 15 minute frequency. Two pedestrian crossings will be provided to improve linkages to the retail park. The site has adequate accessibility for the more sustainable means of travel.

Points 2, 3, 5, and 6 of Policy CS08 largely reiterate national guidance, which have been dealt with above. The proposal supports the spatial strategy as it is redevelopment of a brownfield site and policy CS09 recognises that the retail

parks in the Marsh Mills area have a role and function in the city's retail hierarchy. In relation to point 4 the application does not relate to an existing centre, however in relation to the retail park it does sit reasonably well with the existing retail park and the proposed pedestrian crossings will improve linkages. Point 7 on meeting the needs of the local community is not strictly relevant to this application. The proposal complies with policy CS08.

The improvements outlined in the application comprising improved pedestrian facilities, bus boarders and landscaping help deliver the improvements outlined in policy CO9 specifically regarding landscaping, access and egress, accessibility by pedestrians including visitors to the existing retail park, cyclists and bus users. The proposal complies with this policy.

Transport

The proposal will not give rise to an increase in traffic generation that would increase the risk of danger or cause congestion on the road network compared with the existing lawful use of the site. Indeed there will be a slight decrease in the morning rush hour. There will be a greater increase on Saturday afternoons but this at a time when the roads are less busy and there is more capacity. There are adequate accesses and the parking complies with standards. There will be satisfactory facilities to encourage travel by the more sustainable means other than the car. The pedestrian crossings will benefit people walking and linkages to the adjoining retail park. Provision will be secured for cyclists with secure storage and changing facilities for staff. The site is served by frequent bus services and two bus boarders would be provided. The applicant agrees to using a staff travel plan (STP) to encourage the use of travel other than single occupancy car trips and has provided a framework for the STP that will have to be provided to comply with the relevant condition if permission is granted.

The Highways Agency (HA) appears to be satisfied with the principle of the development and highways and transport arrangements. But it has raised a holding objection as it still requires clarification on detailed points relating to the Road Safety Audit, pedestrian facilities and the travel plan. The applicant's consultants are working on this with the HA and officers will update members at the meeting. If the HA lifts its objection the proposals would comply with policy CS28 and DSP policies TR1-7 and TR9-10.

Flood risk

This is the most controversial aspect. Members are aware of the flooding problems in the Plym valley and the precautionary approach adopted by the Environment Agency, City Council and Inspectorate. The applicant has not updated the flood risk assessment (FRA) from the previous submission prepared in March 2006. Neither does it or the applicant's letter of support refer to the new government advice in PPS25: Development and Flood Risk that supersedes PPG 25.

The applicant believes that the proposals and mitigation measures will protect the site from tidal flooding. The applicants believe it is unreasonable to carry out further modelling work on fluvial flooding but are prepared to make a

contribution for a wider modelling study. When the Environment Agency (EA) commented on the withdrawn scheme in July 2006 it stated that the FRA should consider the impact of fluvial flooding and consider the risk of combined tidal/fluvial events. As this had not been done it objected to that application. At the time of writing this report officers had not received the EA's advice but were aware that the applicant and its agents were in communication with the EA to try to overcome any objections the EA could raise. This could include incorporating FRAs done for other applications nearby that included more up to date information on fluvial flooding and the combined effects with the tidal flooding.

This issue now has greater weight because if the EA object to an application and the City Council wish to grant planning permission the application would have to be referred to the Secretary of State to decide whether or not to call in the application. The southern part of the site falls within category 3 high probability of flooding where the flood risk sequential test needs to be applied directing development to lower risk zones 1 and 2. If this cannot be achieved the Exception Test is applied. To pass the test with this case it must:

1. Provide wider sustainability benefits to the community that outweigh the flood risk;
2. Be on previously developed land; and
3. The FRA must show that the development will be safe without increasing the risk of flooding elsewhere and where possible reduce flood risk overall.

Officers conclude that the sustainability benefits to the community are limited; it meets the second test and the third test depends upon the EA's advice.

The advice from the EA is crucial and without it officers can not state whether or not the development complies with PPS25 and policies CS21, DSP policy CO13 and RSS policy F1. Officers will update Members at the meeting on any written comments received from the EA.

Design and landscaping

The design is for buildings of standard appearance on retail parks and industrial estates that serve their function and the northern building would be improved if the expanse of cladding was relieved with another material such as a brick or rendered ground floor. The applicant has retained as many of the mature trees as possible and will provide new trees and a Devon hedgebank around the western and southern boundaries. The design and appearance will be acceptable in its context to comply with policies CO2, CS18 and CS34

Residential amenity

Residents are concerned about the principle of residential use and increase in traffic but the above reasoning demonstrates that these are acceptable. They are experiencing problems with the Princess Yachts site at Coypool on compliance with conditions. They wish to be assured that enforceable conditions are attached relating to hours of opening and deliveries, noise odours lighting and overnight parking. The Head of Environmental Regulation

Service has raised similar points and if permission is granted such conditions would be attached to comply with policies CS22 and CS34.

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.

Section 106 Obligations

The applicant has provided a draft unilateral undertaking offering a contribution of £2,000 towards the cost of making a model on tidal and fluvial flooding for the local area. Officers have sought an additional contribution of £8,500 towards bus boarders. The administration fee is £1,050.

Conclusions

The application would put a site that has been vacant for a long time into a beneficial use that complies with national and development plan policies in relation to employment and retail uses. The design, appearance and landscaping are acceptable and conditions would ensure that residential amenity would not be harmed. The transport and highway effects should be satisfactory subject to the applicant agreeing points of detail that are still outstanding with the Highways Agency. The recommendation is worded positively but the crucial issue relates to flood risk so the advice from the Environment Agency is critical to the final determination.

Recommendation

In respect of the application dated **06/02/2007** and the submitted drawings, **11030392/GA-02A, 621/105, 621/104C, D112683/002, 621/101P, D112683/001/C, 621/106, 621/102E, 621/103/E, 621/204D, 621/002E, 621/001F, 621/203G, letter of support of 2 February 2007, design and access statement, retail assessment, transport assessment, supplementary transport assessment, travel plan framework, flood risk assessment, safety audit and tree report** , it is recommended to: **Minded to Grant Conditionally subject to S106 Agreement, (provided no objections raised by the Environment Agency), minded to refuse if objections raised by the Environment Agency – delegated authority to officers to act accordingly upon receipt of Environment Agency observations.**

Relevant Local Plan Policies

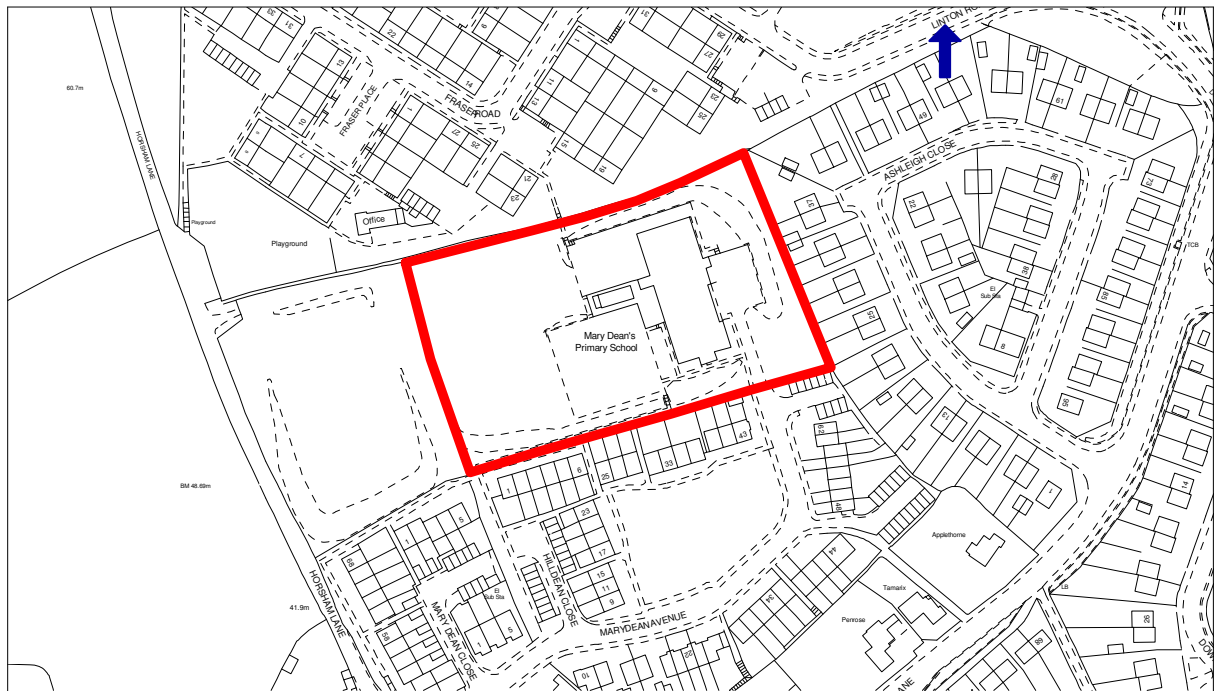
The following policies from the Devon Structure Plan (2001 to 2016) 2004, the adopted City of Plymouth Local Plan First Alteration 1996, the City of Plymouth Local Plan (1995-2011) First Deposit 2001, Plymouth Local Development Framework and Regional Spatial Strategy (the status of these documents is set out within the City of Plymouth Local Development Scheme

2006), and relevant Planning Guidance Notes, Statements and Government Circulars were taken into account determining this application:

AER1 - Existing Employment Areas/Premises
AER2 - Change of Uses of Ex.Employment Areas
AEV31 - Townscape
AEV38 - Landscaping and Enhancement Schemes
AEV4 - Loss of Existing hedgerows,trees or wood
AEV45 - Access for Disabled Persons
AEV49 - Pollution
AEV50 - Contaminated Land
AIR2 - Provision for infrastructure and amenity
ASR14 - Retail Warehouses - Dev.Criteria
ATR5 - The Road Network
ATR8 - Proximity of Development to Public Transport
PPG13 - Transport
TR2 - Co-ordinating Land Use/Travel Planning
TR3 - Managing Travel Demand
TR4 - Parking Strategy,Standards and Proposals
TR5 - Hierachy of Modes
TR7 - Walking and Cycling
TR9 - Public Transport
PPS1 - Delivering Sustainable Development
PPS6 - Planning for Town Centres
ST20 - Re-assessment & Safeguarding Employment Land
TR7 - Walking and Cycling
CS02 - Design
CS28 - Local Transport Consideration
CS33 - Commuinty Benefits/Planning Obligation
CS34 - Planning Application Consideration
CS22 - Pollution
CS08 - Retail Development Considerations
CS09 - Marsh Mills Retail Parks
CS18 - Plymouth's Green Space
CS20 - Resource Use
CS21 - Flood Risk
CS22 - Pollution
CS05 - Development of Existing Sites
CS04 - Future Employment Provision
CS32 - Designing Out Crime

ITEM: 11

Application Number:	07/00226/FUL
Applicant:	Mary Dean Primary School
Description of Application:	Single-storey detached building for use as nursery
Type of Application:	Full Application
Site Address:	MARY DEAN PRIMARY SCHOOL, MARY DEAN AVENUE TAMERTON FOLIOT PLYMOUTH
Ward:	Southway
Valid Date of Application:	14/02/2007
8/13 Week Date:	16/05/2007
Decision Category:	Major
Case Officer :	Stuart Anderson
Recommendation:	Grant Conditionally



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OFFICERS REPORT

Site Description

The site of this proposal is Mary Dean Primary School, off Mary Dean Avenue, in the Tamerton Foliot area of the city.

The proposed building is to be sited on an area of playground, to the west of the main school building.

Proposal Description

Single-storey detached building for use as nursery.

The proposed building would measure 16x10.6m, and would be equal in height to the main school building. It would use materials that would match the main school building. The design features of the proposed building would be very similar to those of the main school building.

It is understood that the proposed nursery building would accommodate 38 children, with 4 staff. It is also understood that there is an existing nursery on the site, which accommodates 23 children and 3 staff. If the proposal is implemented, the existing nursery operation will move into the proposed building, and the building currently used as a nursery will be used for other school purposes. What this means is that the proposal will result in an increase of 15 additional children and 1 additional member of staff at the site (i.e. $23+15=38$, $3+1=4$).

In terms of hours of operation, initially there would be morning only sessions (0845-1145 hours), possibly increasing to afternoon sessions (1215-1515).

Relevant Planning History

03/00151/FUL – Provision of portable building for use as pre-school classroom (re-located from off-site) (granted)

02/01212/FUL – Alterations and single-storey extension to school (granted)

91/01631/C1884 – Erection of mobile classroom (regulation 10 consultation) (granted)

Consultation Responses

Transport Officer – no objections in principle, but recommending conditions. Please see report below.

South West Water – no objections in principle. However, there are public sewers in the vicinity (this matter is discussed further in the report below).

Representations

Three letters of representation have been received (two of these letters are from the same household). These letters show objection/concerns over the proposal, on the grounds that creating more school places will add to existing congestion/parking problems.

Analysis

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.

The most relevant policies on this proposal are considered to be CS14, CS28 and CS34 of the Core Strategy. Policies ATR5, ATR18, AEV31 and ACR12 of the adopted City of Plymouth Local Plan First Alteration 1996 are also considered to be relevant to this case. The relevant issues are discussed below.

VISUAL APPEARANCE/DESIGN

The proposed nursery building would respect the design of the main school building. Also, it would not be of excessive size, and therefore would not appear prominent. The proposed building is therefore considered to be acceptable to AEV31 and criteria 3, 4, and 6 of CS34.

IMPACT ON SURROUNDING RESIDENTIAL AMENITY

The nearest residential properties are 19-23 Fraser Road. These properties are at a much higher ground level than the school site, and are at least 20m away from the site of the proposed nursery, so the light/outlook and privacy of these properties would not be affected by the proposed building.

It is unlikely that surrounding properties will be affected by noise and disturbance from the proposed development, given that the proposed nursery would only accommodate a 15 additional children and 1 additional staff member.

DRAINAGE/SEWERAGE

South West Water do not object to the proposal. However, in their consultation response they have made a number of observations, and it is recommended that these are communicated to the applicant by means of an informative note attached to any grant of planning permission.

HIGHWAYS ISSUES

It is necessary to consider whether the proposed development would noticeably increase the volume of traffic, in particular the volume of traffic entering Mary Dean Avenue, which experiences a lot of on-street parking. The Transport Officer advises that there is a history of congestion occurring there when children are being dropped off or collected from the site.

It is considered that the number of additional children and staff that the proposed development will generate is modest (i.e. 15 additional children and 1 additional staff member). It is also considered safe to assume that many of

the children will arrive on foot, given that the surrounding area is a densely developed residential estate.

It is, however, inevitable that some of the children will still arrive by car. It is anticipated that many children being dropped off and collected by car will do so via the Horsham Lane frontage, where there is a lay-by beside the school entrance (see section 3.2 of the accompanying Design and Access Statement). However, the disadvantages of this are that there is no footway along this part of Horsham Lane. Also, the walking distance from this entrance to the proposed nursery is further than that of the Fraser Road entrance or the Mary Dean Avenue entrance.

The Transport Officer is satisfied that the proposal does not raise any insurmountable traffic issues. A condition is recommended (i.e. staff travel plan), and this measure is considered adequate to cope with the transport implications of the scheme.

Conclusions

The proposal is recommended for approval.

Recommendation

In respect of the application dated **14/02/2007** and the submitted drawings, **Site location plan, 18230_01, 18230_02, 18230_03, 18230_05, 18189_06, accompanying Design and Access Statement**, it is recommended to:
Grant Conditionally

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(1) 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.

SCHOOL TRAVEL PLAN

(2) The development hereby permitted shall not be occupied until a Staff Travel Plan (STP) has been submitted to and approved in writing by the Local Planning Authority. The said STP shall seek to encourage staff and children/parents to use modes of transport other than the private car to get to and from the premises. It shall also include details of arrangements for monitoring the use of provisions available through the operation of the STP; and the name, position and contact telephone number of the person responsible for its implementation. From the date of approval of the STP, the occupier shall operate the approved STP.

Reason:

In the opinion of the Local Planning Authority, such measures need to be taken in order to reduce reliance on the use of private cars (particularly single

occupancy journeys) and to assist in the promotion of more sustainable travel choices.

INFORMATIVE - DRAINAGE

(1) The applicant's attention is drawn to the observations of South West Water. SWW have no objections to the proposal, provided that foul drainage only is connected to the public foul or combined sewer. Should no separate storm system be available, details of the means of disposal must be submitted for the prior approval of SWW. The use of soakaways will require satisfactory percolation tests to have been undertaken.

INFORMATIVE - PUBLIC SEWERS AND MANHOLES

2) The applicant's attention is drawn to the observations of South West Water, who advise that there are public sewers and manholes in the vicinity, and that the security of these might be affected by the proposed development. No development will be permitted within 3 metres of the sewers without the express consent of SWW. Manholes are not permitted to be built over, and must be kept accessible at all times. Should a manhole need to be moved, it would be at the expense of the applicant. It is recommended that the applicant or their agent should contact SWW on 01392 443616 for further advice on this matter.

Statement of Reasons for Approval and Relevant Policies

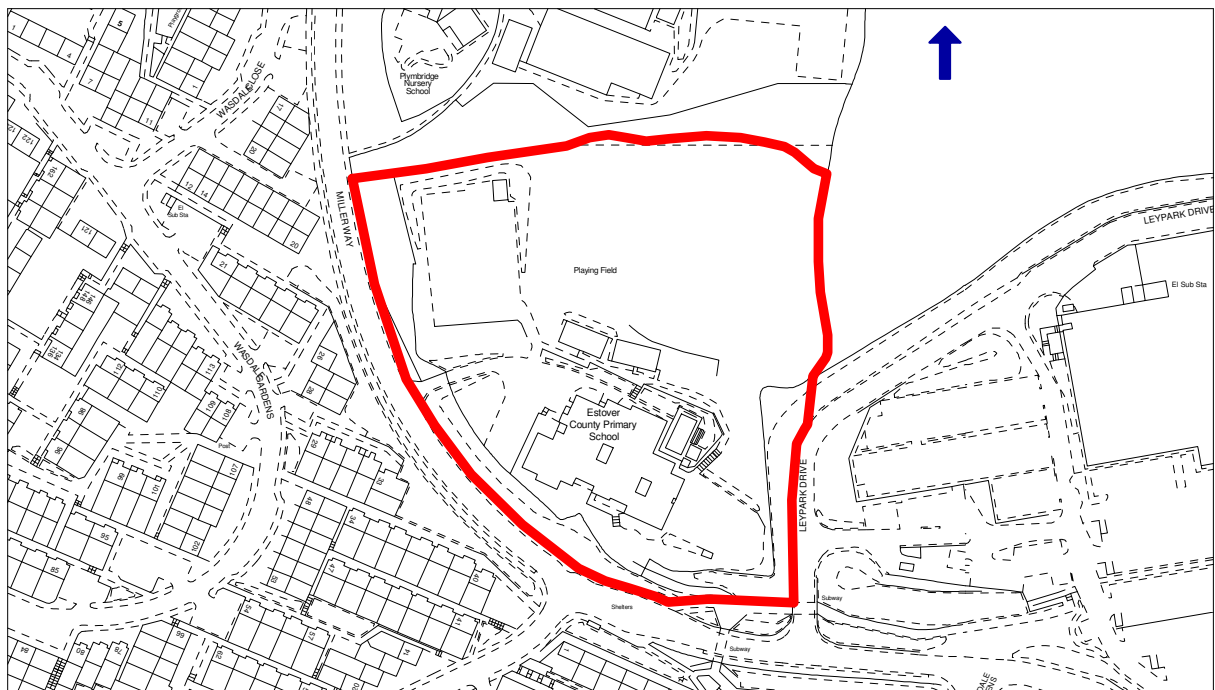
Having regard to the main planning considerations which in this case are considered to be: design of the proposed building, impact on surrounding residential amenity, vehicular traffic movements, the proposal is not considered to be demonstrably harmful to local amenities. In the absence of any other overriding considerations, and with the imposition of the specified planning conditions, the proposed development is acceptable and complies with the following policies of the Devon Structure Plan (2001 to 2016) 2004, the adopted City of Plymouth Local Plan First Alteration 1996, Plymouth Local Development Framework, Core Strategy, Regional Spatial Strategy and North Plymstock Area Action Plan (the status of these documents is set out within the City of Plymouth Local Development Scheme 2006), and relevant Planning Guidance Notes, Statements and Government Circulars as follows:

- ACR12 - Child Care Facilities (criteria)
- AEV31 - Townscape
- ATR18 - General Parking/Servicing Requirements
- ATR5 - The Road Network
- CS28 - Local Transport Consideration
- CS34 - Planning Application Consideration
- CS14 - New Education Facilities

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ITEM: 12

Application Number:	07/00486/FUL
Applicant:	Plymouth City Council
Description of Application:	Installation of temporary classroom, new footpath, rationalisation of car parking and playground areas, and installation of ball catch fence on boundary with Leypark Drive
Type of Application:	Full Application
Site Address:	ESTOVER PRIMARY SCHOOL MILLER WAY ESTOVER PLYMOUTH
Ward:	Moor View
Valid Date of Application:	22/03/2007
8/13 Week Date:	21/06/2007
Decision Category:	Major
Case Officer :	Stuart Anderson
Recommendation:	Grant Conditionally



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OFFICERS REPORT

Site Description

The site of the proposed development is Estover Primary School, off Miller Way, in the Estover area of the city.

When visiting this site, the immediately noticeable feature of the site is that it is well screened by trees and vegetation on the Miller Road and Leypark Drive frontages, which means that the site itself is not visually prominent.

Proposal Description

Installation of temporary classroom, new footpath, rationalisation of car parking and playground areas, and installation of ball catch fence on boundary with Leypark Drive.

The proposed temporary classroom would be sited to the north of the main school buildings, on a flat area of waste ground. It would measure approximately 8.40 by 24.0 metres, and would be single-storey. Concrete fire escape paths would be laid out around this building.

The proposed new footpath would be sited alongside the main school entrance onto Miller Way. The footpath is intended to improve safety for parents and children walking into the school grounds. A handrail will be provided and a barrier or fencing will also be installed in order to protect pedestrians from traffic.

The proposal would also include the changing of an existing car park into a playground, and the changing of an existing playground into a car park. The use of the existing car park as a playground would enable children to be under closer supervision at playtimes, as it is closer to the main school building than the existing playground. Also, the use of the existing playground as a car park would satisfy the parking requirements for the site, as the current car park is not big enough to satisfy these requirements.

The proposed ball catch fence would be sited at the far end of the existing playground on the eastern boundary of the site. The fence would be approximately 8 metres in height. The purpose of the fence would be to increase road safety, as it would prevent balls from being kicked into the road beyond.

In addition to the works described above, there are a number of other minor ancillary works shown on the plans. These include:

- installation of lighting along proposed new footpath,
- replacement school gate at Miller Road entrance with added pedestrian leaf,
- new gate at (slightly widened) entrance to new car park,
- renewed fencing to enclose new playground,
- footpath to block off new playground from roadway,
- overlaying of new playground with tarmac,
- provision of two new disabled parking spaces,

- new gate on steps leading down to new playground,
- marking out of car and taxi parking spaces in new car park,
- renewal of speed humps
- laying out of a zebra crossing from new playground to new car park entrance,
- double yellow lines to be marked out, and road surfaces repaired, where required.

Relevant Planning History

07/00274/FUL - Installation of double temporary classroom, new footpath and alterations to car park and playground (withdrawn – it is understood that this application was withdrawn, as circumstances changed shortly after the application was submitted, meaning that the application did not show the full extent of the works that were required, hence the submission of the current application)

01/00945/FUL – alterations to form teaching and storage accommodation (granted)

81/03951/FUL – erection of double motor garage (granted)

81/00587/FUL – erection of changing room (granted)

81/02959/C1 – extension of school and siting of prefabricated classroom and toilet (regulation 10 consultation) (granted)

79/00691/FUL – provision of three mobile classrooms with toilets and one mobile dining hall (granted)

78/02606/C1 – provision of two double mobile classrooms (granted)

77/02884/FUL – proposed double mobile classroom unit (granted)

Consultation Responses

Transport Officer – no objections in principle. However, there is some concern about certain aspects of the scheme, which should be addressed by condition (see report below).

Representations

At the time of writing this report, no representations had been received. Any representations received after drafting this case officer report will be presented to committee by addendum report.

Analysis

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.

The most relevant policies on this proposal are CS14, CS18 (included because the proposal is understood to involve the felling of trees near the site entrance), CS28, CS30 (included due to the formation of a new playground),

and CS34, of the Core Strategy. Policies AEV4, ATR5, and AEV31 of the adopted City of Plymouth Local Plan First Alteration 1996 are also considered to be relevant on this proposal. The different components of the proposal are discussed below.

PROPOSED TEMPORARY CLASSROOM

The proposed temporary classroom would be sited fairly deep within the school grounds, and therefore not easily visible from Miller Way or Leypark Drive. It would also make use of a part of the site which is currently under-used. It is also understood that a temporary classroom has previously been sited here. Therefore, it is considered that the proposed temporary classroom is acceptable, subject to a standard temporary building condition.

PROPOSED NEW FOOTPATH

It is understood that some trees would need to be felled in order to accommodate the proposed new footpath. Trees and vegetation on the Miller Way frontage provide some screening for the site. Therefore, policies AEV4 and CS18 (in particular criteria 4 and paragraph 11.34 of this policy), need to be taken into consideration. An arboricultural report has been submitted with the application. This report states that a full survey in accordance with BS5837 is not necessary, considering the condition of the trees and the limited level of development, and that the trees are of low quality and value. This issue was considered during the site visit, and it is agreed that the trees on the site of the proposed footpath are not important trees in the streetscene. Even with the removal of these trees, adequate screening of the site would remain.

The arboriculturalist's report draws attention, however, to a group of Ash trees near the site entrance, and states that if development is restricted to within 3m of the existing road, and the construction activity undertaken from the road side, the retention of many of the young trees within the group is possible, and the larger Ash trees will retain more than enough critical root zone. In order to keep the loss of trees to a minimum, it is considered that this issue should be addressed by condition.

It is considered that the proposed new footpath raises no other issues.

RATIONALISATION OF CAR PARKING AND PLAYGROUND AREAS

The Transport Officer has raised some concern about apparent over-provision of taxi parking spaces in the proposed new car park. He has also raised some concern about the proposed layout of the new car park, and vehicular circulation within it. It is suggested that an integrated circulatory route for vehicles should be established around the car park, which could incorporate a lay-by type arrangement that would aid the picking up, dropping off, and short term waiting by taxis. This could be achieved within the layout of the car parking area or alternatively the car park could be sub-divided using some simple form of barrier to separate the turning and waiting functions from that of staff car parking. This issue could be addressed by condition.

The Transport Officer has also offered some helpful suggestions with regards to the setting down area next to the two proposed disabled parking spaces, which could be addressed by an informative note.

The Transport Officer has also drawn attention to the existing school travel plan. The travel plan is well advanced, but as it is a live and ongoing document to help manage travel, a condition relating to this should be added.

The proposed new car park is not considered to raise any other issues.

It is considered that the proposed new playground is satisfactory to policy CS30 (criteria 3a and 3c of this policy are the applicable criteria). The playground is not considered to raise any other issues.

PROPOSED BALL CATCH FENCE

At 8m in height, the proposed ball catch fence would be high. However, the bank and high trees on the Leypark Drive side of the site provide a good level of screening. The fence might be partly visible from Leypark Drive and the end of Miller Way, but the screening means that minimal visual impact would result.

Conclusions

It is considered that the proposed development might result in a general improvement to this site, which at the time of the site visit seemed to be in need of investment/attention. It is therefore recommended that conditional planning permission is granted.

Recommendation

In respect of the application dated **22/03/2007** and the submitted drawings, **Site Location Plans, Proposed Classroom Layout, Ball Catch Fence drawing no J2/04041 (sheets 1 of 2, and 2 of 2), 26631/05, 26631/01a, 26631/02b, 26631/04b, 24844-1 Issue A, Arboricultural report by Devon Tree Services Ltd (dated 1st March 2007, accompanying Design and Access Statement, photographs and supplementary information for full plans application** , it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(1) 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.

TEMPORARY BUILDING:REINSTATEMENT

(2) The temporary classroom building hereby permitted shall be removed and the land restored to a reasonable condition, on or before 30th April 2012, in

accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority before any works commence on site.

Reason:

In the opinion of the Local Planning Authority the temporary building to which this permission relates will by the said date have fulfilled its required purpose.

TREE RETENTION

(3) The agent/applicant's attention is drawn to the advice given in paragraph 2 of the Arboricultural report submitted by Devon Tree Services Ltd, dated 1st March 2007. Development of the new footpath hereby permitted next to the Miller Way entrance to the site shall be restricted to within 3m of the adjacent entrance road, and the construction activity undertaken from the road side.

Reason:

In order to allow for the retention of young trees within the adjacent group of Ash trees, and to retain critical root zone on the larger Ash trees. In the opinion of the Local Planning Authority, tree and vegetation cover on the Miller Way frontage provides important screening for the site, which enhances visual amenity. This condition seeks to minimise the loss of tree cover on this frontage, in accordance with Core Strategy policy CS18, and adopted Local Plan policy AEV4.

FURTHER DETAILS - CAR PARK

(4) No work shall commence on site until details of an improved car parking layout and a route for vehicular circulation within the car park have been submitted to and approved in writing by the Local Planning Authority. The works shall conform to the approved details.

Reason:

To ensure that the car park provides safe and convenient pedestrian, cycling, and vehicular movement around the car park, in accordance with Core Strategy policy CS28.

STAFF TRAVEL PLAN

(5) The development hereby permitted shall not commence until an amended School Travel Plan (STP), which takes into account the aspects of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The said STP shall seek to encourage staff to use modes of transport other than the private car to get to and from the premises. It shall also include measures to control the use of the permitted car parking areas; arrangements for monitoring the use of provisions available through the operation of the STP; and the name, position and contact telephone number of the person responsible for its implementation. From the date of approval of the amended STP, the occupier shall operate the approved STP.

Reason:

In the opinion of the Local Planning Authority, such measures need to be taken in order to reduce reliance on the use of private cars (particularly single

occupancy journeys) and to assist in the promotion of more sustainable travel choices, in accordance with Core Strategy policy CS28.

INFORMATIVE - SETTING DOWN AREA

(1) To dissuade general vehicular use of the setting down area next to the two disabled parking spaces, it is suggested that this area is cross hatched and indicated as a 'no parking' area. It may also be beneficial, but not essential, toward safety and the operational needs of the school, to consider a physical barrier preventing vehicular access to this parking area near the school entrance except by arrangement, and it could be controlled by way of some form of movable barrier.

INFORMATIVE - FURTHER DETAILS OF IMPROVED CAR PARK LAYOUT

(2) With regards to condition 4 of this grant of planning permission, the applicant/agent is advised that the City Council's Transport Officer has raised concern about the suitability of the layout for the proposed new car park, and vehicular circulation within it. It is suggested that an integrated circulatory route for vehicles should be established around the car park, which could incorporate a lay-by type arrangement that would aid the picking up, dropping off, and short term waiting by taxis. This could be achieved within the layout of the parking area or alternatively the car park could be sub-divided using some simple form of barrier to separate the turning and waiting functions from that of staff car parking.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations which in this case are considered to be: transport/parking considerations, visual impact, impact on trees, the proposal is not considered to be demonstrably harmful to local amenities. In the absence of any other overriding considerations, and with the imposition of the specified planning conditions, the proposed development is acceptable and complies with the following policies of the Devon Structure Plan (2001 to 2016) 2004, the adopted City of Plymouth Local Plan First Alteration 1996, Plymouth Local Development Framework, Core Strategy, Regional Spatial Strategy and North Plymstock Area Action Plan (the status of these documents is set out within the City of Plymouth Local Development Scheme 2006), and relevant Planning Guidance Notes, Statements and Government Circulars as follows:

AEV31 - Townscape

AEV4 - Loss of Existing hedgerows,trees or wood

ATR5 - The Road Network

CS28 - Local Transport Consideration

CS34 - Planning Application Consideration

CS14 - New Education Facilities

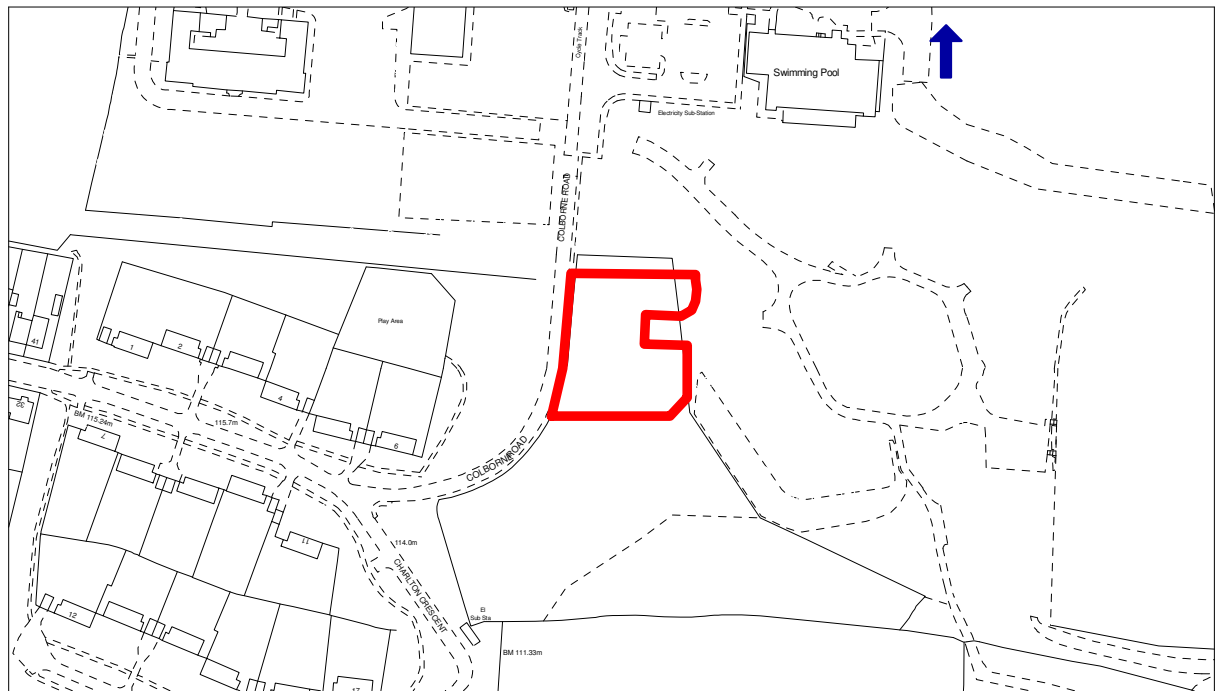
CS18 - Plymouth's Green Space

CS30 - Sport, Recreation and Children's Play Facilities

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ITEM: 13

Application Number:	07/00293/FUL
Applicant:	ROK Development
Description of Application:	Two storey office building with associated car parking and landscaped areas (Plot C370)
Type of Application:	Full Application
Site Address:	PLYMOUTH INTERNATIONAL BUSINESS PARK TAVISTOCK ROAD DERRIFORD PLYMOUTH
Ward:	Moor View
Valid Date of Application:	23/02/2007
8/13 Week Date:	25/05/2007
Decision Category:	Major
Case Officer :	Thomas Westrope
Recommendation:	Defer for Further consideration



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OFFICERS REPORT

Site Description

The proposed building will be situated within Plymouth International Medical and Technology Park (formally Seaton Barracks) to the south of Seaton Swimming Pool. It will form one of many blocks within the “office village” that is being developed and is sited to the west of this area. The site is accessed from the A386 Tavistock Road via a purpose built access road. Five buildings, the road network and much of the landscaping have already been completed in the immediate vicinity.

Proposal Description

This scheme is one of four Reserved Matter applications for a two storey office building. This proposal is for use category B1, with a gross internal area of 866m² and a total area of 2047m². 26 car parking, 3 Disabled and 4 bicycle spaces have been included in the design. The four proposals are of a similar style, design and layout to offices already granted planning permission on this site.

Relevant Planning History

There has been an outline application on this site with a later, full application extending the time period of the original outline consent. Reserved Matters have been received and granted regarding the road network and landscaping. In addition there have been five granted reserved matter applications for similar buildings in this area.

98/00461/OUT – Outline application to demolish existing buildings and redevelop land for class B1 (business), B2 (general industrial), and B8 (storage/distribution) purposes, including details of means of access and landscaping, with retention of Seaton Pool for leisure use and retention of officer’s mess for Class B1/B2 use - GRANTED CONDITIONALLY.

03/02026/FUL – Variation of conditions 1 and 2 of planning permission 98/00461 to extend the time period of outline planning consent and submission of reserved matters - GRANTED CONDITIONALLY

01/01020/REM – Reserved Matters detailing the road infrastructure for the future business sites in this part of the estate, including the site known as Priority Sites Development. Since the original submission, the scheme has been amended to include land remodelling proposal. Subsoil is to be excavated from the Priority Sites land. It is proposed to shape it to extend the developable area to the east of the access road – GRANTED CONDITIONALLY

02/01445/REM – Reserved Matters detailing landscaping works to discharge relevant condition of outline consent (98/00461/OUT) – APPROVED

02/00497/REM – This is the first building proposed for the office village site; 0.18 Ha in an overall site of 2.41 Ha. The drawings show a two storey spec. office development of 836 sq metres, with car parking area of 33 cars - GRANTED CONDITIONALLY

Consultation Responses

We are awaiting consultation responses from the following:

Transport

Plymouth City Airport

Representations

No letters of representation have been received to date although the consultation period is yet to expire. It will end on 08/05/2007.

Analysis

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.

This application (and the three others on the agenda for similar developments) is classified as a major application, and is therefore reported to this Committee because it seeks the approval of reserved matters following the grant of outline permission for the whole business park (which was formerly the site of Seaton Barracks). The original barracks site was several hectares in site area, and such is well above the one hectare threshold for major developments.

These four applications were submitted to the Council in February, but there were some legal complications over the validity their format, and consequently there were not registered immediately. It has since transpired that they were indeed in a format which was valid, and therefore the 13 weeks decision period has had to be taken as having commenced on 23 February. In order for them now to be determined within the statutory period, they are presented to this Committee for consideration.

In effect the proposed developments are very much in keeping with office units which have already been erected in this part of the Business Park. The land in question (south of the former swimming pool site) is under development as an "office village", and the buildings, the site layouts, landscaping areas etc have been designed to a common theme. It is proving to be an attractive yet functional and popular part of the Park. It is located well within the Park's boundaries and therefore the developments here have little or no impact on interests outside the Park.

Within the time available to draft this report, it has not been possible to evaluate the fine detail of the proposals. However, given the planning history of the site, and the site characteristics (described above), the Committee is

advised that the proposals appear satisfactory. Members are requested to resolve that they are minded to approve this application conditionally, that it be deferred for final negotiation and consideration of any representations received, and that delegated authority be given to the Assistant Director of Development to determine it.

Section 106 Obligations

The S106 planning agreement associated with the outline planning consent for the Seaton Barracks site includes requirements for the developers and/or occupiers of individual sites to provide staff travel plans, and to incorporate a provision for public art. These issues do not have to be addressed again in this application.

Conclusions

The application is considered to be satisfactory at this stage of the planning process.

Recommendation

Members are requested to resolve that they are minded to approve this application conditionally, that it be deferred for final negotiation and consideration of any representations received, and that delegated authority be given to the Assistant Director of Development to determine it.

Recommendation

In respect of the application dated **23/02/2007** and the submitted drawings, **2381/160, 2381/161, 2381/001, 2381/010, 2381/100, 2381/150** , it is recommended to: **Defer for Further consideration**

Conditions

TIME LIMIT FOR COMMENCEMENT

(1) The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason:

To comply with Section 92 of the Town and Country Planning Act 1990 and Section 51 of the Planning and Compulsory Purchase Act 2004.

PROVISION OF DRAINAGE WORKS

(2) Development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that satisfactory infrastructure works are provided in accordance with Policy AIR2 of the adopted City of Plymouth Local Plan First Alteration 1996.

LANDSCAPE DESIGN PROPOSALS

(3) No development shall take place until full details of both hard and soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; hard surfacing materials; refuse or other storage units, signs, lighting.

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policy AEV38 of the adopted City of Plymouth Local Plan First Alteration 1996.

SOFT LANDSCAPE WORKS

(4) Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; the implementation programme.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policy AEV38 of the adopted City of Plymouth Local Plan First Alteration 1996.

LANDSCAPE WORKS IMPLEMENTATION

(5) All hard and soft 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 or in accordance with the programme agreed with the Local Planning Authority.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policy AEV38 of the adopted City of Plymouth Local Plan First Alteration 1996.

(6) No work shall commence on site until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz:- the lighting that shall be of a flat glass, full cut off design with horizontal mountings and any further structures such as a passenger shelter. The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity and so as not to confuse or distract pilots near to the airport.

CAR PARKING PROVISION

(7) The building shall not be occupied until the car parking area shown on the approved plans has been drained and surfaced in accordance with the details submitted to and approved by the Local Planning Authority, and that area

shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway.

PARKING PROVISION FOR DISABLED PEOPLE

(8) The car parking area shall make provision for the parking of cars used by disabled persons in accordance with Table 7.1, Schedule 1 of Policy ATR18 of the adopted City of Plymouth Local Plan First Alteration 1996. The required spaces shall be laid out before the development hereby permitted is first brought into use and thereafter retained for their intended purpose.

Reason:

To meet the access needs of disabled people in accordance with Policy AEV45 of the adopted City of Plymouth Local Plan First Alteration 1996.

CYCLE PROVISION

(9) The development shall not be occupied until space has been laid out within the site in accordance with the approved plan for 4 bicycles to be parked.

Reason:

In order to promote cycling as an alternative to the use of private cars.

CYCLE STORAGE

(10) The secure area for storing cycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

To ensure that there are secure storage facilities available for occupiers of or visitors to the building.

EXTERNAL MATERIALS

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

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy AEV31 of the adopted City of Plymouth Local Plan First Alteration 1996.

INFORMATIVE

(1) The applicant is advised that a S.106 Agreement, signed in association with the grant of outline planning permission for the overall site (planning permission notice no. 98/0461), has requirements for the developers/occupiers of individual sites to provide staff travel plans and to provide for public art prior to the completion/occupation the respective buildings. These issues must be addressed in accordance with the requirements of the Agreement.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations which in this case are considered to be: The appearance and ability of the proposed buildings to function as offices; the character of the site layout, and the transport aspects of the development. The proposal is not considered to be demonstrably harmful to local amenities. In the absence of any other overriding considerations, and with the imposition of the specified planning conditions, the proposed development is acceptable and complies with the following policies of the Devon Structure Plan (2001 to 2016) 2004, the adopted City of Plymouth Local Plan First Alteration 1996, Plymouth Local Development Framework, Core Strategy, Regional Spatial Strategy and North Plymstock Area Action Plan (the status of these documents is set out within the City of Plymouth Local Development Scheme 2006), and relevant Planning Guidance Notes, Statements and Government Circulars as follows:

- AER1 - Existing Employment Areas/Premises
- AER10 - New Employment Sites
- AER4 - Manufacturing Land Sites
- AEV31 - Townscape
- AEV38 - Landscaping and Enhancement Schemes
- AEV48 - Public Art
- AIR1 - Decisions on Planning Applications

- AIR2 - Provision for infrastructure and amenity
- ATR18 - General Parking/Servicing Requirements
- ATR20 - Car Parking for People with Disabilities
- CS28 - Local Transport Consideration
- CS32 - Designing out Crime
- CS34 - Planning Application Consideration
- CS22 - Pollution
- CS18 - Plymouth's Green Space
- CS19 - Wildlife
- CS20 - Resource Use
- CS22 - Pollution
- CS02 - Design
- CS04 - Future Employment Provision
- SO11 - Delivering a sustainable environment
- SO1 - Delivering Plymouth's Strategic Role
- SO2 - Delivering the City Vision
- SO4 - Delivering the Quality City Targets
- AV9 - Derriford/Seaton

SO6 - Delivering the Economic Strategy Targets

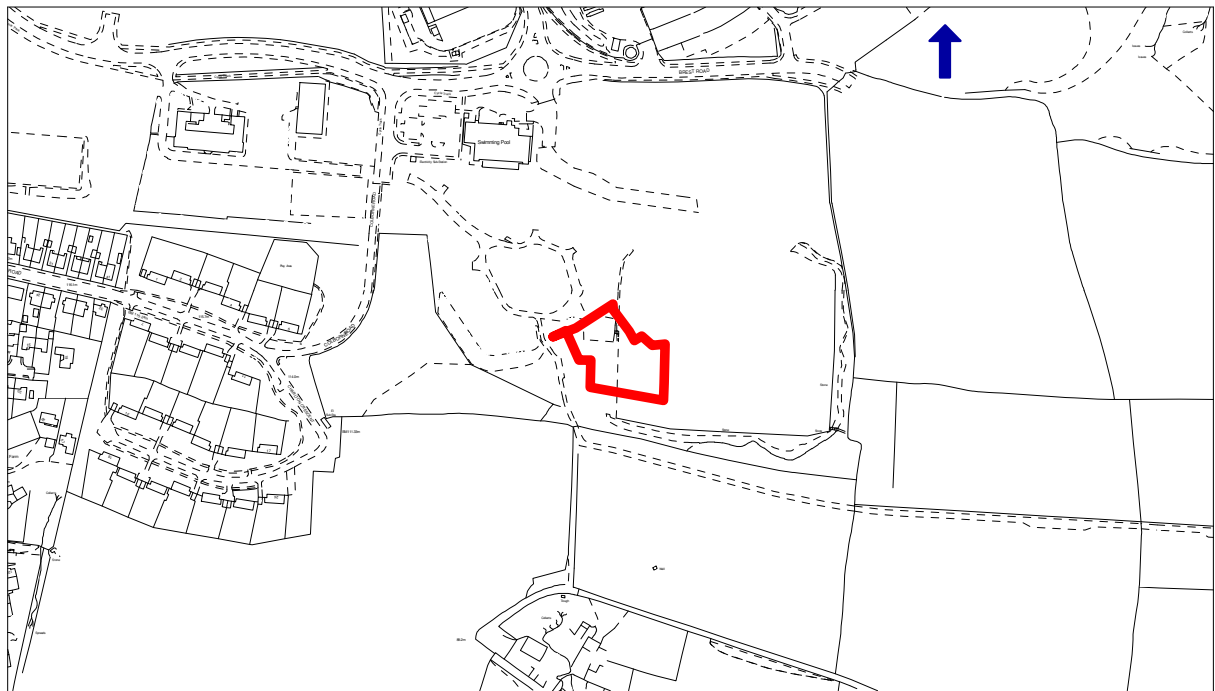
SO13 - Delivering Sustainable Waste Management Targets

SO14 - Delivering Sustainable Transport Targets

CS26 - Sustainable Waste Management

ITEM: 14

Application Number:	07/00287/FUL
Applicant:	ROK Development
Description of Application:	Two storey office building with associated car parking and landscaped areas (Plot C376)
Type of Application:	Full Application
Site Address:	PLYMOUTH INTERNATIONAL BUSINESS PARK TAVISTOCK ROAD CROWNHILL PLYMOUTH
Ward:	Moor View
Valid Date of Application:	23/02/2007
8/13 Week Date:	25/05/2007
Decision Category:	Major
Case Officer :	Thomas Westrope
Recommendation:	Defer for Further consideration



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OFFICERS REPORT

Site Description

The proposed building will be situated within Plymouth International Medical and Technology Park (formally Seaton Barracks) to the south of Seaton Swimming Pool. It will form one of many blocks within the “office village” that is being developed and is sited to the south east of this area. The site is accessed from the A386 Tavistock Road via a purpose built access road. Five buildings, the road network and much of the landscaping have already been completed in the immediate vicinity.

Proposal Description

This scheme is one of four Reserved Matter applications for a two storey office building. This proposal is for use category B1, with a gross internal area of 670m² and a total area of 3198m². 20 car parking, 2 Disabled and 3 bicycle spaces have been included in the design. The four proposals are of a similar style, design and layout to offices already granted planning permission on this site.

Relevant Planning History

There has been an outline application on this site with a later, full application extending the time period of the original outline consent. Reserved Matters have been received and granted regarding the road network and landscaping. In addition there have been five granted reserved matter applications for similar buildings in this area.

98/00461/OUT – Outline application to demolish existing buildings and redevelop land for class B1 (business), B2 (general industrial), and B8 (storage/distribution) purposes, including details of means of access and landscaping, with retention of Seaton Pool for leisure use and retention of officer’s mess for Class B1/B2 use - GRANTED CONDITIONALLY.

03/02026/FUL – Variation of conditions 1 and 2 of planning permission 98/00461 to extend the time period of outline planning consent and submission of reserved matters - GRANTED CONDITIONALLY

01/01020/REM – Reserved Matters detailing the road infrastructure for the future business sites in this part of the estate, including the site known as Priority Sites Development. Since the original submission, the scheme has been amended to include land remodelling proposal. Subsoil is to be excavated from the Priority Sites land. It is proposed to shape it to extend the developable area to the east of the access road – GRANTED CONDITIONALLY

02/01445/REM – Reserved Matters detailing landscaping works to discharge relevant condition of outline consent (98/00461/OUT) – APPROVED

02/00497/REM – This is the first building proposed for the office village site; 0.18 Ha in an overall site of 2.41 Ha. The drawings show a two storey spec.

office development of 836 sq metres, with car parking area of 33 cars -
GRANTED CONDITIONALLY

Consultation Responses

We are awaiting consultation responses from the following:

Transport

Plymouth City Airport

Representations

No letters of representation have been received to date although the consultation period is yet to expire. It will end on 08/05/2007.

Analysis

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.

This application (and the three others on the agenda for similar developments) is classified as a major application, and is therefore reported to this Committee because it seeks the approval of reserved matters following the grant of outline permission for the whole business park (which was formerly the site of Seaton Barracks). The original barracks site was several hectares in site area, and such is well above the one hectare threshold for major developments.

These four applications were submitted to the Council in February, but there were some legal complications over the validity their format, and consequently there were not registered immediately. It has since transpired that they were indeed in a format which was valid, and therefore the 13 weeks decision period has had to be taken as having commenced on 23 February. In order for them now to be determined within the statutory period, they are presented to this Committee for consideration.

In effect the proposed developments are very much in keeping with office units which have already been erected in this part of the Business Park. The land in question (south of the former swimming pool site) is under development as an "office village", and the buildings, the site layouts, landscaping areas etc have been designed to a common theme. It is proving to be an attractive yet functional and popular part of the Park. It is located well within the Park's boundaries and therefore the developments here have little or no impact on interests outside the Park.

Within the time available to draft this report, it has not been possible to evaluate the fine detail of the proposals. However, given the planning history of the site, and the site characteristics (described above), the Committee is advised that the proposals appear satisfactory. Members are requested to resolve that they are minded to approve this application conditionally, that it be deferred for final negotiation and consideration of any representations received, and that delegated authority be given to the Assistant Director of Development to determine it.

Section 106 Obligations

The S106 planning agreement associated with the outline planning consent for the Seaton Barracks site includes requirements for the developers and/or occupiers of individual sites to provide staff travel plans, and to incorporate a provision for public art. These issues do not have to be addressed again in this application.

Conclusions

The application is considered to be satisfactory at this stage of the planning process.

Recommendation

Members are requested to resolve that they are minded to approve this application conditionally, that it be deferred for final negotiation and consideration of any representations received, and that delegated authority be given to the Assistant Director of Development to determine it.

Recommendation

In respect of the application dated **23/02/2007** and the submitted drawings, **2386/160, 2386/161, 2386/001, 2386/010, 2386/100, 2386/150** , it is recommended to: **Defer for Further consideration**

Conditions

TIME LIMIT FOR COMMENCEMENT

(1) The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason:

To comply with Section 92 of the Town and Country Planning Act 1990 and Section 51 of the Planning and Compulsory Purchase Act 2004.

PROVISION OF DRAINAGE WORKS

(2) Development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that satisfactory infrastructure works are provided in accordance with Policy AIR2 of the adopted City of Plymouth Local Plan First Alteration 1996.

LANDSCAPE DESIGN PROPOSALS

(3) No development shall take place until full details of both hard and soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; hard surfacing materials; refuse or other storage units, signs, lighting.

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policy AEV38 of the adopted City of Plymouth Local Plan First Alteration 1996.

SOFT LANDSCAPE WORKS

(4) Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; the implementation programme.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policy AEV38 of the adopted City of Plymouth Local Plan First Alteration 1996.

LANDSCAPE WORKS IMPLEMENTATION

(5) All hard and soft 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 or in accordance with the programme agreed with the Local Planning Authority.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policy AEV38 of the adopted City of Plymouth Local Plan First Alteration 1996.

(6) No work shall commence on site until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz:- the lighting that shall be of a flat glass, full cut off design with horizontal mountings and any further structures such as a passenger shelter. The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity and so as not to confuse or distract pilots near to the airport.

CAR PARKING PROVISION - deletions

(7) The building shall not be occupied until the car parking area shown on the approved plans has been drained and surfaced in accordance with the details submitted to and approved by the Local Planning Authority, and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway.

PARKING PROVISION FOR DISABLED PEOPLE

(8) The car parking area shall make provision for the parking of cars used by disabled persons in accordance with Table 7.1, Schedule 1 of Policy ATR18 of the adopted City of Plymouth Local Plan First Alteration 1996. The required spaces shall be laid out before the development hereby permitted is first brought into use and thereafter retained for their intended purpose.

Reason:

To meet the access needs of disabled people in accordance with Policy AEV45 of the adopted City of Plymouth Local Plan First Alteration 1996.

CYCLE PROVISION

(9) The development shall not be occupied until space has been laid out within the site in accordance with the approved plan for 3 bicycles to be parked.

Reason:

In order to promote cycling as an alternative to the use of private cars.

CYCLE STORAGE

(10) The secure area for storing cycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

REASON:

To ensure that there are secure storage facilities available for occupiers of or visitors to the building.

EXTERNAL MATERIALS

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

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy AEV31 of the adopted City of Plymouth Local Plan First Alteration 1996.

INFORMATIVE

(1) The applicant is advised that a S.106 Agreement, signed in association with the grant of outline planning permission for the overall site (planning permission notice no. 98/0461), has requirements for the developers/occupiers of individual sites to provide staff travel plans and to provide for public art prior to the completion/occupation the respective buildings. These issues must be addressed in accordance with the requirements of the Agreement.

Statement of Reasons for Approval and Relevant Policies

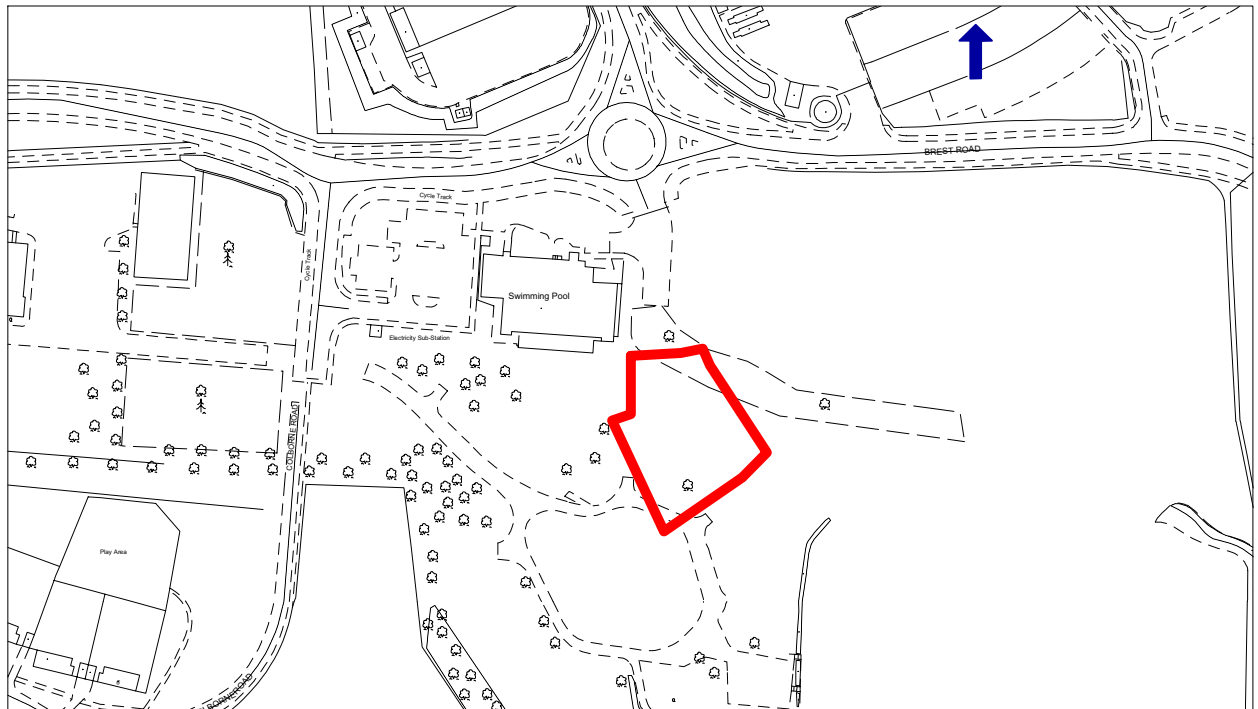
Having regard to the main planning considerations which in this case are considered to be: The appearance and ability of the proposed buildings to function as offices; the character of the site layout, and the transport aspects of the development. The proposal is not considered to be demonstrably harmful to local amenities. In the absence of any other overriding considerations, and with the imposition of the specified planning conditions, the proposed development is acceptable and complies with the following policies of the Devon Structure Plan (2001 to 2016) 2004, the adopted City of Plymouth Local Plan First Alteration 1996, Plymouth Local Development Framework, Core Strategy, Regional Spatial Strategy and North Plymstock Area Action Plan (the status of these documents is set out within the City of Plymouth Local Development Scheme 2006), and relevant Planning Guidance Notes, Statements and Government Circulars as follows:

AER1 - Existing Employment Areas/Premises
AER10 - New Employment Sites
AER4 - Manufacturing Land Sites
AEV31 - Townscape
AEV38 - Landscaping and Enhancement Schemes
AEV48 - Public Art
AIR1 - Decisions on Planning Applications
AIR2 - Provision for infrastructure and amenity
ATR18 - General Parking/Servicing Requirements
ATR20 - Car Parking for People with Disabilities
CS28 - Local Transport Consideration
CS32 - Designing out Crime
CS34 - Planning Application Consideration
CS22 - Pollution
CS18 - Plymouth's Green Space
CS19 - Wildlife
CS20 - Resource Use
CS22 - Pollution
CS02 - Design
CS04 - Future Employment Provision

- SO11 - Delivering a sustainable environment
- SO1 - Delivering Plymouth's Strategic Role
- SO2 - Delivering the City Vision
- SO4 - Delivering the Quality City Targets
- AV9 - Derriford/Seaton
- SO6 - Delivering the Economic Strategy Targets
- SO13 - Delivering Sustainable Waste Management Targets
- SO14 - Delivering Sustainable Transport Targets
- CS26 - Sustainable Waste Management

ITEM: 15

Application Number:	07/00299/REM
Applicant:	Rok Development
Description of Application:	Two storey office building with associated car parking and landscaped areas (Plot C378)
Type of Application:	Reserved Matters
Site Address:	PLYMOUTH INTERNATIONAL MEDICAL AND TECHNOLOGY PARK TAVISTOCK ROAD CROWNHILL PLYMOUTH
Ward:	Moor View
Valid Date of Application:	23/02/2007
8/13 Week Date:	25/05/2007
Decision Category:	COM1
Case Officer :	Thomas Westrope
Recommendation:	Defer for Further consideration



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OFFICERS REPORT

Site Description

The proposed building will be situated within Plymouth International Medical and Technology Park (formally Seaton Barracks) to the south of Seaton Swimming Pool. It will form one of many blocks within the “office village” that is being developed and is sited to the north east of this area. The site is accessed from the A386 Tavistock Road via a purpose built access road. Five buildings, the road network and much of the landscaping have already been completed in the immediate vicinity.

Proposal Description

This scheme is one of four Reserved Matter applications for a two storey office building. This proposal is for use category B1, with a gross internal area of 670m² and a total area of 1998m². 19 car parking, 2 Disabled and 3 bicycle spaces have been included in the design. The four proposals are of a similar style, design and layout to offices already granted planning permission on this site.

Relevant Planning History

There has been an outline application on this site with a later, full application extending the time period of the original outline consent. Reserved Matters have been received and granted regarding the road network and landscaping. In addition there have been five granted reserved matter applications for similar buildings in this area.

98/00461/OUT – Outline application to demolish existing buildings and redevelop land for class B1 (business), B2 (general industrial), and B8 (storage/distribution) purposes, including details of means of access and landscaping, with retention of Seaton Pool for leisure use and retention of officer’s mess for Class B1/B2 use - GRANTED CONDITIONALLY.

03/02026/FUL – Variation of conditions 1 and 2 of planning permission 98/00461 to extend the time period of outline planning consent and submission of reserved matters - GRANTED CONDITIONALLY

01/01020/REM – Reserved Matters detailing the road infrastructure for the future business sites in this part of the estate, including the site known as Priority Sites Development. Since the original submission, the scheme has been amended to include land remodelling proposal. Subsoil is to be excavated from the Priority Sites land. It is proposed to shape it to extend the developable area to the east of the access road – GRANTED CONDITIONALLY

02/01445/REM – Reserved Matters detailing landscaping works to discharge relevant condition of outline consent (98/00461/OUT) – APPROVED

02/00497/REM – This is the first building proposed for the office village site; 0.18 Ha in an overall site of 2.41 Ha. The drawings show a two storey spec. office development of 836 sq metres, with car parking area of 33 cars - GRANTED CONDITIONALLY

Consultation Responses

We are awaiting consultation responses from the following:

Transport

Plymouth City Airport

Representations

No letters of representation have been received to date although the consultation period is yet to expire. It will end on 08/05/2007.

Analysis

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.

This application (and the three others on the agenda for similar developments) is classified as a major application, and is therefore reported to this Committee because it seeks the approval of reserved matters following the grant of outline permission for the whole business park (which was formerly the site of Seaton Barracks). The original barracks site was several hectares in site area, and such is well above the one hectare threshold for major developments.

These four applications were submitted to the Council in February, but there were some legal complications over the validity their format, and consequently there were not registered immediately. It has since transpired that they were indeed in a format which was valid, and therefore the 13 weeks decision period has had to be taken as having commenced on 23 February. In order for them now to be determined within the statutory period, they are presented to this Committee for consideration.

In effect the proposed developments are very much in keeping with office units which have already been erected in this part of the Business Park. The land in question (south of the former swimming pool site) is under development as an "office village", and the buildings, the site layouts, landscaping areas etc have been designed to a common theme. It is proving to be an attractive yet functional and popular part of the Park. It is located well within the Park's boundaries and therefore the developments here have little or no impact on interests outside the Park.

Within the time available to draft this report, it has not been possible to evaluate the fine detail of the proposals. However, given the planning history of the site, and the site characteristics (described above), the Committee is advised that the proposals appear satisfactory. Members are requested to resolve that they are minded to approve this application conditionally, that it be deferred for final negotiation and consideration of any representations received, and that delegated authority be given to the Assistant Director of Development to determine it.

Section 106 Obligations

The S106 planning agreement associated with the outline planning consent for the Seaton Barracks site includes requirements for the developers and/or occupiers of individual sites to provide staff travel plans, and to incorporate a provision for public art. These issues do not have to be addressed again in this application.

Conclusions

The application appears to be satisfactory at this stage of the planning process.

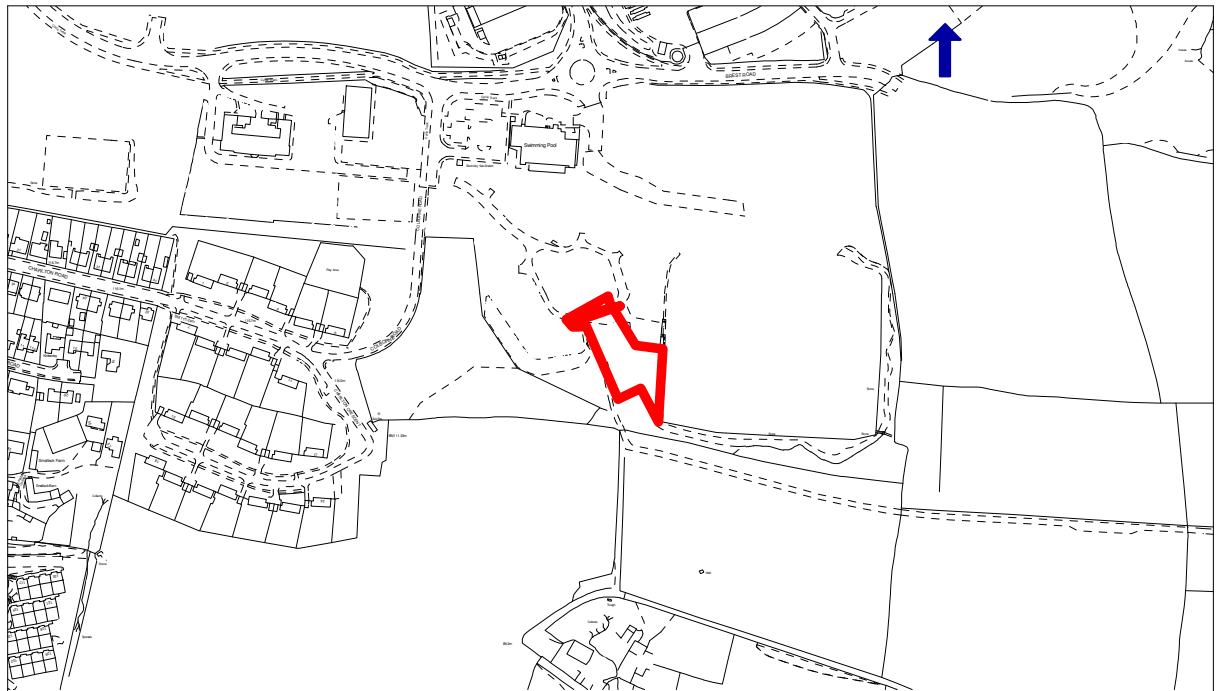
Recommendation

Members are requested to resolve that they are minded to approve this application conditionally, that it be deferred for final negotiation and consideration of any representations received, and that delegated authority be given to the Assistant Director of Development to determine it.

Conditions / Reasons for Refusal

ITEM: 16

Application Number:	07/00300/REM
Applicant:	Rok Development
Description of Application:	Two storey office building with associated car parking and landscaped areas (Plot C374)
Type of Application:	Reserved Matters
Site Address:	PLYMOUTH INTERNATIONAL MEDICAL AND TECHNOLOGY PARK TAVISTOCK ROAD CROWNHILL PLYMOUTH
Ward:	Moor View
Valid Date of Application:	23/02/2007
8/13 Week Date:	25/05/2007
Decision Category:	Major
Case Officer :	Thomas Westrope
Recommendation:	Defer for Further consideration



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OFFICERS REPORT

Site Description

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Proposal Description

This scheme is one of four Reserved Matter applications for a two storey office building. This proposal is for use category B1, with a gross internal area of 804m² and a total area of 2053m². 24 car parking, 4 Disabled and 4 bicycle spaces have been included in the design. The four proposals are of a similar style, design and layout to offices already granted planning permission on this site.

Relevant Planning History

There has been an outline application on this site with a later, full application extending the time period of the original outline consent. Reserved Matters have been received and granted regarding the road network and landscaping. In addition there have been five granted reserved matter applications for similar buildings in this area.

98/00461/OUT – Outline application to demolish existing buildings and redevelop land for class B1 (business), B2 (general industrial), and B8 (storage/distribution) purposes, including details of means of access and landscaping, with retention of Seaton Pool for leisure use and retention of officer’s mess for Class B1/B2 use - GRANTED CONDITIONALLY.

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02/00497/REM – This is the first building proposed for the office village site; 0.18 Ha in an overall site of 2.41 Ha. The drawings show a two storey spec.

office development of 836 sq metres, with car parking area of 33 cars -
GRANTED CONDITIONALLY

Consultation Responses

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Within the time available to draft this report, it has not been possible to evaluate the fine detail of the proposals. However, given the planning history of the site, and the site characteristics (described above), the Committee is advised that the proposals appear satisfactory. Members are requested to resolve that they are minded to approve this application conditionally, that it be deferred for final negotiation and consideration of any representations received, and that delegated authority be given to the Assistant Director of Development to determine it.

Section 106 Obligations

The S106 planning agreement associated with the outline planning consent for the Seaton Barracks site includes requirements for the developers and/or occupiers of individual sites to provide staff travel plans, and to incorporate a provision for public art. These issues do not have to be addressed again in this application.

Conclusions

The application is considered to be satisfactory at this stage of the planning process.

Recommendation

Members are requested to resolve that they are minded to approve this application conditionally, that it be deferred for final negotiation and consideration of any representations received, and that delegated authority be given to the Assistant Director of Development to determine it.

Recommendation

In respect of the application dated **23/02/2007** and the submitted drawings, **2385/160, 2385/161, 2385/001, 2385/010, 2385/100, 2385/150** , it is recommended to: **Defer for Further consideration**

Conditions

TIME LIMIT FOR COMMENCEMENT

(1) The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason:

To comply with Section 92 of the Town and Country Planning Act 1990 and Section 51 of the Planning and Compulsory Purchase Act 2004.

PROVISION OF DRAINAGE WORKS

(2) Development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that satisfactory infrastructure works are provided in accordance with Policy AIR2 of the adopted City of Plymouth Local Plan First Alteration 1996.

LANDSCAPE DESIGN PROPOSALS

(3) No development shall take place until full details of both hard and soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; hard surfacing materials; refuse or other storage units, signs, lighting.

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policy AEV38 of the adopted City of Plymouth Local Plan First Alteration 1996.

SOFT LANDSCAPE WORKS

(4) Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; the implementation programme.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policy AEV38 of the adopted City of Plymouth Local Plan First Alteration 1996.

LANDSCAPE WORKS IMPLEMENTATION

(5) All hard and soft 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 or in accordance with the programme agreed with the Local Planning Authority.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policy AEV38 of the adopted City of Plymouth Local Plan First Alteration 1996.

(6) No work shall commence on site until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz:- the lighting that shall be of a flat glass, full cut off design with horizontal mountings and any further structures such as a passenger shelter. The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity and so as not to confuse or distract pilots near to the airport.

CAR PARKING PROVISION

(7) The building shall not be occupied until the car parking area shown on the approved plans has been drained and surfaced in accordance with the details submitted to and approved by the Local Planning Authority, and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway.

PARKING PROVISION FOR DISABLED PEOPLE

(8) The car parking area shall make provision for the parking of cars used by disabled persons in accordance with Table 7.1, Schedule 1 of Policy ATR18 of the adopted City of Plymouth Local Plan First Alteration 1996. The required spaces shall be laid out before the development hereby permitted is first brought into use and thereafter retained for their intended purpose.

Reason:

To meet the access needs of disabled people in accordance with Policy AEV45 of the adopted City of Plymouth Local Plan First Alteration 1996.

CYCLE PROVISION

(9) The development shall not be occupied until space has been laid out within the site in accordance with the approved plan for 4 bicycles to be parked.

Reason:

In order to promote cycling as an alternative to the use of private cars.

CYCLE STORAGE

(10) The secure area for storing cycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

To ensure that there are secure storage facilities available for occupiers of or visitors to the building.

EXTERNAL MATERIALS

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

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy AEV31 of the adopted City of Plymouth Local Plan First Alteration 1996.

INFORMATIVE

The applicant is advised that a S.106 Agreement, signed in association with the grant of outline planning permission for the overall site (planning permission notice no. 98/0461), has requirements for the developers/occupiers of individual sites to provide staff travel plans and to provide for public art prior to the completion/occupation the respective buildings. These issues must be addressed in accordance with the requirements of the Agreement.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations which in this case are considered to be: The appearance and ability of the proposed buildings to function as offices; the character of the site layout, and the transport aspects of the development. The proposal is not considered to be demonstrably harmful to local amenities. In the absence of any other overriding considerations, and with the imposition of the specified planning conditions, the proposed development is acceptable and complies with the following policies of the Devon Structure Plan (2001 to 2016) 2004, the adopted City of Plymouth Local Plan First Alteration 1996, Plymouth Local Development Framework, Core Strategy, Regional Spatial Strategy and North Plymstock Area Action Plan (the status of these documents is set out within the City of Plymouth Local Development Scheme 2006), and relevant Planning Guidance Notes, Statements and Government Circulars as follows:

- AER1 - Existing Employment Areas/Premises
- AER10 - New Employment Sites
- AER4 - Manufacturing Land Sites
- AEV31 - Townscape
- AEV38 - Landscaping and Enhancement Schemes
- AEV48 - Public Art
- AIR1 - Decisions on Planning Applications
- AIR2 - Provision for infrastructure and amenity
- ATR18 - General Parking/Service Requirements
- ATR20 - Car Parking for People with Disabilities
- CS28 - Local Transport Consideration
- CS32 - Designing out Crime
- CS34 - Planning Application Consideration
- CS22 - Pollution
- CS18 - Plymouth's Green Space
- CS19 - Wildlife
- CS20 - Resource Use
- CS02 - Design
- CS04 - Future Employment Provision
- SO11 - Delivering a sustainable environment

- SO1 - Delivering Plymouth's Strategic Role
- SO2 - Delivering the City Vision
- SO4 - Delivering the Quality City Targets
- AV9 - Derriford/Seaton
- SO6 - Delivering the Economic Strategy Targets
- SO13 - Delivering Sustainable Waste Management Targets
- SO14 - Delivering Sustainable Transport Targets
- CS26 - Sustainable Waste Management

PLANNING COMMITTEE

Decisions issued for the following period: 21 March 2007 to 16 April 2007

Note - This list includes: P 84 06/07
- Committee Decisions
- Delegated Decisions
- Withdrawn Applications
- Returned Applications

Item No 1

Application Number: 06/00458/FUL **Applicant:** Mr Williams
Application Type: Full Application
Description of Development: Retention of existing garage extension, new paths, steps and wheelchair lift, with additional wrought iron railings and planting
Site Address 24 RADFORD VIEW PLYMSTOCK PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 04/04/2007
Decision: Grant Conditionally

Item No 2

Application Number: 06/00714/LBC **Applicant:** Devington Homes Ltd
Application Type: Listed Building
Description of Development: Restoration, alterations and conversion of former hotel to create 24 residential units and a restaurant in part of ground floor
Site Address THE JARVIS GRAND HOTEL ELLIOT STREET PLYMOUTH
Case Officer: Mark Evans
Decision Date: 13/04/2007
Decision: Refuse

Item No 3

Application Number: 06/00912/EXU **Applicant:** Friary Mill Bakery
Application Type: LDC Existing Use
Description of Development: Use as retail shop, with manufacturing bakery at the rear, and a maisonette on the first and second floors
Site Address 15 GASKING STREET PLYMOUTH
Case Officer: Jon Fox
Decision Date: 26/03/2007
Decision: Issue Certificate - Lawful Use

Item No 4

Application Number: 06/01116/FUL **Applicant:** UPP Plymouth
Application Type: Full Application
Description of Development: Retention of new cycle store
Site Address GILWELL HALLS OF RESIDENCE UNIVERSITY OF PLYMOUTH GIBBON STREET NORTH HILL PLYMOUTH
Case Officer: Robert Heard
Decision Date: 12/04/2007
Decision: Grant Conditionally

Item No 5

Application Number: 06/01482/FUL **Applicant:** Mr M Conyers
Application Type: Full Application
Description of Development: Change of use, conversion, four-storey side extension, front dormer and balcony to property in use as a flat and maisonette to form two self-contained flats and a maisonette, and widening of vehicular access
Site Address 43 ALEXANDRA ROAD MUTLEY PLYMOUTH
Case Officer: Robert Heard
Decision Date: 22/03/2007
Decision: Grant Conditionally

Item No 6

Application Number: 06/01504/FUL **Applicant:** Rowe Property Developments Lt

Application Type: Full Application

Description of Development: Two multi-storey waterfront apartment buildings with kiosk units at ground floor/mezzanine level floors, and associated car parking

Site Address PLYMOUTH FRUIT SALES, SUTTON ROAD COXSIDE
PLYMOUTH

Case Officer: Mark Evans

Decision Date: 13/04/2007

Decision: Refuse

Item No 7

Application Number: 06/01589/FUL **Applicant:** The PCC of St Michaels Church

Application Type: Full Application

Description of Development: Redevelopment of site with new church and 42 flats in two 5 storey blocks, together with associated parking spaces

Site Address ST MICHAELS CHURCH, 37 ALBERT ROAD STOKE
PLYMOUTH

Case Officer: Jeremy Guise

Decision Date: 23/03/2007

Decision: Grant Subject to S106 Obligation - Full

Item No 8

Application Number: 06/01737/FUL **Applicant:** Elburton Villa FC

Application Type: Full Application

Description of Development: Covered spectator stands (with associated regrading works) and installation of floodlights, at Pitch Number 2

Site Address ELBURTON VILLA FOOTBALL CLUB, HAYE ROAD
ELBURTON PLYMOUTH

Case Officer: Liz Maynard

Decision Date: 23/03/2007

Decision: Grant Conditionally

Item No 9

Application Number: 06/01887/PRD **Applicant:** Mrs A Palmer
Application Type: LDC Proposed Develop
Description of Development: Single-storey side extension, new conservatory and conversion of garage to living accommodation
Site Address 38 SWAN GARDENS PLYMPTON PLYMOUTH
Case Officer: Emily Harvey
Decision Date: 11/04/2007
Decision: Issue Certificate - Lawful Use

Item No 10

Application Number: 06/01892/FUL **Applicant:** Stoke Damerel Primary School
Application Type: Full Application
Description of Development: Extension to school (early years unit)
Site Address STOKE DAMEREL PRIMARY SCHOOL, COLLINGWOOD ROAD STOKE PLYMOUTH
Case Officer: James Wells
Decision Date: 22/03/2007
Decision: Grant Conditionally

Item No 11

Application Number: 06/01925/FUL **Applicant:** Mr Kevin Almond
Application Type: Full Application
Description of Development: Change of use and conversion of ground floor to fish and chip shop (Class A5)
Site Address 82 HYDE PARK ROAD PEVERELL PLYMOUTH
Case Officer: Carly Francis
Decision Date: 11/04/2007
Decision: Refuse

Item No 12

Application Number: 06/01928/FUL **Applicant:** Mr B Solomon
Application Type: Full Application
Description of Development: Develop rear parking area by erection of three-storey block comprising of six student flats with parking beneath
Site Address 1 AND 2 ADDISON ROAD PLYMOUTH
Case Officer: James Wells
Decision Date: 30/03/2007
Decision: Refuse

Item No 13

Application Number: 06/01947/FUL **Applicant:** Mr and Mrs Meyrick
Application Type: Full Application
Description of Development: Two-storey extension, including double private motor garage
Site Address OAKFIELD, BORINGDON HILL PLYMPTON PLYMOUTH
Case Officer: Janine Pomphrey
Decision Date: 04/04/2007
Decision: Grant Conditionally

Item No 14

Application Number: 06/01948/FUL **Applicant:** Suzanne Paula Hawkins
Application Type: Full Application
Description of Development: Change of use and conversion of dwellinghouse to form two self-contained flats, with rear external staircase and two rear parking spaces
Site Address 17 MAY TERRACE LIPSON PLYMOUTH
Case Officer: Emily Harvey
Decision Date: 26/03/2007
Decision: Grant Conditionally

Item No 15

Application Number: 06/01965/FUL **Applicant:** Allied Building Ltd
Application Type: Full Application
Description of Development: Extension to industrial premises
Site Address ALLIED BUILDING LTD UNIT 4 DARKLAKE VIEW
ESTOVER PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 22/03/2007
Decision: Grant Conditionally

Item No 16

Application Number: 06/01983/FUL **Applicant:** Kawasaki Precision Machinery U
Application Type: Full Application
Description of Development: Temporary warehouse, on storage yard
Site Address KAWASAKI PRECISION MACHINERY UK LTD,
ERNESETTLE LANE ERNESETTLE PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 11/04/2007
Decision: Grant Conditionally

Item No 17

Application Number: 06/02031/ADV **Applicant:** Billabong GSM Europe
Application Type: Advertisement
Description of Development: Illuminated shop signs
Site Address UNIT SU18 DRAKE CIRCUS 20 OLD TOWN STREET CITY
CENTRE PLYMOUTH
Case Officer: Jessica Dunstan
Decision Date: 11/04/2007
Decision: Grant Conditionally

Item No 18

Application Number: 06/02044/FUL **Applicant:** Mr Michael Sandford
Application Type: Full Application
Description of Development: Change of use and conversion of dwellinghouse to form maisonette and flat, including external staircase
Site Address 207 NORTH ROAD WEST NORTH ROAD WEST PLYMOUTH
Case Officer: Jon Fox
Decision Date: 22/03/2007
Decision: Grant Conditionally

Item No 19

Application Number: 06/02047/FUL **Applicant:** Clarke International
Application Type: Full Application
Description of Development: Alterations and extension of building to provide 14 flats at first and second floor level, above existing retail premises, with basement car parking area
Site Address 58-64 EMBANKMENT ROAD ST JUDES PLYMOUTH
Case Officer: James Wells
Decision Date: 22/03/2007
Decision: Grant Conditionally

Item No 20

Application Number: 06/02059/FUL **Applicant:** Thomas Pocklington Trust
Application Type: Full Application
Description of Development: The demolition of the existing residential accommodation. Erection of a 4-storey block of 50 apartments, with communal facilities, guest room and associated staff accommodation; and the erection of a 2-storey block of 8 apartments and ancillary works
Site Address POCKLINGTON RISE GEORGE LANE PLYMPTON PLYMOUTH
Case Officer: Carly Francis
Decision Date: 11/04/2007
Decision: Grant Subject to S106 Obligation - Full

Item No 21

Application Number: 06/02061/FUL **Applicant:** Local Contract Hire and Leasing
Application Type: Full Application
Description of Development: Change of use to vehicle leasing
Site Address 11 EMBANKMENT LANE PRINCE ROCK PLYMOUTH
Case Officer: Liz Maynard
Decision Date: 29/03/2007
Decision: Grant Conditionally

Item No 22

Application Number: 06/02062/FUL **Applicant:** WM Morrison Supermarkets Plc
Application Type: Full Application
Description of Development: Variation of condition 8 of planning permission notice no. 97/0673 (for retail store) to now allow goods deliveries without limit of time
Site Address WM MORRISON 15 POMPHLETT ROAD PLYMSTOCK PLYMOUTH
Case Officer: Liz Maynard
Decision Date: 22/03/2007
Decision: Refuse

Item No 23

Application Number: 06/02070/LBC **Applicant:** Blackfriars Distillery
Application Type: Listed Building
Description of Development: Removal of existing stud wall and installation of conservation rooflight and new stud wall
Site Address 60 SOUTHSIDE STREET THE BARBICAN PLYMOUTH
Case Officer: Alex Marsh
Decision Date: 27/03/2007
Decision: Grant Conditionally

Item No 24

Application Number: 07/00005/FUL **Applicant:** Mr P A Greig and Mr S R Bedso
Application Type: Full Application
Description of Development: Change of use and fencing of land to enlarge rear gardens
Site Address LAND ADJOINING 3 & 4 ROWAN CLOSE PLYMPTON
PLYMOUTH
Case Officer: Jessica Dunstan
Decision Date: 12/04/2007
Decision: Grant Conditionally

Item No 25

Application Number: 07/00012/FUL **Applicant:** Devon and Cornwall Housing As
Application Type: Full Application
Description of Development: Detached 3 storey building containing 18 flats, with associated car parking area
Site Address FORMER ST THOMAS THE APOSTLES CHURCH ROYAL
NAVY AVENUE KEYHAM PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 11/04/2007
Decision: Grant Subject to S106 Obligation - Full

Item No 26

Application Number: 07/00024/ADV **Applicant:** Floors-2-Go Plc
Application Type: Advertisement
Description of Development: Illuminated fascia and projecting signs
Site Address FLOORS-2-GO 55- 57 EXETER STREET CITY CENTRE
PLYMOUTH
Case Officer: Jessica Dunstan
Decision Date: 12/04/2007
Decision: Grant Conditionally

Item No 27

Application Number: 07/00027/FUL **Applicant:** Mr M R Maxwell-Batton
Application Type: Full Application
Description of Development: Rear third-floor extension to replace part of roof terrace (with part of roof terrace to remain)
Site Address 31C ARMADA STREET GREENBANK PLYMOUTH
Case Officer: Alex Christopher
Decision Date: 11/04/2007
Decision: Grant Conditionally

Item No 28

Application Number: 07/00034/FUL **Applicant:** Serco Defence and Aerospace
Application Type: Full Application
Description of Development: New single storey building for use as a new teaching facility (north of Weston Mill Lake) (Revised Design)
Site Address HMNB DEVONPORT PLYMOUTH
Case Officer: Carly Francis
Decision Date: 05/04/2007
Decision: Grant Conditionally

Item No 29

Application Number: 07/00041/FUL **Applicant:** A T J Properties Ltd
Application Type: Full Application
Description of Development: Formation of vehicular access to Beechfield Grove and service lane r/o 54 Thornhill Road
Site Address PLYMOUTH COLLEGE PREPARATORY SCHOOL,
HARTLEY ROAD HARTLEY PLYMOUTH
Case Officer: Alex Christopher
Decision Date: 30/03/2007
Decision: Refuse

Item No 30

Application Number: 07/00048/FUL **Applicant:** Devon Enterprise Facility
Application Type: Full Application
Description of Development: Construction of additional industrial units, alterations and extension to existing units, and alterations to parking and turning areas
Site Address 1 BELLIVER WAY ROBOROUGH PLYMOUTH
Case Officer: Robert Heard
Decision Date: 12/04/2007
Decision: Grant Conditionally

Item No 31

Application Number: 07/00049/EXU **Applicant:** South West Property Care Ltd
Application Type: LDC Existing Use
Description of Development: Use as two flats
Site Address 40 SALISBURY ROAD LIPSON PLYMOUTH
Case Officer: Jon Fox
Decision Date: 10/04/2007
Decision: Issue Certificate - Lawful Use

Item No 32

Application Number: 07/00058/FUL **Applicant:** Mr M Conyers
Application Type: Full Application
Description of Development: Single-storey rear extension
Site Address LOWER GROUND FLOOR FLAT 22 GREENBANK AVENUE
MOUNT GOULD PLYMOUTH
Case Officer: Emily Harvey
Decision Date: 21/03/2007
Decision: Grant Conditionally

Item No 33

Application Number: 07/00059/FUL **Applicant:** Mr Davarian
Application Type: Full Application
Description of Development: Alterations to improve cloakrooms and kitchen at café, including provision of toilets and lobby in enclosed rear courtyard
Site Address 44 BRETONSIDE BARBICAN PLYMOUTH
Case Officer: Emily Harvey
Decision Date: 12/04/2007
Decision: Grant Conditionally

Item No 34

Application Number: 07/00065/FUL **Applicant:** DML
Application Type: Full Application
Description of Development: Installation of temporary building, for use as additional office space
Site Address SOUTH OF N180 BUILDING H M DOCKYARD SALTASH ROAD KEYHAM PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 11/04/2007
Decision: Grant Conditionally

Item No 35

Application Number: 07/00066/FUL **Applicant:** Viridor Waste Management Ltd
Application Type: Full Application
Description of Development: Installation of silo to contain air pollution control residues
Site Address DERRIFORD HOSPITAL, DERRIFORD ROAD DERRIFORD PLYMOUTH
Case Officer: Carly Francis
Decision Date: 29/03/2007
Decision: Grant Conditionally

Item No 36

Application Number: 07/00069/FUL **Applicant:** Piers Wroath
Application Type: Full Application
Description of Development: First-floor rear extension
Site Address 55 MOLESWORTH ROAD STOKE PLYMOUTH
Case Officer: Alex Christopher
Decision Date: 26/03/2007
Decision: Grant Conditionally

Item No 37

Application Number: 07/00070/EXU **Applicant:** Bishop Acklam Investments Ltd
Application Type: LDC Existing Use
Description of Development: Four self-contained apartments
Site Address 59 EMBANKMENT ROAD ST JUDES PLYMOUTH
Case Officer: Jon Fox
Decision Date: 04/04/2007
Decision: Issue Certificate - Lawful Use

Item No 38

Application Number: 07/00084/FUL **Applicant:** Ian Cameron
Application Type: Full Application
Description of Development: Formation of car park, for use in connection with Bee Clear depot, on vacant land, with 2.75 metres high perimeter fencing
Site Address LAND ADJ. THE BEE CLEAR DEPOT, CENTRAL PARK AVENUE PENNYCOMEQUICK PLYMOUTH
Case Officer: Ali Wagstaff
Decision Date: 12/04/2007
Decision: Application Withdrawn

Item No 39

Application Number: 07/00088/FUL **Applicant:** Mr Shute
Application Type: Full Application
Description of Development: Relaying of pavements to provide access for disabled persons, replacement shopfront, two security shutters and blocking of two side windows
Site Address 435 CROWNHILL ROAD WEST PARK PLYMOUTH
Case Officer: Jessica Dunstan
Decision Date: 05/04/2007
Decision: Grant Conditionally

Item No 40

Application Number: 07/00092/LBC **Applicant:** Opal Property Group
Application Type: Listed Building
Description of Development: Alterations associated with change of use from student accommodation to offices, including alterations to car parking and landscape areas
Site Address 6 WINDSOR VILLAS, LOCKYER STREET THE HOE PLYMOUTH
Case Officer: Alex Marsh
Decision Date: 04/04/2007
Decision: Grant Conditionally

Item No 41

Application Number: 07/00095/FUL **Applicant:** Mr Trevor Miller
Application Type: Full Application
Description of Development: Enlargement of private motor garage and provision of pitched roof to entire enlarged garage
Site Address 3 BLACKBERRY LANE PLYMSTOCK PLYMOUTH
Case Officer: Alex Christopher
Decision Date: 29/03/2007
Decision: Grant Conditionally

Item No 42

Application Number: 07/00096/FUL **Applicant:** Mr and Mrs J Pilkington
Application Type: Full Application
Description of Development: Single-storey rear extension and external steps (existing steps to be removed)
Site Address 112 GRANTLEY GARDENS MANNAMEAD PLYMOUTH
Case Officer: Alex Christopher
Decision Date: 21/03/2007
Decision: Grant Conditionally

Item No 43

Application Number: 07/00097/FUL **Applicant:** Andrew Dunn
Application Type: Full Application
Description of Development: Two-storey side extension
Site Address 11 POLLARD CLOSE HOOE PLYMOUTH
Case Officer: Emily Harvey
Decision Date: 21/03/2007
Decision: Grant Conditionally

Item No 44

Application Number: 07/00099/LBC **Applicant:** Ms T Beaumont
Application Type: Listed Building
Description of Development: Replace corrugated asbestos sheet roof on kitchen/bathroom with slates to match rest of house
Site Address 4 MANSION HOUSE, 1 BORINGDON TERRACE
TURNCHAPEL PLYMOUTH
Case Officer: Jessica Dunstan
Decision Date: 02/04/2007
Decision: Grant Conditionally

Item No 45

Application Number: 07/00101/FUL **Applicant:** Mr and Mrs Anstis
Application Type: Full Application
Description of Development: Formation of rooms in roofspace, including rear dormer and front rooflights
Site Address 84 MOORLAND VIEW DERRIFORD PLYMOUTH
Case Officer: Alex Christopher
Decision Date: 22/03/2007
Decision: Grant Conditionally

Item No 46

Application Number: 07/00102/FUL **Applicant:** Mr R Vickery
Application Type: Full Application
Description of Development: Provision of tiled lean-to roof to existing bay window, front porch, and vehicle hardstanding and vehicular access
Site Address 157 BRENTFORD AVENUE WHITLEIGH PLYMOUTH
Case Officer: Jessica Dunstan
Decision Date: 22/03/2007
Decision: Grant Conditionally

Item No 47

Application Number: 07/00103/FUL **Applicant:** Mrs C M Hawton
Application Type: Full Application
Description of Development: Provision of pitched roof to replace flat roof on rear tenement
Site Address 48 PIER STREET WEST HOE PLYMOUTH
Case Officer: Janine Pomphrey
Decision Date: 22/03/2007
Decision: Grant Conditionally

Item No 48

Application Number: 07/00104/FUL **Applicant:** Mrs C M Hawton
Application Type: Full Application
Description of Development: Provision of pitched roof to replace flat roof on rear tenement
Site Address 50 PIER STREET WEST HOE PLYMOUTH
Case Officer: Janine Pomphrey
Decision Date: 22/03/2007
Decision: Grant Conditionally

Item No 49

Application Number: 07/00105/FUL **Applicant:** Mrs N Vant
Application Type: Full Application
Description of Development: Rear conservatory
Site Address 196 WOODFORD AVENUE PLYMPTON PLYMOUTH
Case Officer: Alex Christopher
Decision Date: 22/03/2007
Decision: Grant Conditionally

Item No 50

Application Number: 07/00107/FUL **Applicant:** Mr and Mrs D Pill
Application Type: Full Application
Description of Development: Erection of a bungalow
Site Address SITE OF HAZELHURST (DEMOLISHED) STATION ROAD
ELBURTON PLYMOUTH
Case Officer: Jon Fox
Decision Date: 03/04/2007
Decision: Grant Conditionally

Item No 51

Application Number: 07/00108/FUL **Applicant:** Mr G Brookes
Application Type: Full Application
Description of Development: Installation of external staircase and formation of two parking
spaces
Site Address 5 GREENBANK AVENUE ST JUDES PLYMOUTH
Case Officer: Carly Francis
Decision Date: 22/03/2007
Decision: Refuse

Item No 52

Application Number: 07/00112/FUL **Applicant:** Mr and Mrs L Spriddle
Application Type: Full Application
Description of Development: Private motor garage in rear garden, with formation of vehicular access and driveway
Site Address 529 BUDSHEAD ROAD WHITLEIGH PLYMOUTH
Case Officer: Emily Harvey
Decision Date: 04/04/2007
Decision: Refuse

Item No 53

Application Number: 07/00113/FUL **Applicant:** Mr P Critchley
Application Type: Full Application
Description of Development: Single-storey rear extension to form bedroom for disabled relation
Site Address 24 GILWELL AVENUE PLYMSTOCK PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 29/03/2007
Decision: Grant Conditionally

Item No 54

Application Number: 07/00116/FUL **Applicant:** Kimac Properties Ltd
Application Type: Full Application
Description of Development: Five detached, four terraced and two pairs of semi-detached dwellings (with integral garages) and an access road (revised scheme)
Site Address PARK VIEW CENTRE, HAWKERS LANE PEVERELL PLYMOUTH
Case Officer: James Wells
Decision Date: 12/04/2007
Decision: Grant Subject to S106 Obligation - Full

Item No 55

Application Number: 07/00117/PRD **Applicant:** Julie Waterfall
Application Type: LDC Proposed Use
Description of Development: Build garden room at bottom of garden, separate from house, with French doors, static glass panels, two windows and extended roof to front to create covered verandah, and including toilet and hand basin
Site Address 58 LONGCAUSE PLYMPTON PLYMOUTH
Case Officer: Alex Christopher
Decision Date: 26/03/2007
Decision: Issue Certificate - Lawful Use

Item No 56

Application Number: 07/00120/FUL **Applicant:** Martin Gourd
Application Type: Full Application
Description of Development: Erection of two-storey mews-style dwelling in part of rear garden
Site Address 5 SUTHERLAND ROAD MUTLEY PLYMOUTH
Case Officer: Robert Heard
Decision Date: 12/04/2007
Decision: Grant Conditionally

Item No 57

Application Number: 07/00121/FUL **Applicant:** Mr & Mrs C Phillpotts
Application Type: Full Application
Description of Development: First-floor extension above existing lounge, garage, lobby and w.c.
Site Address 318 HEMERDON HEIGHTS PLYMPTON PLYMOUTH
Case Officer: Emily Harvey
Decision Date: 13/04/2007
Decision: Grant Conditionally

Item No 58

Application Number: 07/00122/FUL **Applicant:** Mr Ron Norris
Application Type: Full Application
Description of Development: Removal of condition 2 of planning permission 04/00165, relating to use of offices as manager's flat, to remove occupancy restriction
Site Address FLAT 1 THE GATEHOUSE, GLENFIELD ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 26/03/2007
Decision: Grant Conditionally

Item No 59

Application Number: 07/00124/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Erection of two single-storey buildings, linked by covered courtyard, for use as outreach centre providing learning and therapeutic accommodation for vulnerable young people unable to attend school
Site Address ESTOVER COMMUNITY COLLEGE, MILLER WAY
ESTOVER PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 27/03/2007
Decision: Grant Conditionally

Item No 60

Application Number: 07/00126/FUL **Applicant:** Ewen McClelland
Application Type: Full Application
Description of Development: Change of use of dental surgery to form a body-piercing studio with retailing of jewellery etc
Site Address 18A MUTLEY PLAIN MUTLEY PLYMOUTH
Case Officer: Jon Fox
Decision Date: 03/04/2007
Decision: Grant Conditionally

Item No 61

Application Number: 07/00127/FUL **Applicant:** Mr and Mrs Swabey
Application Type: Full Application
Description of Development: First-floor side extension, rear conservatory and front porch
Site Address 37 WINDERMERE CRESCENT LOOSELEIGH PLYMOUTH
Case Officer: Jessica Dunstan
Decision Date: 05/04/2007
Decision: Refuse

Item No 62

Application Number: 07/00128/FUL **Applicant:** Mr and Mrs Parsons
Application Type: Full Application
Description of Development: Private motor garage attached to side of existing dwelling
Site Address 31 LANGHILL ROAD PEVERELL PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 26/03/2007
Decision: Grant Conditionally

Item No 63

Application Number: 07/00131/FUL **Applicant:** Mr & Mrs A Preston
Application Type: Full Application
Description of Development: Single-storey rear extension and raised decking (existing kitchen and utility room to be removed)
Site Address 17 OAKFIELD ROAD PLYMPTON PLYMOUTH
Case Officer: Jessica Dunstan
Decision Date: 26/03/2007
Decision: Refuse

Item No 64

Application Number: 07/00132/FUL **Applicant:** Mr Richards and Ms Parrott
Application Type: Full Application
Description of Development: Two-storey side and single-storey rear extension (existing garage and utility room to be removed)
Site Address 27 THE KNOLL WOODFORD PLYMOUTH
Case Officer: Jessica Dunstan
Decision Date: 26/03/2007
Decision: Grant Conditionally

Item No 65

Application Number: 07/00133/FUL **Applicant:** Mr & Mrs Trollope
Application Type: Full Application
Description of Development: Two-storey side extension to provide 'granny flat', and rear conservatory (existing garage to be removed)
Site Address 4 FEVERSHAM CLOSE CHADDLEWOOD PLYMOUTH
Case Officer: Emily Harvey
Decision Date: 27/03/2007
Decision: Grant Conditionally

Item No 66

Application Number: 07/00134/FUL **Applicant:** N T Elford
Application Type: Full Application
Description of Development: Single-storey side extension and front porch (existing porch to be removed)
Site Address 64 POWISLAND DRIVE DERRIFORD PLYMOUTH
Case Officer: Alex Christopher
Decision Date: 26/03/2007
Decision: Grant Conditionally

Item No 67

Application Number: 07/00136/LBC **Applicant:** The Flat Rental Centre
Application Type: Listed Building
Description of Development: Alterations to bedroom, including relocation of internal door and installation of en-suite shower and toilet
Site Address FLAT 3 18 CAROLINE PLACE STONEHOUSE PLYMOUTH
Case Officer: Alex Christopher
Decision Date: 11/04/2007
Decision: Application Withdrawn

Item No 68

Application Number: 07/00137/FUL **Applicant:** Mrs A Holder
Application Type: Full Application
Description of Development: Two-storey side and first-floor rear extension, and detached private motor garage (existing garage to be removed)
Site Address 441 SOUTHWAY DRIVE SOUTHWAY PLYMOUTH
Case Officer: Janine Pomphrey
Decision Date: 11/04/2007
Decision: Grant Conditionally

Item No 69

Application Number: 07/00141/FUL **Applicant:** Mr and Mrs Ingall
Application Type: Full Application
Description of Development: Formation of rooms in roofspace, including three dormers
Site Address 10 SHACKLETON COURT MANADON PARK PLYMOUTH
Case Officer: Janine Pomphrey
Decision Date: 28/03/2007
Decision: Refuse

Item No 70

Application Number: 07/00142/FUL **Applicant:** Mr N Robinson & Mr G Macdiar
Application Type: Full Application
Description of Development: Change of use, conversion and rear basement extension of dwellinghouse to form three self-contained flats, with formation of two parking spaces to rear
Site Address 10 NEATH ROAD MOUNT GOULD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 12/04/2007
Decision: Refuse

Item No 71

Application Number: 07/00143/LBC **Applicant:** Mr Steve Merrick
Application Type: Listed Building
Description of Development: Conversion of hotel to form private residence, including demolition of rooftop annex and formation of new sun room
Site Address 27 GRAND PARADE WEST HOE PLYMOUTH
Case Officer: Carly Francis
Decision Date: 27/03/2007
Decision: Grant Conditionally

Item No 72

Application Number: 07/00144/FUL **Applicant:** Mr Borlace
Application Type: Full Application
Description of Development: Rear conservatory
Site Address 19 DUNSTONE ROAD HIGHER ST BUDEAUX PLYMOUTH
Case Officer: Jessica Dunstan
Decision Date: 28/03/2007
Decision: Grant Conditionally

Item No 73

Application Number: 07/00147/FUL **Applicant:** Plymouth Leisure Ltd
Application Type: Full Application
Description of Development: Change of use of ground floor from licensed pool club to adult gaming centre as extension to number 43
Site Address 41 MARLBOROUGH STREET DEVONPORT PLYMOUTH
Case Officer: Carly Francis
Decision Date: 29/03/2007
Decision: Grant Conditionally

Item No 74

Application Number: 07/00151/FUL **Applicant:** University of Plymouth
Application Type: Full Application
Description of Development: Securing gardens through repair of stone walls, plinths and railings, provision of new boundary railings and gates and installation of lighting and CCTV
Site Address DRAKE'S PLACE RESERVOIR AND GARDEN NORTH HILL PLYMOUTH
Case Officer: Alex Marsh
Decision Date: 10/04/2007
Decision: Grant Conditionally

Item No 75

Application Number: 07/00152/ADV **Applicant:** Wolseley UK
Application Type: Advertisement
Description of Development: Non-illuminated signs on building and free-standing signs
Site Address BRANDON TOOL HIRE UNIT D MACADAM ROAD CATTEDOWN PLYMOUTH
Case Officer: Alex Christopher
Decision Date: 26/03/2007
Decision: Grant Conditionally

Item No 76

Application Number: 07/00154/24 **Applicant:** Hutchison 3G UK Ltd
Application Type: GPDO PT24
Description of Development: Determination as to whether prior approval is required for siting and appearance of 12.5 metres high monopole with 3 antennas internally and equipment cabinets
Site Address ADJ SOUTHWAY LIBRARY FLAMBOROUGH ROAD SOUTHWAY PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 26/03/2007
Decision: Prior approval not req PT24

Item No 77

Application Number: 07/00155/LBC **Applicant:** University of Plymouth
Application Type: Listed Building
Description of Development: Securing gardens through repair of stone walls, plinths and railings, provision of new boundary railings and gates and installation of lighting and CCTV
Site Address DRAKE'S PLACE RESERVOIR AND GARDENS NORTH HILL PLYMOUTH
Case Officer: Alex Marsh
Decision Date: 10/04/2007
Decision: Grant Conditionally

Item No 78

Application Number: 07/00157/FUL **Applicant:** Mr R Woodley
Application Type: Full Application
Description of Development: Erection of detached accommodation (annexe) building for parents, with double private motor garage beneath
Site Address 114 BILLACOMBE ROAD PLYMSTOCK PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 30/03/2007
Decision: Refuse

Item No 79

Application Number: 07/00158/FUL **Applicant:** Philip Rooks
Application Type: Full Application
Description of Development: Two-storey side extension (existing study and outbuildings to be removed)
Site Address 170 PIKE ROAD LAIRA PLYMOUTH
Case Officer: Janine Pomphrey
Decision Date: 30/03/2007
Decision: Refuse

Item No 80

Application Number: 07/00159/FUL **Applicant:** Mr and Mrs Wilmot
Application Type: Full Application
Description of Development: Two-storey side extension
Site Address 12 OXFORD GARDENS MANNAMEAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 13/04/2007
Decision: Grant Conditionally

Item No 81

Application Number: 07/00160/EXU **Applicant:** Mr Craig Hindson
Application Type: LDC Existing Use
Description of Development: Use as two dwellings: a two-bedroom two-floor terraced house with a one-bedroom flat at lower ground floor
Site Address 46 WESLEY AVENUE PEVERELL PLYMOUTH
Case Officer: Janine Pomphrey
Decision Date: 12/04/2007
Decision: Issue Certificate - Lawful Use

Item No 82

Application Number: 07/00161/FUL **Applicant:** Mr D L G Elliott
Application Type: Full Application
Description of Development: Change of use, conversion and first-floor extension of garages to form one-bedroom dwelling with two private motor garages
Site Address LAND ADJ TO 12 SOMERSET COTTAGES STOKE PLYMOUTH
Case Officer: Jon Fox
Decision Date: 02/04/2007
Decision: Refuse

Item No 83

Application Number: 07/00165/FUL **Applicant:** Christopher Heat
Application Type: Full Application
Description of Development: Two-storey side extension, including private motor garage
Site Address 146 HEMERDON HEIGHTS PLYMPTON PLYMOUTH
Case Officer: Janine Pomphrey
Decision Date: 30/03/2007
Decision: Refuse

Item No 84

Application Number: 07/00167/FUL **Applicant:** Southernzone Construction
Application Type: Full Application
Description of Development: Erect 5 terraced town houses (three storey) with associated parking
Site Address LAND AT EAST PARK AVENUE AND DALE ROAD
MUTLEY PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 27/03/2007
Decision: Refuse

Item No 85

Application Number: 07/00168/FUL **Applicant:** Enterprise Inns PLC
Application Type: Full Application
Description of Development: Internal alterations and reopening of external doorway
Site Address ELBURTON HOTEL ELBURTON ROAD PLYMOUTH
Case Officer: Alex Christopher
Decision Date: 29/03/2007
Decision: Grant Conditionally

Item No 86

Application Number: 07/00170/FUL **Applicant:** Mr D Bevan
Application Type: Full Application
Description of Development: Single-storey rear extension (existing rear extension to be removed)
Site Address 61 DESBOROUGH ROAD ST JUDES PLYMOUTH
Case Officer: Alex Christopher
Decision Date: 26/03/2007
Decision: Grant Conditionally

Item No 87

Application Number: 07/00171/PRD **Applicant:** Mr and Mrs P Williams
Application Type: LDC Proposed Develop
Description of Development: Construction of detached garden room building
Site Address 12 ALEXANDRA CLOSE ELBURTON PLYMOUTH
Case Officer: Janine Pomphrey
Decision Date: 03/04/2007
Decision: Issue Certificate - Lawful Use

Item No 88

Application Number: 07/00172/FUL **Applicant:** Mr & Mrs M Ward
Application Type: Full Application
Description of Development: Single-storey side extension including private motor garage (existing garage to be removed)
Site Address 27 LYNDRICK ROAD HARTLEY PLYMOUTH
Case Officer: Janine Pomphrey
Decision Date: 03/04/2007
Decision: Grant Conditionally

Item No 89

Application Number: 07/00173/FUL **Applicant:** Mr A Brown
Application Type: Full Application
Description of Development: Removal of roof and erection of first-floor extension over entire dwelling, and alterations and front porch
Site Address 41 HAYE ROAD SOUTH ELBURTON PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 03/04/2007
Decision: Refuse

Item No 90

Application Number: 07/00174/FUL **Applicant:** T-Mobile (UK)
Application Type: Full Application
Description of Development: Installation of 3 telecommunications antennas cased behind "chimney" shroud on roof, with equipment cabinets at rear of property
Site Address FRIARY VAULTS PUB 177 GRENVILLE ROAD ST JUDES PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 03/04/2007
Decision: Grant Conditionally

Item No 91

Application Number: 07/00177/FUL **Applicant:** Ms Z Bond
Application Type: Full Application
Description of Development: Single-storey rear extension and garden store (existing conservatory to be removed)
Site Address 16 WOODFORD CRESCENT PLYMPTON PLYMOUTH
Case Officer: Alex Christopher
Decision Date: 03/04/2007
Decision: Refuse

Item No 92

Application Number: 07/00181/ADV **Applicant:** Mr Oliver McGuinness
Application Type: Advertisement
Description of Development: Illuminated sign on building
Site Address LIDL FOODSTORE HENDERSON PLACE PLYMOUTH
Case Officer: Alex Christopher
Decision Date: 04/04/2007
Decision: Grant Conditionally

Item No 93

Application Number: 07/00182/FUL **Applicant:** Mr D Stanbury
Application Type: Full Application
Description of Development: Single-storey front extension
Site Address 25 SALTBURN ROAD ST BUDEAUX PLYMOUTH
Case Officer: Alex Christopher
Decision Date: 04/04/2007
Decision: Refuse

Item No 94

Application Number: 07/00183/FUL **Applicant:** Mr and Mrs Cunningham
Application Type: Full Application
Description of Development: Single-storey rear extension
Site Address 17 TORLAND ROAD HARTLEY PLYMOUTH
Case Officer: Alex Christopher
Decision Date: 11/04/2007
Decision: Grant Conditionally

Item No 95

Application Number: 07/00187/ADV **Applicant:** Streetbroadcast Ltd
Application Type: Advertisement
Description of Development: Three illuminated 6-sheet poster display panels mounted on replacement lamp posts
Site Address BARBICAN LEISURE PARK BARBICAN APPROACH
CATTEDOWN PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 29/03/2007
Decision: Grant Conditionally

Item No 96

Application Number: 07/00188/FUL **Applicant:** Mrs C Hawes
Application Type: Full Application
Description of Development: Rear conservatory
Site Address 45 ROMAN WAY ST BUDEAUX PLYMOUTH
Case Officer: Emily Harvey
Decision Date: 12/04/2007
Decision: Grant Conditionally

Item No 97

Application Number: 07/00189/FUL **Applicant:** Mr and Mrs Lamble
Application Type: Full Application
Description of Development: Rear conservatory
Site Address 22 WYTHBURN GARDENS PLYMOUTH
Case Officer: Jessica Dunstan
Decision Date: 04/04/2007
Decision: Grant Conditionally

Item No 98

Application Number: 07/00193/FUL **Applicant:** Plymouth Albion Rugby Club
Application Type: Full Application
Description of Development: Installation of floodlighting system to existing rugby pitch
Site Address PLYMOUTH ALBION RUGBY CLUB, BRICKFIELDS
RECREATION GROUND, MADDEN ROAD DEVONPORT
PLYMOUTH
Case Officer: James Wells
Decision Date: 05/04/2007
Decision: Refuse

Item No 99

Application Number: 07/00194/FUL **Applicant:** Mr and Mrs Lavis
Application Type: Full Application
Description of Development: Two-storey side extension
Site Address 2 LAVINIA DRIVE PLYMPTON PLYMOUTH
Case Officer: Jessica Dunstan
Decision Date: 04/04/2007
Decision: Grant Conditionally

Item No 100

Application Number: 07/00195/FUL **Applicant:** Mr & Mrs M James-McDermot
Application Type: Full Application
Description of Development: Single-storey side extension, and private motor garage to front
(existing garage to be removed)
Site Address 58 STONE BARTON ROAD PLYMPTON PLYMOUTH
Case Officer: Jessica Dunstan
Decision Date: 12/04/2007
Decision: Grant Conditionally

Item No 101

Application Number: 07/00196/FUL **Applicant:** Mr D Limpus
Application Type: Full Application
Description of Development: Two-storey side extension, including private motor garage, and front porch (existing garage to be removed)
Site Address 16 PRIORY DRIVE PLYMPTON PLYMOUTH
Case Officer: Janine Pomphrey
Decision Date: 05/04/2007
Decision: Grant Conditionally

Item No 102

Application Number: 07/00197/FUL **Applicant:** St Budeaux Mens Working Club
Application Type: Full Application
Description of Development: Provision of smoking shelter facility
Site Address ST BUDEAUX MENS WORKING CLUB 7 BARNE ROAD ST BUDEAUX PLYMOUTH
Case Officer: Alex Christopher
Decision Date: 04/04/2007
Decision: Grant Conditionally

Item No 103

Application Number: 07/00200/FUL **Applicant:** Mr John Goldsmith
Application Type: Full Application
Description of Development: Private motor garage and vehicular access, with steps alongside proposed garage
Site Address 73 DONNINGTON DRIVE HIGHER COMPTON PLYMOUTH
Case Officer: Janine Pomphrey
Decision Date: 05/04/2007
Decision: Grant Conditionally

Item No 104

Application Number: 07/00201/FUL **Applicant:** Mr Mark Miller
Application Type: Full Application
Description of Development: Two-storey side extension
Site Address 10 MIDDLEFIELD ROAD SOUTHWAY PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 05/04/2007
Decision: Grant Conditionally

Item No 105

Application Number: 07/00207/LBC **Applicant:** R M Stokes
Application Type: Listed Building
Description of Development: Rearrangement of hall and kitchen areas, provision of bathroom and division to form two rooms on lower floor
Site Address FLAT 3 19 CAROLINE PLACE STONEHOUSE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 04/04/2007
Decision: Grant Conditionally

Item No 106

Application Number: 07/00212/FUL **Applicant:** Pilgrims Church
Application Type: Full Application
Description of Development: Formation of two parking spaces for disabled persons and provision of ramped access to link to main entrance to building
Site Address PILGRIM CHURCH ST LEVAN ROAD FORD PLYMOUTH
Case Officer: Janine Pomphrey
Decision Date: 13/04/2007
Decision: Grant Conditionally

Item No 107

Application Number: 07/00213/FUL **Applicant:** Mrs L A Boneham
Application Type: Full Application
Description of Development: Log cabin in rear garden, for use as additional living space (including shower room and bedroom)
Site Address 138 VICARAGE GARDENS ST BUDEAUX PLYMOUTH
Case Officer: Jessica Dunstan
Decision Date: 05/04/2007
Decision: Grant Conditionally

Item No 108

Application Number: 07/00221/FUL **Applicant:** Mrs McCrackem
Application Type: Full Application
Description of Development: Single-storey rear extension and side conservatory
Site Address 3 HALCYON ROAD NORTH PROSPECT PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 29/03/2007
Decision: Grant Conditionally

Item No 109

Application Number: 07/00224/FUL **Applicant:** Sutton and Devonport Constitue
Application Type: Full Application
Description of Development: Change of use, conversion and extension (at first and second floors) of halls to form eight self-contained flats
Site Address BEAUMONT HALL 19 GREENBANK AVENUE ST JUDES PLYMOUTH
Case Officer: Carly Francis
Decision Date: 10/04/2007
Decision: Grant Conditionally

Item No 110

Application Number: 07/00225/FUL **Applicant:** Whiskey Jack Developments Ltd
Application Type: Full Application
Description of Development: Single-storey side and rear extension to former bank premises (existing portable building to be removed)
Site Address 25 MORSHEAD ROAD CROWNHILL PLYMOUTH
Case Officer: Jessica Dunstan
Decision Date: 10/04/2007
Decision: Grant Conditionally

Item No 111

Application Number: 07/00227/FUL **Applicant:** Mr A J Whitfield
Application Type: Full Application
Description of Development: Front porch
Site Address 7 SELSDEN CLOSE ELBURTON PLYMOUTH
Case Officer: Jessica Dunstan
Decision Date: 05/04/2007
Decision: Grant Conditionally

Item No 112

Application Number: 07/00229/ADV **Applicant:** Rank Gaming Division
Application Type: Advertisement
Description of Development: Illuminated box sign on building
Site Address MECCA BINGO FORE STREET DEVONPORT PLYMOUTH
Case Officer: Emily Harvey
Decision Date: 12/04/2007
Decision: Refuse

Item No 113

Application Number: 07/00231/FUL **Applicant:** Mr M Haynes
Application Type: Full Application
Description of Development: Provision of pitched roof to replace flat roof on existing rear extension
Site Address 1 CHURCH HILL ROAD HOOE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 29/03/2007
Decision: Grant Conditionally

Item No 114

Application Number: 07/00232/FUL **Applicant:** Mr G Bowden
Application Type: Full Application
Description of Development: Formation of self-contained flat in roofspace, including rear dormer
Site Address 18 CONNAUGHT AVENUE MUTLEY PLYMOUTH
Case Officer: Carly Francis
Decision Date: 13/04/2007
Decision: Refuse

Item No 115

Application Number: 07/00233/FUL **Applicant:** Mr and Mrs D Wozencroft
Application Type: Full Application
Description of Development: Two-storey gable-roof extension, with balcony, and formation of rooms in roofspace of dwelling as extended, including side rooflights
Site Address 81 UNDERLANE PLYMSTOCK PLYMOUTH
Case Officer: Alex Christopher
Decision Date: 11/04/2007
Decision: Application Withdrawn

Item No 116

Application Number: 07/00234/FUL **Applicant:** Mr & Mrs G Clayton
Application Type: Full Application
Description of Development: Single-storey side extension
Site Address 41 THE HOLLOWS ELBURTON PLYMOUTH
Case Officer: Jessica Dunstan
Decision Date: 12/04/2007
Decision: Grant Conditionally

Item No 117

Application Number: 07/00236/FUL **Applicant:** Mr Morris
Application Type: Full Application
Description of Development: Single-storey rear extension
Site Address 19 REYNOLDS ROAD PLYMPTON PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 11/04/2007
Decision: Grant Conditionally

Item No 118

Application Number: 07/00237/FUL **Applicant:** Devon Fire & Rescue Service
Application Type: Full Application
Description of Development: Erection of steel training tower (existing masonry training tower - in different location within site - to be removed)
Site Address FIRE STATION, CROWNHILL ROAD CROWNHILL PLYMOUTH
Case Officer: Emily Harvey
Decision Date: 12/04/2007
Decision: Grant Conditionally

Item No 119

Application Number: 07/00239/24 **Applicant:** O2 (UK) Ltd
Application Type: GPDO PT24
Description of Development: Determination as to whether prior approval is required for siting and appearance of 15 metre high column with 6 antennas, associated equipment cabinets and ancillary development
Site Address ADJ BESTWAY CASH AND CARRY BURRINGTON WAY HONICKNOWLE PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 11/04/2007
Decision: Prior approval not req PT24

Item No 120

Application Number: 07/00240/FUL **Applicant:** Ashleigh Developments
Application Type: Full Application
Description of Development: Change of use and conversion of lower ground floor, presently used as part of adjacent beauty salon, to form a self-contained flat
Site Address 26 MUTLEY PLAIN MUTLEY PLYMOUTH
Case Officer: Carly Francis
Decision Date: 16/04/2007
Decision: Grant Conditionally

Item No 121

Application Number: 07/00244/ADV **Applicant:** Arcadia Group Ltd
Application Type: Advertisement
Description of Development: Illuminated fascia sign
Site Address 10 NEW GEORGE STREET CITY CENTRE PLYMOUTH
Case Officer: Alex Christopher
Decision Date: 13/04/2007
Decision: Grant Conditionally

Item No 122

Application Number: 07/00245/FUL **Applicant:** Winmill Developments Ltd
Application Type: Full Application
Description of Development: Erection of buildings (2 units) for use within Classes B1 (b and c), B2 and B8 (industrial and warehousing) with associated parking and landscaping
Site Address FORRESTERS RIVERFORD ESTOVER CLOSE ESTOVER PLYMOUTH
Case Officer: Robert Heard
Decision Date: 13/04/2007
Decision: Grant Conditionally

Item No 123

Application Number: 07/00246/FUL **Applicant:** Winmill Developments Ltd
Application Type: Full Application
Description of Development: Erection of building (2 units) for use with Classes b1 (b and c), B2 and B8 (industrial and warehousing) with associated parking and landscaping
Site Address UNITS 8 AND 11 FORRESTERS ESTOVER CLOSE
ESTOVER PLYMOUTH
Case Officer: Robert Heard
Decision Date: 13/04/2007
Decision: Grant Conditionally

Item No 124

Application Number: 07/00247/FUL **Applicant:** HSBC Bank Plc
Application Type: Full Application
Description of Development: Replace part of wall and windows on north elevation with glazing to include entrance doors, cash machine (ATM), business pay-in machine (BPIM) and bollards
Site Address 20 WILLIAM PRANCE ROAD PLYMOUTH INTERNATIONAL
BUSINESS PARK DERRIFORD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 13/04/2007
Decision: Grant Conditionally

Item No 125

Application Number: 07/00249/ADV **Applicant:** HSBC Bank Plc
Application Type: Advertisement
Description of Development: Illuminated and non-illuminated fascia sign, building signs, banner sign, applied graphics and free-standing totem sign
Site Address 20 WILLIAM PRANCE ROAD PLYMOUTH INTERNATIONAL
BUSINESS PARK DERRIFORD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 11/04/2007
Decision: Grant Conditionally

Item No 126

Application Number: 07/00281/FUL **Applicant:** Mr & Mrs Rodway
Application Type: Full Application
Description of Development: Single-storey side and rear extension, including private motor garage
Site Address 15 PETERS PARK CLOSE ST BUDEAUX PLYMOUTH
Case Officer: Alex Christopher
Decision Date: 05/04/2007
Decision: Grant Conditionally

Item No 127

Application Number: 07/00297/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Installation of security fencing and gates at accesses at Biggin Hill and Kenley Gardens, and on boundary with public open space
Site Address ERNESETTLE COMMUNITY PRIMARY SCHOOL BIGGIN HILL ERNESETTLE PLYMOUTH
Case Officer: Jon Fox
Decision Date: 11/04/2007
Decision: Application Withdrawn

Item No 128

Application Number: 07/00309/OU **Applicant:** The Act Foundation
Application Type: Outline Application
Description of Development: Outline application to develop site by erection of a single 2/3/4 storey building for use as a residential care home with 24 long term, 6 rehab and 6 respite care rooms and associated car parking areas
Site Address LAND FORMERLY 2 TO 32 ALMA ROAD PENNYCOMEQUICK PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 11/04/2007
Decision: Refuse

Item No 129

Application Number: 07/00494/PRD **Applicant:** M D and K J Loveridge
Application Type: LDC Proposed Develop
Description of Development: CONSERVATORY
Site Address 12 GRESHAM CLOSE PLYMOUTH
Case Officer:
Decision Date: 13/04/2007
Decision: Application Returned

Item No 130

Application Number: 07/00512/CAC **Applicant:** Mr and Mrs P Chong
Application Type: Conservation Area
Description of Development: LOFT CONVERSION AND CONSERVATORY
Site Address 5 THE GROVE STOKE PLYMOUTH
Case Officer:
Decision Date: 02/04/2007
Decision: CAC Not Required

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The following decisions have been made by the Planning Inspectorate on appeals arising from decisions of the City

Application Number	06/01281/24	P 85 06/07
Appeal Site	LAND ADJACENT TO FLYOVER AT PLYMOUTH ROAD LAIRA PLYMOUTH	
Appeal Proposal	15 metre high 'monopole' telecommunication pole and antenna, with associated equipment	
Appeal Category	REF	
Appeal Type	Written Representations	
Appeal Decision	Dismissed	
Appeal Decision Date	20/03/2007	
Conditions		
Award of Costs	Awarded To	

Appeal Synopsis

Inspector agreed that AEV44 and CS29 are the relevant policies. He agreed that the development would have an unacceptable visual impact, therefore agreeing with the LPA's 'prior approval required/refused' reason. Also, the inspector took health concerns into account. However, he noted that the development would comply with ICNIRP guidelines, and therefore can find no reason to outweigh government advice (in PPG8) about the health implications of masts.

Note:

Copies of the full decision letters are available to Members in the Ark Royal Room and Plymouth Rooms. Copies are also available to the press and public at the First Stop Reception.

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