

Public Document Pack



BARRY KEEL
Chief Executive
Floor 1 - Civic Centre
Plymouth
PL1 2AA

www.plymouth.gov.uk/democracy

Date: 07/10/08 Telephone Enquiries 01752 307815 Fax 01752 304819
Please ask for Katey Johns e-mail katey.johns@plymouth.gov.uk

PLANNING COMMITTEE

DATE: THURSDAY 16 OCTOBER, 2008
TIME: 2.30 P.M.
PLACE: COUNCIL HOUSE, ARMADA WAY, PLYMOUTH

Members –

Councillor Lock, Chair.
Councillor Mrs. Bowyer, Vice-Chair.
Councillors Browne, Mrs. Dolan, M. Foster, Mrs. Foster, Lowry, Nicholson,
Mrs. Stephens, Stevens, Wheeler and Wildy.

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

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

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 - 8)

The Committee will be asked to confirm the minutes of the meeting held on 18 September, 2008.

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 9 - 10)

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 OLD CONVENT OF NOTRE DAME, 119 LOOSELEIGH (Pages 11 - 34)
LANE, DERRIFORD, PLYMOUTH 08/00159/OUT**

Applicant:	Veeda Clinical Research Ltd.
Ward:	Budshead
Recommendation:	Grant Conditionally S106

6.2 DRIFT COTTAGE, BORINGDON ROAD, TURNCHAPEL, (Pages 35 - 42)
PLYMOUTH 08/00744/FUL

Applicant: Mrs. Suzanne Wixey
Ward: Plymstock Radford
Recommendation: Defer for consultation period for amended plans

6.3 ESTOVER COMMUNITY COLLEGE, MILLER WAY, (Pages 43 - 54)
ESTOVER, PLYMOUTH 08/01698/FUL

Applicant: Plymouth City Council, Children's Services Dept.
Ward: Moor View
Recommendation: Grant Conditionally

6.4 BEDFORD VILLAS, AMITY PLACE, PLYMOUTH (Pages 55 - 74)
08/01289/FUL

Applicant: Bedford Villas Developments Ltd.
Ward: Drake
Recommendation: Grant Conditionally S106

6.5 FORMER HAXBY SITE, PLUMER ROAD, PLYMOUTH (Pages 75 - 86)
08/01077/FUL

Applicant: Farmfoods Ltd.
Ward: Budshead
Recommendation: Grant Conditionally

6.6 PEACOCK MEADOW, NEWNHAM ROAD, PLYMPTON, (Pages 87 - 92)
PLYMOUTH 08/00857/FUL

Applicant: Colebrook Community Association
Ward: Plympton St. Mary
Recommendation: Grant Conditionally

6.7 WIDEY COURT PRIMARY SCHOOL, WIDEY LANE, (Pages 93 - 100)
CROWNHILL, PLYMOUTH 08/01433/FUL

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

6.8 UNIT A, COYPOOL ROAD, PLYMOUTH 08/01497/FUL (Pages 101 - 108)

Applicant: Mr. David Rodwell
Ward: Plympton St. Mary
Recommendation: Grant Conditionally

6.9 VICTORIA WHARF, BREAKWATER HILL, PLYMOUTH 08/01545/FUL **(Pages 109 - 114)**

Applicant: Victoria Group Ltd.
Ward: Sutton & Mount Gould
Recommendation: Grant Conditionally

6.10 STOKE DAMEREL COMMUNITY COLLEGE, SOMERSET PLACE, PLYMOUTH 08/00984/FUL **(Pages 115 - 126)**

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

6.11 COOMBE DEAN SCHOOL, CHARNHILL WAY, ELBURTON, PLYMOUTH 08/01508/FUL **(Pages 127 - 130)**

Applicant: Coombe Dean School
Ward: Plymstock Dunstone
Recommendation: Grant Conditionally

6.12 DERRIFORD HOSPITAL, DERRIFORD ROAD, DERRIFORD, PLYMOUTH 08/01361/FUL **(Pages 131 - 134)**

Applicant: Mr. J. Culham
Ward: Moor View
Recommendation: Grant Conditionally

6.13 STONEMASONS ARMS, 142 ALBERT ROAD, DEVONPORT, PLYMOUTH 08/00816/REM **(Pages 135 - 140)**

Applicant: Crisplane Ltd.
Ward: Devonport
Recommendation: Grant Conditionally

6.14 TESCO STORES, WOOLWELL CRESCENT, WOOLWELL, PLYMOUTH 08/01536/FUL **(Pages 141 - 146)**

Applicant: Tesco Stores Ltd.
Ward: Moor View
Recommendation: Grant Conditionally

6.15 44 TREWITHY DRIVE, CROWNHILL, PLYMOUTH 08/01455/FUL **(Pages 147 - 150)**

Applicant: Mr. Alan Crocker
Ward: Eggbuckland
Recommendation: Grant Conditionally

6.16 17 MOLESWORTH ROAD, PLYMPTON, PLYMOUTH 08/01413/FUL (Pages 151 - 154)

Applicant: Mr. Dan Coles
Ward: Plympton St. Mary
Recommendation: Refuse

6.17 2 KITTER DRIVE, PLYMSTOCK, PLYMOUTH 08/01322/FUL (Pages 155 - 158)

Applicant: Mr. Barry Foster
Ward: Plymstock Dunstone
Recommendation: Grant Conditionally

6.18 PLYMSTOCK SENIOR SCHOOL, 29 CHURCH ROAD, PLYMSTOCK, PLYMOUTH 08/01396/FUL (Pages 159 - 162)

Applicant: Plymstock School
Ward: Plymstock Radford
Recommendation: Grant Conditionally

7. PLANNING APPLICATION DECISIONS ISSUED (Pages 163 - 198)

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 8 September to 6 October, 2008, 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 199 - 200)

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 18 September, 2008

PRESENT:

Councillor Lock, in the Chair.

Councillor Mrs. Bowyer, Vice-Chair.

Councillors Browne, Mrs. Dolan, M. Foster, Mrs. Foster, Lowry, Mrs. Nicholson (substitute for Councillor Mrs. Stephens), Nicholson, Stevens, Wheeler and Wildy.

Apology for absence: Councillor Mrs. Stephens.

The meeting started at 2.30 p.m. and finished at 5.55 p.m.

41. DECLARATIONS OF INTEREST

There were no declarations of interest made by Members in accordance with the Code of Conduct.

42. MINUTES

With regard to minute 39, concerns were raised that a number of Members had been unable to attend the site visit due to a clash of Council meetings. It was suggested that, where future changes to the site visit schedule were necessary, the time and date be left for officers to arrange following liaison with Members outside of the meeting.

Resolved that the minutes of the meeting held on 21 August, 2008, be confirmed as a correct record.

(Councillor Wildy's proposal regarding changes to the site visit schedule, having been seconded by Councillor Browne, was put to the vote and declared lost).

43. CHAIR'S URGENT BUSINESS

Neptune Park, Maxwell Road, Cattedown, Plymouth 08/00227/FUL

The Chair referred to the public speaking schedule which indicated that the applicant's agent had requested to speak on the matter again. Members' attention was drawn to the fact that this was contrary to the Committee's published guidance on public speaking. However, it was suggested that as consideration of this application was slightly different to others, permission be granted on this occasion for the following reasons –

- the proposal differed vastly from the previous one
- the Health and Safety Executive's (HSE) response had changed
- representatives from the HSE were in attendance at the Committee's invitation
- the Assistant Director of Development was in attendance at the Committee's invitation

Resolved that the applicant's agent be permitted to speak again on this item.

(In accordance with Section 100(B)(4)(b) of the Local Government Act, 1972, the Chair brought forward the above item for consideration because of the need to consult members and make a decision).

44. QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions from members of the public.

45. **PLANNING APPLICATIONS FOR CONSIDERATION**

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

Addendum reports were circulated in respect of minute numbers 45.3 and 45.4.

45.1 NEPTUNE PARK, MAXWELL ROAD, CATTEDOWN, PLYMOUTH 08/00227/FUL
(Cattedown Regeneration Ltd.)

Decision:

Application **REFUSED**.

(At the invitation of the Chair, the Committee heard from the HSE).

(At the invitation of the Chair, the Committee heard from the Assistant Director of Development).

(At the invitation of the Chair, the Committee heard from the applicant's agent).

(Councillor Wheeler's proposal to be Minded to Grant the application, subject to S106, but Deferred for setting of appropriate conditions, having been seconded by Councillor Wildy, was put to the vote and declared lost).

45.2 OLD CONVENT OF NOTRE DAME, 119 LOOSELEIGH LANE, DERRIFORD,
PLYMOUTH 08/00159/OUT
(Veeda Clinical Research Ltd.)

Decision:

Application **DEFERRED** for a site visit under criteria 1.

(Councillor Browne's proposal, having been seconded by Councillor Wildy, was put to the vote and declared carried).

45.3 DERRIFORD HOSPITAL, DERRIFORD ROAD, DERRIFORD, PLYMOUTH
08/00971/FUL
(Plymouth Hospitals NHS Trust)

Decision:

Application **DEFERRED** for further negotiation, Delegated to Chair, Vice- and Shadow Chair.

(At the invitation of the Chair, the Committee heard from the applicant).

(Councillor Wheeler's proposal, having been seconded by Councillor Mrs. Foster, was put to the vote and declared carried).

45.4 ALSTON HOUSE, 2 PLYMBRIDGE ROAD, PLYMPTON, PLYMOUTH
08/00614/FUL
(Alston Homes)

Decision:

Application **DEFERRED** for further negotiations in respect of 30% affordable housing contribution and bat mitigation measures.

(At the invitation of the Chair, the Committee heard from the applicant's agent).

(The Chair's proposal, having been seconded by Councillor Wildy, was put to the vote and declared carried).

45.5 SEATON COURT, 2 WILLIAM PRANCE ROAD, PLYMOUTH 08/00097/FUL
(Plymouth Land Registry)

Decision:

Application **GRANTED** conditionally, subject to amendment of wording to Condition 3 to specify "inclusion of the planting of 120 trees".

45.6 DERRIFORD HOSPITAL, DERRIFORD ROAD, PLYMOUTH 08/01258/FUL
(NHS Estates)

Decision:

Application **GRANTED** conditionally.

45.7 EGGBUCKLAND VALE PRIMARY SCHOOL, CHARFIELD DRIVE,
EGGBUCKLAND, PLYMOUTH 08/01318/FUL
(Eggbuckland Vale Primary School)

Decision:

Application **GRANTED** conditionally, subject to an additional Condition 4 for the submission of car parking management proposals prior to commencement of works.

(Councillor Lowry's proposal, having been seconded by Councillor Stevens, was put to the vote and declared carried).

45.8 LIPSON COMMUNITY COLLEGE, BERNICE TERRACE, LIPSON, PLYMOUTH
08/01205/FUL

(Lipson Community College)

Decision:

Application **GRANTED** conditionally.

45.9 DRIFT COTTAGE, BORINGDON ROAD, TURNCHAPEL, PLYMOUTH
08/00744/FUL

(Mrs. Suzanne Wixey)

Decision:

Application **DEFERRED** for site visit under criteria 1.

(At the invitation of the Chair, the Committee heard from the applicant).

(At the invitation of the Chair, the Committee heard representations against the application).

(Councillor Lowry's proposal, having been seconded by Councillor Stevens was put to the vote and declared carried).

45.10 76 RADFORD PARK ROAD, PLYMSTOCK, PLYMOUTH 08/01451/FUL
(Mrs. Lesley Mainwaring)

Decision:

Application **MINDED** to refuse, Deferred for Advertisement Period and Delegated to Head of Planning.

45.11 56 THE MEAD, PLYMPTON, PLYMOUTH 08/01484/FUL
(Mr. and Mrs. G. John)

Decision:

Application **GRANTED** conditionally.

45.12 3 CONISTON GARDENS, PLYMOUTH 08/01379/FUL
(Mr. Peter Curno)

Decision:

Application **GRANTED** conditionally.

45.13 91 LANGLEY CRESCENT, SOUTHWAY, PLYMOUTH 08/01423/FUL
(Mr. and Mrs. Mellor)

Decision:

Application **GRANTED** conditionally.

45.14 4 MOORCROFT CLOSE, PLYMSTOCK, PLYMOUTH 08/01309/FUL
(Mr. S. Chapman)
Decision:
Application **WITHDRAWN**.

45.15 10 BURLEIGH PARK ROAD, PEVERELL, PLYMOUTH 08/01165/FUL
(Karrie Abbott)
Decision:
Application **REFUSED**.

46. **PLANNING APPLICATION DECISIONS ISSUED**

The Committee received a report of the Assistant Director of Development (Planning and Regeneration) on decisions issued for the period 13 August to 5 September, 2008, including –

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

Resolved that the report be noted.

47. **APPEAL DECISIONS**

The Committee received a schedule of decisions made by the Planning Inspectorate on appeals arising from the decisions of the City Council.

Resolved that –

- (1) the report be noted;
- (2) a report on the City Council's performance in regards to appeal successes and failures be brought to the next meeting.

48. **EXEMPT BUSINESS**

There were no items of exempt business.

VOTING SCHEDULE

PLEASE NOTE

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

PLANNING COMMITTEE

DATE OF MEETING – 18 SEPTEMBER, 2008

SCHEDULE OF VOTING

Minute No.	Voting For	Voting Against	Abstained	Excluded from voting due to Interests Declared	Absent
Minutes (Site Visit Arrangements)	Councillors Browne, Lowry, Nicholson Stevens and Wildy	Councillors Mrs. Bowyer, Mrs. Dolan, Mrs. Foster, M. Foster Lock and Lock (casting vote)	Councillors Mrs. Nicholson and Wheeler		
6.1 Neptune Park, Maxwell Road, Cattedown, Plymouth 08/00227/FUL Proposed Revised Recommendation (Lost)	Councillors Browne, M. Foster, Lowry, Stevens, Wheeler and Wildy	Councillors Mrs. Bowyer, Mrs. Dolan, Mrs. Foster, Lock, Mrs. Nicholson, Nicholson and Lock (casting vote)			
Officers' Recommendation (Carried)	Councillors Mrs. Bowyer, Mrs. Dolan, Mrs. Foster, Lock, Mrs. Nicholson, Nicholson and Lock (casting vote)	Councillors Mrs. Browne, M. Foster, Lowry, Stevens, Wildy and Wheeler			
6.2 Old Convent of Notre Dame, 119 Looseleigh Lane, Derriford, Plymouth 08/00159/OUT Revised Recommendation	Councillors Mrs. Browne, Mrs. Dolan, M. Foster, Mrs. Foster, Lowry, Mrs. Nicholson, Nicholson, Stevens, Wheeler and Wildy	Councillor Mrs. Bowyer	Councillor Lock		
6.3 Derriford Hospital, Derriford Road, Plymouth 08/00971/FUL Revised Recommendation	Councillors Mrs. Bowyer, Browne, Mrs. Dolan, M. Foster, Mrs. Foster, Lock, Lowry, Mrs. Nicholson, Stevens, Wheeler and Wildy				Councillor Nicholson
6.4 Alston House, 2 Plymbridge Road, Plympton, Plymouth 08/00614/FUL Revised Recommendation	Councillors Mrs. Bowyer, Browne, Mrs. Dolan, M. Foster, Mrs. Foster, Lock, Lowry, Mrs. Nicholson, Stevens, Wheeler and Wildy				Councillor Nicholson

Minute No.	Voting For	Voting Against	Abstained	Excluded from voting due to Interests Declared	Absent
6.5 Seaton Court, 2 William Prance Road, Plymouth 08/00097/FUL	Councillors Mrs. Bowyer, Browne, Mrs. Dolan, M. Foster, Mrs. Foster, Lock, Lowry, Mrs. Nicholson, Stevens and Wheeler				Councillors Nicholson and Wildy
6.6 Derriford Hospital, Derriford Road, Plymouth 08/01258/FUL	Councillors Mrs. Bowyer, Browne, Mrs. Dolan, M. Foster, Mrs. Foster, Lock, Lowry, Mrs. Nicholson, Stevens and Wheeler				Councillors Nicholson and Wildy
6.7 Eggbuckland Vale Primary School, Charfield Drive, Eggbuckland, Plymouth 08/01318/FUL Revised Recommendation	Councillors Mrs. Bowyer, Browne, Mrs. Dolan, M. Foster, Mrs. Foster, Lock, Lowry, Mrs. Nicholson, Stevens and Wheeler				Councillors Nicholson and Wildy
6.8 Lipson Community College, Bernice Terrace, Lipson, Plymouth 08/01205/FUL	Councillors Mrs. Bowyer, Browne, Mrs. Dolan, M. Foster, Mrs. Foster, Lock, Lowry, Mrs. Nicholson, Stevens and Wheeler				Councillors Nicholson and Wildy
6.9 Drift Cottage, Boringdon Road, Turnchapel, Plymouth 08/00744/FUL Revised Recommendation	Councillors Browne, Mrs. Dolan, M. Foster, Lock, Lowry, Stevens, Wheeler and Wildy	Councillors Mrs. Bowyer and Mrs. Foster			Councillors Mrs. Nicholson and Nicholson
6.10 76 Radford Park Road, Plymstock, Plymouth 08/01451/FUL	Councillors Mrs. Bowyer, Browne, Mrs. Dolan, M. Foster, Mrs. Foster, Lock, Lowry, Mrs. Nicholson, Stevens, Wheeler and Wildy				Councillor Nicholson
6.11 56 The Mead, Plympton, Plymouth 08/01484/FUL	Councillors Mrs. Bowyer, Browne, Mrs. Dolan, M. Foster, Mrs. Foster, Lock,				Councillor Nicholson

Minute No.	Voting For	Voting Against	Abstained	Excluded from voting due to Interests Declared	Absent
	Lowry, Mrs. Nicholson, Stevens, Wheeler and Wildy				
6.12 3 Coniston Gardens, Plymouth 08/01379/FUL	Councillors Mrs. Bowyer, Browne, Mrs. Dolan, M. Foster, Mrs. Foster, Lock, Lowry, Mrs. Nicholson, Stevens, Wheeler and Wildy				Councillor Nicholson
6.13 91 Langley Crescent, Southway, Plymouth 08/01423/FUL	Councillors Mrs. Bowyer, Browne, Mrs. Dolan, M. Foster, Mrs. Foster, Lock, Lowry, Mrs. Nicholson, Stevens, Wheeler and Wildy				Councillor Nicholson
6.14 4 Moorcroft Close, Plymstock, Plymouth 08/01309/FUL Application Withdrawn					
6.15 10 Burleigh Park Road, Peverell, Plymouth 08/01165/FUL	Councillors Mrs. Bowyer, Browne, Mrs. Dolan, M. Foster, Mrs. Foster, Lock, Lowry, Mrs. Nicholson, Stevens, Wheeler and Wildy				Councillor Nicholson

This page is intentionally left blank

PLANNING APPLICATIONS FOR CONSIDERATION

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.

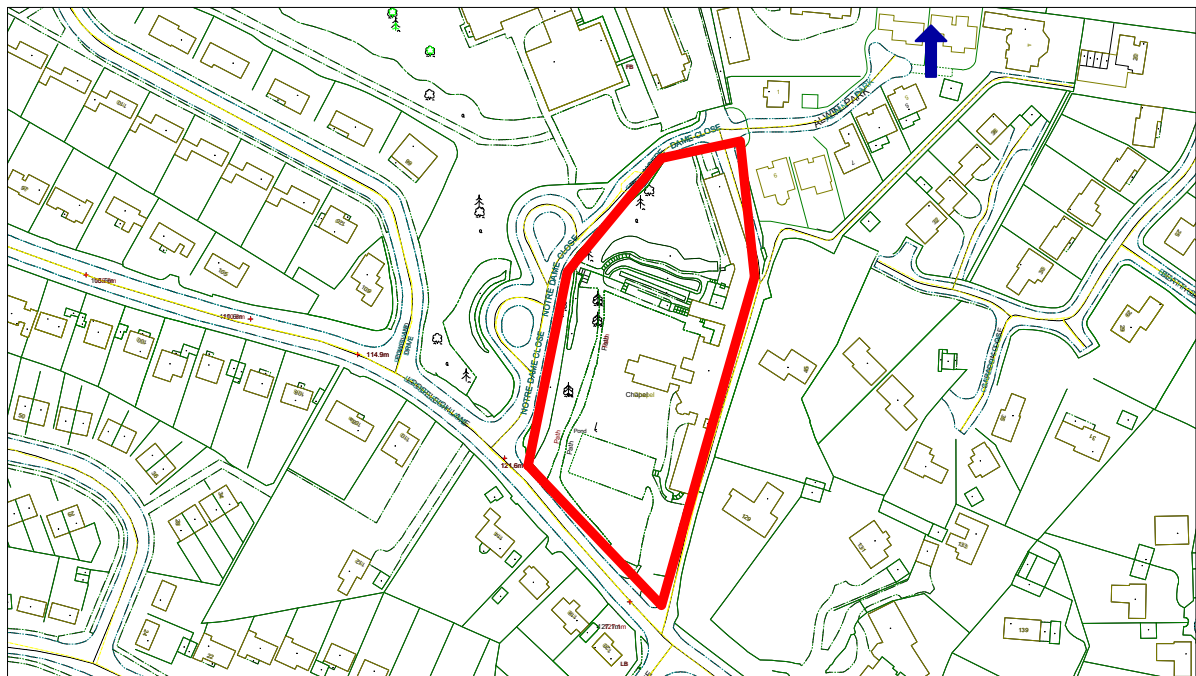
Decisions contrary to Officer recommendation

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:	08/00159/OUT
Applicant:	Veeda Clinical Research Ltd
Description of Application:	Redevelopment of site (currently in use for clinical trials unit) for residential development to provide 50 flats, with access car parking.
Type of Application:	Outline Application
Site Address:	OLD CONVENT OF NOTRE DAME, 119 LOOSELEIGH LANE DERRIFORD PLYMOUTH
Ward:	Budshead
Valid Date of Application:	11/02/2008
8/13 Week Date:	12/05/2008
Decision Category:	Major Application
Case Officer :	Robert McMillan
Recommendation:	Granted Conditionally S106
Click for Application Documents:	www.plymouth.gov.uk



(c) Crown Copyright. All rights reserved. Plymouth City Council Licence No. 100018633 Published 2008 Scale 1:2500

OFFICERS REPORT

Site Description

The site measures 0.94 ha and is on the north east side of Looseleigh Lane between its junctions with Leatfield Drive and Notre Dame Close. There is housing to the east and south, the school buses turning area and open land to the west and Notre Dame School to the north. It has frontages with Looseleigh Lane of 85 metres, Notre Dame Close of 150 metres and Notre Dame Lane of 175 metres.

The buildings are on the eastern side of the site and comprise the late Victorian part in the centre with later extensions to the north and south and the former modern chapel in the centre extending westwards. These buildings are 2 and 3 storeys. There are parking areas in the southern and northern parts. The site is well landscaped with protected trees in the northern and southern areas with a dense shrubbery on the western boundary. The Devonport leat runs along this western boundary. There is an interesting raised area where the northern belt of trees is containing walls and what appears to be a ruin. A private road runs along the eastern edge of the site. There are stone walls along the Looseleigh Lane frontage and on the eastern side of the private lane and southern part of its western side. The main access is off Looseleigh Lane with a secondary one off Notre Dame Close. The land falls from north east to south west with the buildings at a raised level. There have been recent traffic calming measures installed on Looseleigh Lane outside the site.

Proposal Description

The application is to demolish the existing buildings on site and redevelop it for flats with associated parking and landscaping. There would be 50 dwellings comprising 28 x 2 bed units and 22 x 1 bed flats. It is in outline but with the reserved matters of access, layout and scale to be determined at this stage. The layout would broadly follow the existing footprint with the buildings on the eastern part by the narrow lane. The exception is the four storey block that runs east to west in the open land between the existing former chapel building and main car park. There are 3 parts. Block A is a small two storey lodge type dwelling at the southern entrance to the site. Next, further north is block B comprising two sections: an eastern part fronting the lane of three storeys 23m long by 7 - 8.5m wide by 9.5m high: the main western part would be 4 storeys high 29m long by 18m wide by 12.2m high with plant rooms a further 2m higher: there is a small western projection 5.5m long by 4 - 8m wide by 10m high. The next main building comprises blocks C1, C2, D1 and D2. It runs for 71 m by widths varying from 6 - 8m with two 3 metre western projections on block D1 and heights of 8.6m - 12m. The lane would be widened slightly by setting back the building line to achieve a uniform width of 4.5m and some on street parking.

There would be 68 parking spaces with 47 of these provided in the main areas either side of block B. 21 spaces would be provided along the lane. The open space and protected trees areas, including the leat in the western and southern parts of the site would be retained. The main access would be

as existing off Looseleigh Lane in the south with a secondary one in the north off Notre Dame Close.

The applicant wishes to sell the site with the benefit of planning permission and relocate within the city at a more suitable location possibly at the Plymouth International Medical and Technology Park or Tamar Science Park to retain the business and jobs in Plymouth.

Relevant Planning History

Application site

07/00457 – OUTLINE - Redevelopment of site (currently in use for clinical trials unit) for residential development to provide 55 flats, with access and car parking - REFUSED

06/00151 – OUTLINE - Outline application to redevelop site of clinical trials unit by erection of 68 flats with associated access and parking (with details of siting and access) – WITHDRAWN.

From 1981 to 1994 there were a number of application permitted to extend and improve the convent as it then was. In 1994 an application for certificate for lawful development for use as student accommodation was refused (94/00935). In 1996 permission was granted for change of use to the clinical trials use (96/00183). Further permissions were granted for improvements, extensions and additional parking from 1996 to 2000. The main ones are:

96/01907 – FULL – Formation of a vehicular access, car park and internal changes – GRANTED.

97/01244 – FULL – Additional parking and fence and gate – GRANTED.

98/00700 – FULL – Extension to laboratory - GRANTED.

00/01170 – FULL – Extension at second floor – GRANTED.

00/01359 – FULL – Three storey extension – GRANTED.

Notre Dame School

07/00697 – FULL - Extensions to provide ten new classrooms and a sports hall, with ancillary facilities (revised scheme) – GRANTED.

Consultation Responses

Highway Authority

This is the second response as the first one raised objections due to the poor visibility and arrangements at the Looseleigh Lane access.

With the first application 06/00151 the local highway authority (LHA) disagreed with the transport assessment (TA) on traffic generation and believed there will be an increase in traffic generation. But the highway network will be able to cope with the increase and it did not object on traffic generation grounds. This also applies to this scheme as there are 18 fewer flats that would generate about 50 fewer trips a day.

As there are fewer flats the parking requirement has dropped to 68 spaces which are provided.

The transport assessment has not been amended to account for the reduced size of development but it can be taken as a worst case scenario. It is not considered necessary to update the TA as it was approved in principle during the previous application.

The proposed 100% cycle storage provision plus some for visitors is welcomed.

To ensure safe passage for pedestrians and cyclists there would need to be minor alterations to the access to Looseleigh Lane that will include a footway from the entrance to the buildings. The applicant would have to fund traffic orders to restrict on street parking on Notre Dame Close. Any bollards on Notre Dame Lane should be collapsible or capable of being lowered to allow for emergency access.

The applicant will be required to fund a traffic order for parking restrictions on Notre Dame Close and also in the Lay-by on Looseleigh Lane. An order to prevent parking between certain hours, to be agreed, will prevent residents of the flats being able to park their cars during the days on the adjoining highways. Exact details of the requirements will be provided during the Full planning application process.

A gate or barrier, with associated turning provision, is required to the north of the Notre Dame Lane block C2. This will mean that block D1 and D2 will gain access to the site from Notre Dame Close but it will prevent rat-running through the lane.

Section 106 funding should be provided to provide bus boarders and real time passenger information on nearby used east and west bus stops. If permission is granted there should be a residential travel plan together with other conditions.

There are private access rights over the lane that must be retained or formally diverted that the applicant must do under civil law.

The LHA does not object in principle on highway or transport grounds.

Highways Agency

No objections

Plymouth City Airport

No objections

Housing Services

Support the principle but have issues over the applicant's draft Section 106 agreement that attempts to weaken the Council's template. It must be as strong as possible.

30% affordable content is 15 units: 7 x 1 bed and 8 x 2 bed units with 3 to Lifetime Homes, standard ideally one should be upgraded to full wheelchair standard. Adequate parking shall be provided. Tenure should be 60% rented and 40% shared ownership. There should be an even distribution across the site. The delivery trigger should be when 50% of the open market units have been built. The preferred RSL is Westcountry. Terms should be included to get the sale and transfer agreements done promptly as problems have been experienced elsewhere.

Children's Services

Based on their response to the previous application, 07/00457, there is adequate existing and future capacity at secondary level. There is a current lack of capacity at junior level and insufficient infant and junior future capacity when Langley Infant and Junior schools merge. It requires a contribution to education of £20,028 based on IPS4.

Parks Service

Require a contribution to upgrade and improve existing play and park facilities in the Derriford area.

Representations

The Council initially received 22 letters and emails raising the following points:

1. Overdevelopment and density is too high;
2. Out of character and not in keeping with the area;
3. Unacceptable increase in traffic;
4. Increased hazards on the highway to that already caused by the recent traffic calming measures on Looseleigh Lane;
5. Increased risk of danger to school children especially as there no longer a crossing patrol on Looseleigh Lane;
6. Inadequate accesses;
7. Inadequate parking will lead to more on-street parking;
8. It is not clear that the lane could operate safely as a two way street particularly at the northern end;
9. Increase traffic onto the busy Derriford roundabout;
10. Conflict with school traffic and school buses;
11. Expansion of facilities at Notre Dame School will intensify the traffic problems;
12. Their accesses will be difficult to use;
13. Overlooking and loss of privacy;
14. Application is misleading as it states in outline but then says that several details would be determined at this stage;
15. Block B is too high and should not be more than three storeys;
16. Block C2 should not be higher than the existing two storey flat roofed building;
17. Drawings are confusing especially concerning the heights of buildings;
18. The cross sections are insufficient;
19. Alwin Park Residents Association own part of the application site comprising the verge at the northern end of the lane;

20. The residents of Alwin Park have unrestricted rights of access over the lane;
21. There is no guarantee that the Yew trees on the southern part will remain permanently;
22. Block A doesn't follow the building line;
23. Inadequate amenity for Block A;
24. Possible damage to protected trees that could lead to their removal;
25. Some of the buildings are worthy of retention;
26. The existing use causes few problems or disturbance;
27. An adjoining neighbour would keep their high hedge on the lane to its existing height to its existing height while they still lived there;
28. Cyclists are not properly catered for;
29. The transport assessment is flawed as the comparative data is not for similar areas and other nearby developments have not been considered;
30. The transport assessment should be updated;
31. Members should visit the site ideally at the busy school arrival or leaving time;
32. The section 106 funding is inadequate for real time information at the bus stop;
33. Nuisance from headlamp glare;
34. Disturbance during construction;
35. Possible damage to the high stone wall on the east side of the lane;
36. It could affect the intake to Notre Dame School;
37. No demand for more flats;
38. Their property is not shown on the drawings;

There were three additional representations from existing objectors following notification of the revised drawing and new information:

1. New plans make little change and junction and the relationship with the mini roundabout needs further examination;
2. Previous objections on congestion and highway safety still apply;
3. PCC is considering the application in isolation and not in the context of the surrounding uses and changes;
4. Repeats that there is excessive traffic and parking problems that this application would exacerbate;
5. The new development will increase traffic congestion and parking;
6. There is increased parking here following recent parking restrictions at Derriford Hospital;
7. The parking problem is identified by the fact that Notre Dame School use B&Q for off-site parking;
8. The school and bus companies are concerned at parking on Notre Dame Close causing problems of obstruction and possible damage to cars: the writer also believes there are safety fears for the students; and
9. The transport assessment is out of date.

Analysis

The main issues with this application are: the principle of development comprising brownfield/greenfield, loss of the employment component use and

acceptability of housing; number of units, height, impact on character and residential amenity; highways and parking; trees; bats and archaeology.

Background

This is the applicant's third attempt to obtain planning permission for redevelopment of this site for flats. It first made pre-application enquiries in October 2005, discussions ensued and it made an application in early 2006 for 68 flats in four storey blocks. It aroused strong local objections. The principle of housing redevelopment was acceptable to officers but the amount of development, density, height, parking and impact on protected trees was not. Officers drafted a report recommending refusal but the applicant withdrew the application. Its agents held further discussions and correspondence with officers to try to achieve a more acceptable scheme from May 2006 to November 2006. Officers still had some concerns. In February 2007 the applicant held a consultation event for local residents and 32 attended. The applicant re-applied in May 2007.

The submission was an improvement on the earlier scheme and dealt with some of the officers' objections, including reducing the number of flats from 68 to 55 and setting block B further away from the southern Yew trees. But not all of them. Officers wrote to the agents in June requesting further information and raising concerns. There were strong objections from residents on a number of issues including: highways and traffic, safety, parking, density of development, height of buildings, harm to residential and visual amenity and impact on trees. The local highway authority did not raise objections. The application was reported to the meeting in August 2007 and was refused for three reasons on: inadequate information and harm to residential amenity; harm to trees; and harm to the amenity of the occupiers of the new block A.

The applicant carried out further revisions resulting in this third application. This is not a straight forward proposal and it has aroused strong local opposition and is a site with constraints including protected trees and complicated levels.

Principle of redevelopment

Brownfield/Greenfield.

The site is considered to be brownfield land as it is existing development and the definition of previously developed land in PPS Housing Housing includes the curtilages of the development sites. The Local Plan First Deposit 2001 included most of the site as part of the established residential area except for parts of the northern and western open land that falls within greenscape area 089. The greenscape assessments form part of the evidence base to the Core Strategy and are relevant. The plans show that these excluded areas will not be developed and remain open in compliance with policy CS18 and the eastern part of the site could be developed as acceptable brownfield redevelopment.

Loss of employment component use

The existing clinical trials use is one in its own class but has an employment component as 90 people work there. It is hoped that the current occupiers would relocate within the city and they discussed this with the economic development team and South West Regional Development Agency.

Policy CS05 states that employment sites may be developed for other uses where there are environmental, regeneration and sustainable community benefits and five criteria are considered:

1 and 2. The proposal will not result in the loss of a viable employment site necessary to meet economic development needs. It is a sui-generis use not suited to modern business uses in a residential area and where the existing use would be more aptly re-located to the developing medical and healthcare cluster locations at Plymouth International Medical and Technology Park (PIMTP) or Tamar Science Park (TSP) nearby:

3 and 4 on tourism and marine employment do not apply; and

5. The neighbourhood has a good range of employment opportunities being so close to the Derriford employment area and the smaller Christian Mill Business Park.

Policy ST20 of the structure plan (SP) states that local plans should re-assess all employment land and its need for retention and potential for residential and mixed use in sustainable locations. PPS3 states in paragraph 44 that sites currently allocated for commercial use should be considered if they could be re-allocated for housing development, and by analogy this applies to current employment sites.

This flexible approach is being supported on appeal by the Inspectorate which allowed 2 appeals at Apsley Yard near the station and Valletort Road in Stoke where the Council sought to protect employment land.

For these reasons the principle of redeveloping this site for a non-employment use would comply with the development plan and other material considerations.

Housing

The principle of use of the developed part of the site for housing is acceptable and complies with core strategy strategic objectives SO1.4, SO2.5 and SO10.2 and 3 and policies CS01, CS 15 and 16 and would assist in providing housing in one of the three priority areas for new dwellings. The application for flats including affordable homes is in an area where detached owner-occupied housing predominates. This will widen the size and tenure of housing to meet identified needs of the neighbourhood. It also complies with structure plan policies ST5, ST5 and ST7 and the broad aims of the regional planning guidance RPG10 and the emerging regional spatial strategy RSS and PPS3. The applicant has agreed to terms in the draft section 106

agreement that 15 of the dwellings would be affordable units to conform to development plan policy.

Density

The negotiations have resulted in the applicant agreeing to reduce the number of dwellings from the original 68 to 55 and now 50 which is appreciated by officers. Many of the residents still think that this is too high. This results in the density dropping from 72 dwellings per hectare (dph) to 59 dph to 53 dph. The site is in an area of detached houses in generally large plots of low density ranging from 6 dph to 14.3 dph with an average of 11.3 dph. The density would be much higher than the existing density as the site lends itself to flats given the linear form of the existing buildings and the constraints of the site with the need to retain the protected trees and parkland setting. Strategic objective 10.2 states that development should be at the highest density commensurate with achieving an attractive living environment. PPS 3 states in paragraph 50 that:

"The density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment."

Officers believe that the site could sustain a development of flats with a density of this order without causing undue harm to the character or appearance of the area.

Issues relating to previous reasons for refusal

1. Height of development and impact on residential amenity

Buildings fronting the lane

A problem with the history of these proposals is obtaining clear information and drawings from the applicant to enable residents, members and officers to assess the impact of the development. Eventually with this application the applicant has provided the eastern elevation fronting the lane of the existing buildings, the proposed development and superimposing this on the former. External appearance is reserved but scale is to be determined at this stage so this is an important drawing. The main difference with the previous scheme is the reduction in height of block C2 from 3.5 and 4 storeys to 2.5 storeys. The windows in the roofspace will be restricted to rooflights to prevent overlooking. This is an important concession as this block replaces a flat roofed two storey building. Block D1 is three storeys replacing a three storey building and part has rooms in the roofspace but the windows facing east would be restricted to rooflights to prevent increased overlooking to the properties to the east.

The outlook from the side window at 129 Looseleigh Lane has been improved as the second and third storeys of block B have set back 7 metres back from the existing building line.

Block B

The western part of block B is four storeys and has been set back further north to avoid harming the southern Yew trees and to reduce the impact on Looseleigh Lane and officers welcome the re-siting of this part of the proposal. There is a considerable fall in the land of about 3.7m from Notre Dame Lane to the western edge of the building over a distance of 39m. With the earlier scheme officers had thought that the ground level would be raised by about 1.4m and sought more information to clarify matters. This was not provided in a clear form and the local planning authority (LPA) could not fully assess the impact.

The information with this application shows that there will not be major changes to ground levels. There will be some cut and fill with the western floor level raised by about 0.5m and the eastern part lowered by about 1.5m. Residents understandably are concerned at the prospect of four storeys. But the building will be set well back from Looseleigh Lane with the retained Yew trees providing effective screening. The distance from the four storey part to the nearest house facing the block, No 116 Looseleigh Lane, would be 56m. There is scope to provide further screening in the south west corner. In these circumstances officers believe that a part four storey development is acceptable and would not cause undue harm to the character or appearance of the area and so comply with policies CS02 and CS34.

With these changes and additional information officers believe that the proposal has overcome the previous first reason for refusal. It would not cause undue harm from overlooking or over-dominance and is compliant with policies CS02, CS15 and CS34.

2. Trees

The applicant has produced a new tree report to account for the changes since 2005. The designers have been sensitive by concentrating the re-development in the eastern part of the site and so avoiding most of the protected trees. They have moved the western part block B (previously block 3) further away from the Yews. The previous scheme appeared to show the ground levels being raised for this building and the parking area north of it. The applicant has confirmed that there would be only minor changes to existing ground levels. Also the new parking area has been reduced to be outside the root protection area of the copper beech. The amendments and fresh information overcome the previous second reason for refusal and the proposals would safeguard the protected trees in accordance with policy CS18.

3. Block A

The applicant introduced a new element to the earlier scheme by siting a block A at the entrance similar to a lodge. Residents are concerned that it would be set forward of the building line. The houses to the east are well set back but this site and the land to the west has a frontage of 120m where there is no building line. Officers believe that the principle would be acceptable and provide definition to the entrance to the site imitating an entrance lodge. Previously officers had difficulties with the standard of residential amenity for

the occupiers as it is a small island site surrounded on three sides by roads with little amenity space. The applicant has changed the layout by making the route immediately east of the building a footway only and providing a small garden area. There is also scope to enlarge the rear garden area to provide greater separation from the eastern access lane. It is still far from an ideal arrangement. But with the siting of these plots reserved it is considered that a satisfactory level of amenity could be just about achieved, overcoming the previous third reason for refusal to comply with policy CS34.

Other issues

Highways and transport

Local residents have strong objections to the traffic generation from the proposal particularly given the closeness of the school to the site. The local highway authority (LHA) has analysed carefully the transport assessment (TA) prepared for the earlier submission (as the applicant has re-submitted this unaltered). It assumed that there would be 4 trips per flat per day giving a daily total of 272 two way trips of which 49 would occur at the peak hours. The transport officers believe there would be about 50 fewer trips with this amended scheme. This compares with the existing survey peak rate of 24 car trips. The TA concluded that the proposed use would generate less traffic than the existing use. The LHA disputed this as it estimated there would be an increase, this will be smaller with lower number of flats. It has taken into account the traffic and pedestrian generation from the Notre Dame School and advises that the surrounding road network and junctions have adequate capacity to cope with the increase safely to comply with policies CS28 and CS34.

With the two previous schemes the LHA did not object. It did raise concerns initially with the original layout for the current scheme. The access arrangements off Looseleigh Lane changed to improve the environment around block A. But this caused problems with the visibility to the west. The applicant submitted a revised layout in July which overcame the objection showing an access with adequate visibility to comply with policies CS28 and CS34.

A gate or barrier and turning area is required by block C2 on the northern part of the lane to secure access to blocks D1 and D2 from Notre Dame Close but prevent rat running along the lane. The access to Caradon Close will be retained. The applicant developer would have to deal with any changes to easements and rights of access over Notre Dame Lane under private civil law.

The scheme shows 68 parking spaces for 22 x 1 bed flats and 28 x 2 bed flats. This complies with the parking standards in the Council's parking strategy and policy CS28. Adequate cycle parking would be provided. The access arrangements are acceptable in principle but alterations at Looseleigh Lane are needed to ensure pedestrian and cyclist safety that could be dealt with by conditions. The applicant agrees to the section 106 contributions for improvements to bus facilities.

The applicant/developer will have to fund a traffic order restricting parking on Notre Dame Close and the parking lay-by on Looseleigh Lane to deter the new residents from parking there.

The residents have raised strong objections particularly on transport, highway safety, access and parking reasons including photographs showing on street parking in the area. The LHA has considered these carefully but believes that, subject to the section 106 agreement and conditions, the application is acceptable in transport terms in accordance with policies CS28 and CS34.

Bats

With the previous scheme two residents stated that bats might be present and the applicant later commissioned a bat survey as they are protected species. It concludes that there are no bats using the buildings and some of the trees have potential to contain bat roosts. The application specifies that no trees will be removed. But if any of the six trees having moderate or high bat potential are to be felled or lopped, additional bat survey work would be needed before such works are carried out. This is necessary to comply with legislation and policy CS19.

Archaeology

The Devonport Leat runs along the western part of the site but is far enough away from the proposed operational works to be unaffected by the development. There are standing walls in the northern third of the site. A safeguarding condition would be necessary ensure the protection of these features to comply with policy CS03.

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

At the time when officers prepared the report they were still negotiating on the wording of the section 106 agreement relating to affordable housing. The applicant agrees to:

Providing 15 affordable units;

A contribution of £20,028 for primary education;

A contribution of £14,100 for improvements to public transport; and

A contribution of £21,390 for equipped playspace off-site.

The administration fee would be £2,776.

Conclusions

This has been a controversial proposal that has aroused strong objections from residents. The applicants and officers have spent much time negotiating over the past 33 months to achieve an acceptable scheme. The principle of

redevelopment for housing on the eastern part of the site complies with development plan policy and PPS3. The applicant has been sensitive by retaining the trees worthy of retention and the site's parkland setting. Drawing 2007.01/001A shows that there will not be significant increases in the height of the buildings fronting Notre Dame Lane compared with the existing development. Where there are openings in the roofspaces above the second and third floors these will be restricted to rooflights to prevent overlooking. Part of Block B will be four storeys but is considered to be acceptable given: its siting within the site set back from Looseleigh Lane; the distance from nearby houses; and the effective tree screening. Residents are particularly worried about the impact on traffic, highway safety, parking and congestion. The transport officers have carefully examined these issues and advise that the transport and highways matters are satisfactory. The applicant agrees to the terms of the section 106 agreement but is still negotiating on the affordable housing clauses. If agreement cannot be reached in a timely manner delegated authority is sought to refuse permission because of the failure to meet all the necessary community benefits in conflict with policies CS15 and CS33. Officers believe that they have negotiated as much as they can in achieving a suitable scheme and for these reasons the application is recommended for approval.

Recommendation

In respect of the application dated **11/02/2008** and the submitted drawings, **Site location plan, 2007.01/001A 2007.01/002b - Amended access arrangements from looseleigh lane, land survey TAnot1RevA, 2007.01/003, 2007.01/004, 2007.001/05, 2007.01/006, 2007a.001/07, 2007.01/009, 2007.01/011, 2007.01/012, 2007.01/013a, 2007.01/014, 2007.01/015, 2007.01/024, 2007.01/025, 2007.01/026, 2007.01/027, 2007.01/028, 2007.01/029, 2007.01/030, 2007.01/031, 2007.01/032, 2007.01/033, 2007.01/034a, 2007.01/035a, 2007.01/037, planning supporting statement, design and access statement, transport assessment, updated arboricultural implications assessment and bat survey** it is recommended to: **Granted Conditionally S106**

Conditions

APPROVAL OF RESERVED MATTERS

(1) Approval of the details of external appearance and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason:

Application was made in outline only under Section 92 of the Town and Country Planning Act and approval of the details specified is still required.

SUBMISSION OF RESERVED MATTERS

(2) Plans and particulars of the reserved matters referred to in condition 1 above, relating to the external appearance and landscaping shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason:

Application was made in outline only under Section 92 of the Town and Country Planning Act and approval of the details specified is still required.

TIME LIMIT FOR SUBMISSION

(3) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason:

To comply with Section 92 of the Town and Country Planning Act 1990.

TIME LIMIT FOR COMMENCEMENT

(4) 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.

SURFACE WATER DISPOSAL

(5) Development shall not begin until details of the proposals for the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development hereby permitted is first occupied.

Reason:

To enable consideration to be given to any effects of changes in the drainage regime on landscape features in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

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 Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SOFT LANDSCAPE WORKS

(7)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 Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

DETAILS OF FLOODLIGHTING

(8)Details of any floodlighting shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted is occupied. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the details of the development are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LANDSCAPE MANAGEMENT PLAN

(9)A landscape management plan, including long term objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

MAINTENANCE SCHEDULE

(10)No development shall take place until a schedule of landscape maintenance for a minimum of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason:

To ensure that satisfactory landscaping works carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

STOCKPILING/PROT. OF EXISTING TOPSOIL

(11) Existing topsoil stripped for re-use must be correctly store in stockpiles that do not exceed 2 metres in height and protected by chestnut palings at least 1.2 metres high to BS 1722 Part 4 securely mounted on 1.2 metre minimum height timber posts driven firmly into the ground.

Reason:

To ensure that the structure of the topsoil is not destroyed through compaction; that it does not become contaminated; and is therefore fit for re-use as a successful growing medium for plants in the interest of amenity e in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

EXISTING TREE/HEDGEROWS TO BE RETAINED

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

(a) No retained tree or hedgerow shall be cut down, uprooted or destroyed, nor shall any tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with BS 3998:1989(Recommendations for Tree Work).

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

(c) 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 (Guide for Trees in relation to construction) 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 areas within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason:

To ensure that trees or hedgerows retained in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy

(2006-2021) 2007 are protected during construction work and thereafter are properly maintained, if necessary by replacement.

DETAILS OF BOUNDARY TREATMENT

(13) No development shall take place on the superstructure until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the development is occupied. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the details of the development are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

DETAILS OF ENCLOSURE AND SCREENING

(14) No development shall take place on the superstructure until there has been submitted to and approved in writing by the Local Planning Authority details of all means of enclosure and screening to be used. The works shall conform to the approved details and shall be completed before the development is first occupied.

Reason:

To ensure that the details of the development are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

COMMUNAL CAR PARKING PROVISION - deletions, insert for number of cars

(15) No dwelling shall 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 68 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 in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PEDESTRIAN/CYCLE ACCESS

(16) The building shall not be occupied until a means of access for pedestrians and cyclists has been constructed in accordance with plans to be submitted and approved by the local planning authority.

Reason:

To ensure that an appropriate and safe access is provided in the interests of public safety, convenience and amenity in accordance with Policies CS28 and

CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007

CYCLE STORAGE

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

Reason:

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

WAITING RESTRICTIONS - deletions and to insert street name

(18) The use hereby permitted shall not commence until waiting restrictions have been introduced on Notre Dame Close and Looseleigh Lane by or on behalf of the Local Highway Authority.

Reason:

Without such restrictions the proposed development would be likely to result in an unacceptable increase in parking on the highway and thereby harm the amenity of the area, prejudice public safety and convenience, and interfere with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

RESIDENTS' TRAVEL PLAN

(19) The development hereby permitted shall not be occupied until a Residents' Travel Plan (RTP) has been submitted to and approved in writing by the Local Planning Authority. The RTP shall seek to encourage staff to use modes of transport other than the private car to get to and from the premises.

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 Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

DETAILS OF BARRIER ON NOTRE DAME LANE

(20) Details of the form of barrier on Notre Dame Lane and turning area by block C2 shall be submitted to and approved by the local planning authority before work begins on the superstructure of the development hereby permitted. The approved works shall be completed before the development is occupied.

Reason:

To prevent "rat-running" on Notre Dame Lane and provide adequate safety for the continued use of the private access that serves properties in Caradon Close to comply with policies CS28 and CS34.

LEVELS DETAILS

(21) Full levels details comprising cross sections, long sections, existing and proposed ground levels, finished ground levels, finished floor levels, eaves heights, ridge height, parapet heights and top of plant room heights shall be submitted to and approved by the local planning authority before work begins on the development hereby permitted. These shall be at scale 1 : 100 or 1 : 200.

Reason:

To ensure the development does not cause harm to visual or residential amenity to comply with policies CS02 and CS34 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

BUILDING HEIGHTS

(22) The building heights comprising eaves levels, ridge heights, parapet levels and top of plant room heights shall not exceed those shown on drawing numbers 2007.01/007A, 2007.01/034A, 2007.01/035A, 2007.01/037 and 2007.01/00/A based on the levels on land survey drawing TAnot1 Rev A.

Reason:

To ensure the development does not cause harm to visual or residential amenity to comply with policies CS02 and CS34 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

CODE OF PRACTICE

(23) Prior to the commencement of the development hereby approved, a detailed management plan for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the management plan.

Reason:

In the interests of residential amenity to comply with policies 22 and 34 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

EXTERNAL MATERIALS

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

Reason:

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

SURFACING MATERIALS

(25) No development shall take place on the superstructure until details and samples of all surfacing materials to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

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

ROOFLIGHTS ONLY

(26) All openings in the roof spaces of blocks B, C1, C2 and D1 on the eastern and north eastern elevations facing Notre Dame Lane shown on drawing number 2007.01/001A shall only be rooflights and not dormer windows. The minimum height from the floor levels to the lowest part of the rooflights shall be 1.7 metres. No openings shall be added to the roof of the north east elevation of block D2 without the prior written permission of the local planning authority.

Reason:

To prevent overlooking to nearby properties in the interests of residential amenity to comply with policy CS34 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

SITING OF BLOCK A AND EXTENSION TO CAR PARK

(27) The details of the siting of block A and its curtilage and the extension to the existing car park are not approved by this permission. Details of revised siting for these parts of the development shall be submitted to and approved by the local planning authority before work begins on the development hereby permitted.

Reason:

To ensure that there is adequate space around block A to protect the residential amenity of the future occupiers and to ensure the Devonport Leat is not damaged to comply with policies CS34 and CS03 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

DEVONPORT LEAT AND BOUNDARY WALLS WITHIN THE SITE

(28) The Devonport Leat which lies on the western part of the site shall remain in situ. The boundary walls in the northern third of the site shall remain and not be removed. If any works are proposed that affect the leat or walls details shall be submitted to and approved by the local planning authority before and works take place.

Reason:

To protect the Devonport Leat and internal boundary walls to safeguard the historic environment to comply with policy CS03 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

BATS: TREES

(29)If any of the trees identified as having moderate or high value for bats are to be lopped or felled, bat emergence and activity surveys are required prior to any works being undertaken. If these reveal evidence of bats details of appropriate measures to protect the bats shall be submitted to and approved by the local planning authority before work is carried out. The measures shall be implemented in accordance with the approved details.

Reason:

To safeguard important protected species to comply with policy CS19 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

BATS - BUILDINGS

(30)If any bats are discovered in the buildings during the works all activity should stop and the developer shall contact the local Natural England office for advice on how to proceed.

Reason:

To safeguard important protected species to comply with policy CS19 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

CONTAMINATED LAND

(31)Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The said scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the environment when the site is developed. Development shall not commence until the measures approved in the scheme have been implemented.

Reason:

There is a possibility that the site, or parts of it, are contaminated from past activities and, if so, this will need to be dealt with before the development takes place in accordance with Planning Policy Guidance Note PPG23: Planning and Pollution Control (Chapter 4 and Annex 10); and Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

INFORMATIVE 1 CODE OF PRACTICE

The management plan shall be based upon the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web-pages, and shall include sections on the following;

- 1) Site management arrangements including site office, developer contact number in event of any construction/demolition related problems, and site security information.
- 2) Construction traffic routes, timing of lorry movements, weight limitations on routes, initial inspection of roads to assess rate of wear and extent of repairs required at end of construction/demolition stage, wheel wash facilities, access

points, hours of deliveries, numbers and types of vehicles, construction traffic parking.

3) Hours of site operation, dust suppression measures, noise limitation measures.

INFORMATIVE 2: PROPERTY RIGHTS

Applicants are advised that this grant of planning permission does not override private property rights with particular regard to the easements and rights of way over Notre Dame Lane or their obligations under the Party Wall etc. Act 1996.

LIFETIME HOMES

(32)20 percent of the dwellings shall be built to "Lifetime homes" standard.

Reason:

To ensure there is a range of house types to meet the needs of the city's population and to comply with policy CS15 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

RENEWABLE ENERGY

(33)The development hereby permitted shall be designed to include on-site renewable energy production to off-set at least 10% of predicted carbon emissions for the period up to 2010 rising to 15% for the period to 2016. Details of how this can be achieved shall be submitted to and approved by the local planning authority before work starts on the development.

Reason:

To ensure that the development contributes to providing on-site renewable energy to off-set carbon emissions to comply with policy CS30 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

INFORMATIVE 3: DESIGN OF BLOCK B

The design of the eastern part of block B would be improved if there were more openings in the eastern elevation fronting the lane to provide an active frontage

IPS4 - Education Contributions

PPG13 - Transport

PPS3 - Housing

PPS9 - Biodiversity and geological conservation

CO10 - Protection of Nature Conservation Sites and Spec

ST6 - Plymouth Principal Urban Area

PPS1 - Delivering Sustainable Development

RPG10

ST20 - Re-assessment & Safeguarding Employment Land

CO10 - Protection of Nature Conservation Sites & Species

CS28 - Local Transport Consideration

CS32 - Designing out Crime

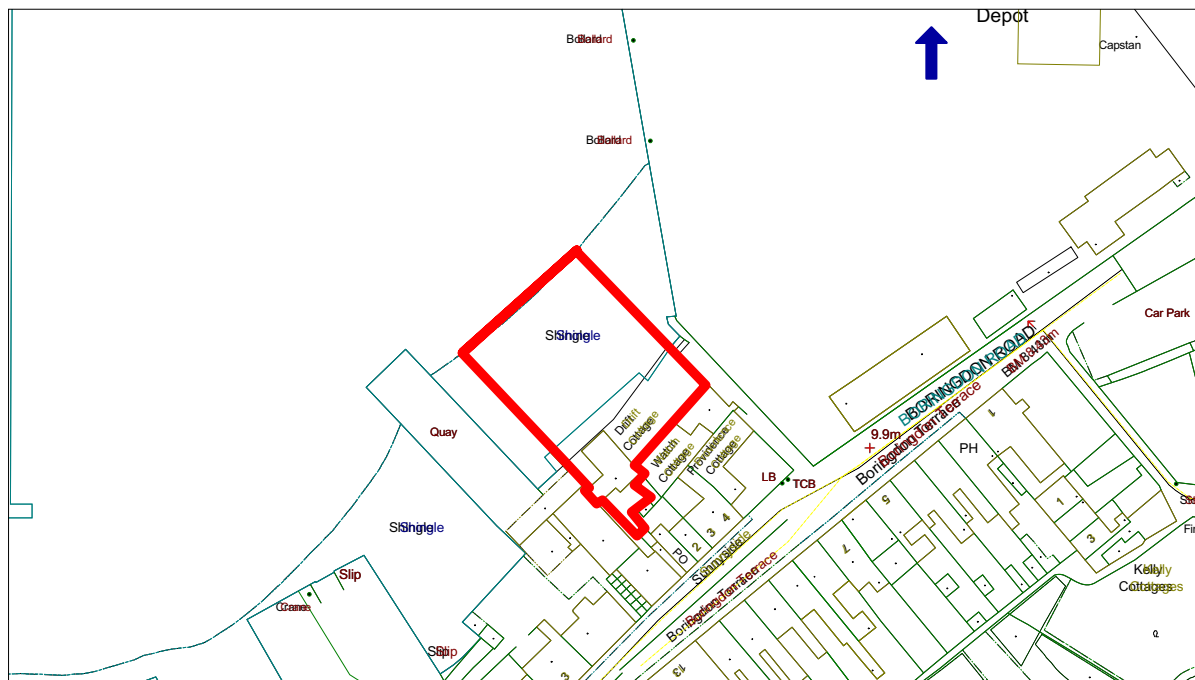
CS33 - Community Benefits/Planning Obligation

CS34 - Planning Application Consideration
CS18 - Plymouth's Green Space
CS19 - Wildlife
CS20 - Resource Use
CS21 - Flood Risk
CS03 - Historic Environment
CS01 - Sustainable Linked Communities
CS02 - Design
CS15 - Housing Provision
CS16 - Housing Sites
SO11 - Delivering a sustainable environment
SPG11 - Playspace
CS30 - Sport, Recreation and Children's Play Facilities
SO1 - Delivering Plymouth's Strategic Role
SO2 - Delivering the City Vision
SO4 - Delivering the Quality City Targets
SO10 - Delivering Adequate Housing Supply Targets
SO14 - Delivering Sustainable Transport Targets
SO15 - Delivering Community Well-being Targets
ST5 - Development Priority 2001-2016
CO6 - Quality of new development
CO13 - Protecting water resources and flood defence
TR7 - Walking & Cycling
TR9 - Public Transport

This page is intentionally left blank

ITEM: 02

Application Number:	08/00744/FUL
Applicant:	Mrs Suzanne Wixey
Description of Application:	Erection of dwelling, bridge linked to existing cottage whose upper floor will form an annexe to the proposal and lower floor will be stores and workshop (existing outbuildings to be removed)
Type of Application:	Full Application
Site Address:	DRIFT COTTAGE, BORINGDON ROAD TURNCHAPEL PLYMOUTH
Ward:	Plymstock Radford
Valid Date of Application:	17/04/2008
8/13 Week Date:	12/06/2008
Decision Category:	Member/PCC Employee
Case Officer :	Karen Gallacher
Recommendation:	Defer for consultation period for amended plans
Click for Application Documents:	www.plymouth.gov.uk



(c) Crown Copyright. All rights reserved. Plymouth City Council Licence No. 100018633 Published 2008 Scale 1:1250

Since this application was considered at the last planning committee, the applicant has submitted amended plans which reduce the length of the building by 2.9m. These plans were made available at the committee site visit, and the public have been consulted. However, the consultation period has not expired and no changes have been made to this original committee report as a result of these amended plans.

It is intended to report back to the committee in November having taken the amendments and the consultation responses into account.

OFFICERS REPORT

Site Description

Drift Cottage is a modest dwelling in a waterside location within the Turnchapel Conservation Area. It lies within a group of other dwellings lying on the north side of Boringdon Road, the majority of which are set on a north-south orientation and have their rear elevations facing the water (whereas Drift Cottage presents a side elevation to the water). The curtilage of Drift Cottage includes an area of quayside, including two piers constructed for drying boats. Public slipway and pedestrian access to the water are obtained alongside, to the side of Providence Cottage and Watch Cottage. The lane to the side of Watch Cottage that provides access to this site is public highway. Beyond the slipway is MOD land, separated by a substantial wall. Watch Cottage is set approximately 2.5m above the level of the site.

Proposal Description

The proposal is to erect residential accommodation on the existing garden and piers at Drift Cottage and to convert the existing accommodation in Drift Cottage to annex accommodation with a workshop on the ground floor and bedrooms at first floor level. The two areas of accommodation would be connected via a pedestrian link. The proposal also includes a small car parking and amenity area.

The proposed dwelling would comprise 2, linked, metal clad, buildings, each measuring approximately 15m (excluding 1.3m balcony) by 4.7m the balcony would overhang the water. The new building would for the most part sit on the existing two piers and would extend 1.3m further over the water and 6.5m back into the garden. Materials would be stainless steel or zinc with black aluminium windows. The building would be single storey with a varying roof height.

The design for this scheme is significantly different from the annex proposal that has approval.

Relevant Planning History

80/03758 - Boat gear store, boat drying piers and extension to dwelling (Full) - GRANTED.

84/02018 - Amended version of 80/3758 (Full) - GRANTED.

91/00768 - Extension to dwelling (Full) - GRANTED.

04/00729 - Erection of dwellinghouse, bridge linked to existing cottage whose new use will become an annexe to the proposal. (Full) – REFUSED because of impact on neighbour.

04/02271 - Erection of dwellinghouse, bridge linked to existing cottage whose upper floor will form annexe to the proposal and lower floor will be stores and workshop (outbuildings to be removed). (Full) – REFUSED because of impact on neighbour - APPEAL Dismissed.

05/00621 – Erection of dwellinghouse bridge-linked to existing cottage whose upper floor would form annex to the proposal and lower floor will be stores and workshop – GRANTED.

07/01282 – Erection of new dwelling – WITHDRAWN.

Consultation Responses

Environment Agency – No objection providing the existing house is annex accommodation.

Highway Authority – No objection .

Queen’s Harbour Master – no objection.

Environmental Services – no objection subject to conditions regarding land contamination and code of practice during construction.

Plymouth Design Panel

The Panel felt that it was not appropriate to assess the constraints of the site in respect of the height in relation to the views from the adjacent cottage but determined that it would limit its comments to the design, materials and composition of the proposal.

The panel expressed general support for the ambition of the project to create a unique dwelling conceived as a marine object, with an ‘engineered’ aesthetic, evocative of something either brought ashore or on the verge of being launched and felt that this was a suitable location for such a project. There was not a consensus on the panel as to whether the proposal had attained this ambition or the integrity of the design concept had been successfully maintained within the limitations of the site constraints.

It was, however, the panel’s view that the quality of the materials and detailing were crucial to the success of the project. The panel felt zinc was an appropriate cladding material and thought that the finer grid of jointing in the planning application scheme was preferable over the setting out of the withdrawn scheme. There was a general view that the detailing should convey a quality of engineering; simultaneously robust and refined throughout.

As part of the concept to suggest that the building might be mobile it was noted that the secondary connecting elements should be lightweight. The choice of glass balustrade over a more marine/industrial aesthetic was questioned.

The detail of the condition between the underside or 'hull' of the building on the piers and in the way in which it meets the groups was thought to be important.

Although the panel did not express an opinion about the height with respect to views it was felt that the height in relation to the eaves line of the existing Drift Cottage was a relevant concern and which was addressed in the live application scheme.

Representations

25 letters of representation have been received objecting to this application. The main concerns relate to the massing, design and materials of the dwelling and its impact on the conservation area and the wider waterside setting, its impact on neighbours light, privacy and outlook, the loss of public access to the landing strip and pier, precedent, poor vehicular access, additional traffic, inadequate parking, fire hazard/emergency access, flooding, beyond building line, and concern about other developments that have been refused in the area.

There have also been 2 letters of support and one making comment. The points raised include support for the design and that the development would have little impact on the village.

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 considerations are design and the impact on the conservation area, highway implications, the impact on neighbouring property, the standard of accommodation to be provided and the flood risk. The extant planning permission for accommodation in association with Drift Cottage is a material consideration.

Design

The design of the building, its impact on the conservation area and the wider waterside area are of great significance in what is a prominent location. The design is modern and different to all surrounding development. Most letters of representation do not support the design for various reasons. The Design Panel did not reach a consensus of opinion on the issue of design. In coming to a view it is necessary to consider the policy background in respect of design and to consider previous decisions for the site.

Planning Policy Statement 1 includes guidance in respect of design and advises that design that is inappropriate in its context should not be accepted. It advises that "Local Planning Authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however proper to seek to promote or reinforce local distinctiveness ..."

PPG15 relates to the historic environment, including Conservation Areas. The prime consideration in identifying a Conservation Area is the quality and interest of an area, rather than that of individual buildings and sets out the need to preserve or enhance their character and appearance. Paragraph 4.17 of this guidance states:

"Many conservation areas include gap sites, or buildings that make no positive contribution to, or indeed detract from, the character or appearance of the area; their replacement should be a stimulus to imaginative, high quality design, and should be seen as an opportunity to enhance the area. What is important is not that new buildings should directly imitate earlier styles, but that they should be designed with respect for their context, as part of a larger whole which has a well-established character and appearance of its own."

At the local level the relevant policies are CS02 (Design), CS03 (Historic Environment) and CS20 (Sustainable Resource Use) of the local development framework. CS02 aims to promote the image of the city, protect important public views and contribute to an areas identity and heritage. CS03 seeks to safeguard and enhance the character and setting of the historic environment. CS20 seeks to ensure that development responds appropriately to the character of the coast.

Although the Conservation Area at this point is characterised by traditionally designed buildings rising from the water's edge, the majority of these buildings have suffered from alterations and additions at the rear, north, side which, it is considered, have created significant visual disharmony and variation along the waterfront. The introduction of a contemporary building on this site would not, necessarily harm the character and appearance of Turnchapel Conservation Area and this view was shared by the Design panel. In addition, 2 earlier schemes have been supported in terms of design. These were the approved scheme in 2005, and the scheme under reference 07/01282, which was withdrawn. The issue of whether this particular design is acceptable has to be considered. The design panel supported the use of the zinc paneling, had concerns about other materials, but did not reach a consensus regarding the overall design of the scheme and its acceptability in this location. On balance and in consultation with the conservation officer, it is considered that the latest proposal has lost the integrity of design that the 07/01282 version had and, importantly in the Conservation Area, it has grown in size and mass to the detriment of its relationship with Drift Cottage. The design and access statement for this and the previous 07/01282 scheme, states that the form metaphorically represents nautical buoys, implying floatation; with an underside reminiscent of a hull and stern of a boat. Whilst this was considered

to be the case for the previous scheme, this amended version moves further from that representation because of its additional length and asymmetry. The previous scheme stood far enough away from the existing cottages to be viewed as a separate entity, and its overall shape was apparent. This scheme would present such a long side elevation that it is considered to have lost its nautical design reference. Its relationship with its neighbours and the waterside location have been weakened by the changes and is not considered to preserve or enhance the conservation area or respect its context. The proposal is therefore considered to conflict with the aims of PPS1 and PPG15 and policies CS02, CS03, and CS20 referred to above.

Impact on neighbours

The relationship with neighbouring property is difficult. The property most affected would be Watch Cottage. Watch Cottage is behind the site and approx 2.5m higher than the site. Watch Cottage has its main windows facing the site and because it is angled towards the site its outlook is dependent on what is constructed on the application site. The proposed scheme is higher, narrower than the approved scheme. It is also a completely different shape.

The applicant has claimed that the previously approved scheme was intended to be built on a platform that was shown to vary in height between 600mm and 1000mm and that the height of the building at a central point was annotated as 400mm higher than it was shown on the scaled drawing. Legal Services has, however, advised that the building cannot be built to the height argued by the applicant.

Probably the most significant dimension in considering the impact on Watch Cottage is the height. The approved scheme showed the height level with the cill of the main habitable room of Watch Cottage. Because it was shown at this level the additional width and length of the building was not considered to dominate the outlook from Watch Cottage. Because this proposal takes part of the roof higher than the cill, the fact that it is only approximately 5m away from this window, together with its overall massing, causes harm to the outlook from Watch Cottage. It is also of concern that the proposed material would be reflective, which would increase the dominance of the structure when seen from Watch Cottage. Watch Cottage has a very limited aspect, and this proposal would dominate its main outlook.

It is not considered that this scheme would result in a significant loss of privacy, outlook or light to other neighbouring property. There would need to be some form of access from the parking area to Drift Cottage, but this could easily be conditioned/amended if the scheme were supportable.

For the above reasons the proposal is considered to be contrary to policy CS34 in terms of loss of amenity to Watch Cottage.

Protection of Wildlife and the Marine Environment

Since the approval of the 2005 scheme, the Local Development Framework Core Strategy has been adopted, which raises significant new issues relating to the marine environment.

Policy CS19 of the Core Strategy states that "The Council will promote effective stewardship of the city's wildlife" and includes the need to safeguard national and international protected sites for nature conservation from inappropriate development, ensuring that development retains, protects and enhances features of biological interest with any unavoidable impacts being appropriately mitigated for. The proposed development will involve building out over the intertidal foreshore area which consists of a combination of Intertidal mudflats and estuarine rocky habitat. Both of these two habitats are now listed as national Biodiversity Action Plan Priority Habitats. It is clear that the development will have a detrimental impact on these habitats through shading. It is policy for there to be a net gain for biodiversity from any development.

In addition these habitats have recently been designated as habitats of principle importance as determined by the Natural Environment and Rural Communities (NERC) Act. The list of habitats and species of principle importance was issued on the 22nd May 2008 to satisfy the requirement of Section 41 of the NERC act.

The application as submitted does not provide an assessment of the potential impact of the proposed development or any measures for mitigating or compensating for this impact. The development does not therefore comply with CS19 and should be refused.

Highways

The previous scheme for an additional dwelling on the site gave rise to an objection from the Highway Authority because the existing access, which is highway maintainable at public expense, was inadequate for an additional property, as was the turning arrangement. This application is for a replacement dwelling, which converts the existing house to ancillary accommodation. As such there would be no additional traffic to the site and therefore no objection to this scheme.

There have been a number of letters of objection, which raise concerns about the use of the lane that runs alongside Watch Cottage; however, for the reasons given above there is no objection to the proposal on these grounds. For these reasons the proposal is considered to comply with policy CS28 of the core strategy.

Flooding

The Environment Agency (EA) has considered the information submitted by the applicants in respect of flooding and foul drainage. There is no objection on these grounds providing the 2 units are not occupied as separate dwellings and access between the 2 is permanently retained. This is because the new development will be safer than the current situation, where the ground floor of the accommodation floods and is a danger. Within flood risk areas development will only be permitted on previously developed land. Clearly the piers have been previously developed, and therefore the proposal is not considered to seriously conflict with the aims of this policy. The proposal is

therefore considered to comply with policy CS21 and PPS25 in terms of the risk of flooding.

Standard of accommodation

The accommodation provided by the new development is acceptable. The level of amenity area is significantly reduced, but would meet with local standards in the village. There is no conflict with policy CS15 in respect of the development.

Section 106 Obligations

None.

Conclusions

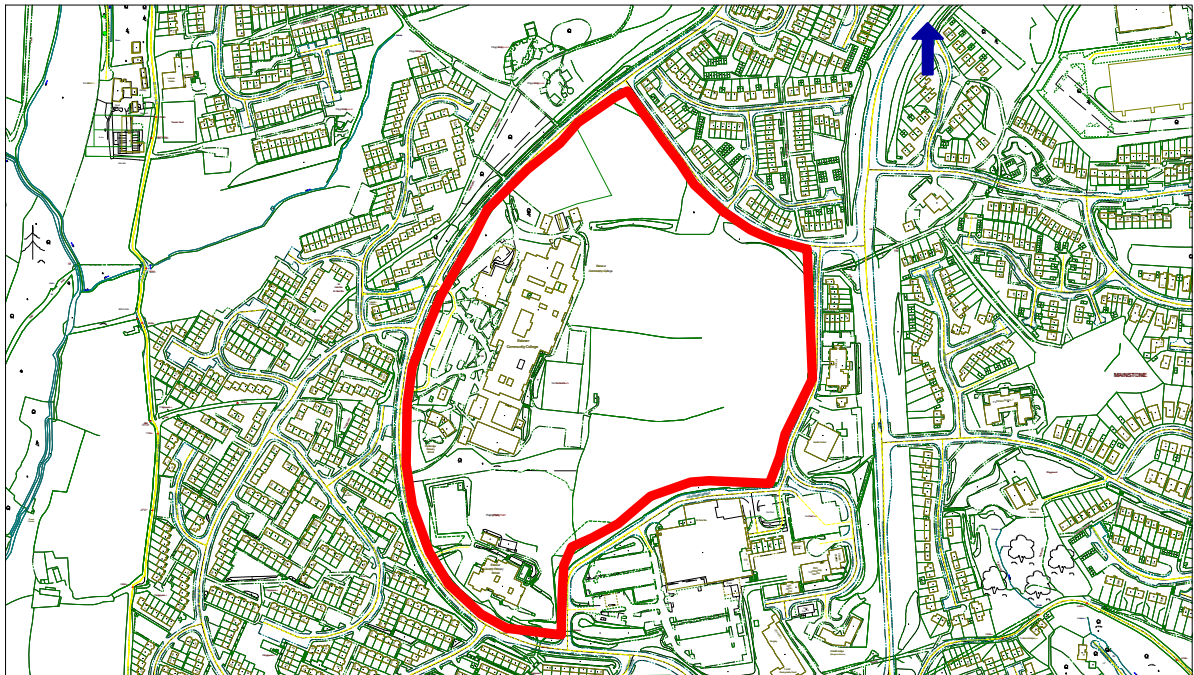
It is considered that the proposal would have an unacceptable impact on Watch Cottage, would be unacceptable in design terms and result in harm to the marine environment.

Recommendation

In respect of the application dated **17/04/2008** and the submitted drawings, **DC908 -02 -02 -02 -05 -01 -06 -07 -08 reduction in length of building and details of anexe accommodation**, it is recommended to: Defer for consultation period for amended plans

ITEM: 03

Application Number:	08/01698/FUL
Applicant:	Plymouth City Council Children Services Dept.
Description of Application:	Redevelopment of site (involving retention of specific buildings) to provide new community college including youth centre, nursery, primary school, and ancillary playing fields, car parks and amenity spaces (revised scheme)
Type of Application:	Full Application
Site Address:	ESTOVER COMMUNITY COLLEGE, MILLER WAY ESTOVER PLYMOUTH
Ward:	Moor View
Valid Date of Application:	08/09/2008
8/13 Week Date:	03/11/2008
Decision Category:	Major Application
Case Officer :	Jeremy Guise
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



(c) Crown Copyright. All rights reserved. Plymouth City Council Licence No. 100018633 Published 2008 Scale 1:7000

OFFICERS REPORT

Site Description

The application site is a 14.8 hectare school campus located in the suburb of Estover, to the north of the city centre. It comprises of a complex of low rise buildings dating from the late 1970s on its western side, adjacent to Miller Way, and an extensive area of open sports fields, on higher ground, to the north and east. Currently it houses a seven form entry secondary school, Estover Community College, and a single form primary school, Estover Primary School. Vehicular access is all off Miller Way, a local distributor road that arcs around the western perimeter of the site.

The surrounding area is predominantly residential in character with extensive estates of terraced housing on the opposite side of Miller Way to the west and Dover Road to the north. Leypark Walk to the east is also residential in character, but contains slightly different uses, a large care home, Leypark Court, and doctors' surgery. Estover District Centre, and its anchor Asda supermarket store, occupy lower ground to the south east. It is separated from the site by Leypark Drive and the supermarket service yard.

Proposal Description

Following approval of a scheme to redevelop most of the existing site in three phases to provide an eight form entry secondary school; a two form entry primary school; a special school and a public library last March (see ref. 08/00037) the applicant, Plymouth City Council, modified the brief resulting in various changes to the scheme. These relate to the site, the building form and arrangement, the materials and include the provision of a multi use agency, office space, adjacent to the primary and nursery schools.

Various changes in the scheme have been made since the original planning application.

In consultation with the Highway Authority the current proposal shows improvements to the approved parking and drop-off area for the special school and primary school; the relocation of the pedestrian access from Miller Way away from the roundabout and a general rationalisation of the parking and traffic flows.

Permission is sought to make a series of amendments to the approved building form and arrangement

- The main entrance block (containing Dining, Art, Admin and Library) has been re-designed due the relocation of the main hall and Gym.
- The main hall has been moved to the centre of the courtyard. Staff areas which were previously in the courtyard have been included in the general teaching areas, and a shared multi-use hall now occupies the centre of the courtyard. The hall has good links to all the schools and to the entrance area, allowing community use.
- The Gym is now positioned in the link between the primary school dining area. This offers better proximity to the primary and special school pupils, who will make regular use of the gym.

- The primary school has been redesigned to a rectilinear plan with an open central area that contexts to the courtyard, and out to the play areas.
- The primary school brief has been expanded to include a severe learning difficulties (SLD) element and with this the inter-relationships with the special school consolidated, including shared entrance.
- The general teaching wings remain essentially the same, although some have been handed to unify the arrangement of the blocks and there have been minor alterations to the envelope at the ends to make a more efficient plan.
- The energy centre has been relocated to attach to the existing Soundhouse. This is necessary as the energy centre needs to be constructed in the first phase, and must therefore be located off the footprint of the existing building.
- The first floor teaching wing between sports and the community block has been absorbed into other parts of the campus, allowing the Soundhouse to enjoy a presence onto the main square.

Whilst the general approach to materials, detailing and architectural design is unchanged from the revised elevations that were submitted in February there are a few changes proposed in this application. The ground areas are shown to be an off-white /buff through coloured polymer render and the teaching clusters will have copper cladding to elevations facing the courtyard.

A new flood risk assessment and design and access statement has been submitted with the application.

Relevant Planning History

The site has an extensive planning history of extensions, minor alterations and improvements, most of which are not relevant to the current consideration. Approval was granted in March 2008 for a new campus under ref. 08/00037/FUL. It is this approval that the current application seeks to modify.

A Multi Use Games Area, or MUGA, is the subject of a separate, parallel application (ref. 08/00170/FUL)

Consultation Responses

Highway Authority

Comments upon the amended scheme awaited

Police Architectural Liaison Officer (PALO)

The Devon and Cornwall Constabulary are not opposed to the granting of planning permission for this application. The PALO states:-

'I have been fully consulted at the pre application stage, this School will be constructed to the recommendations of 'Secured by Design'. The Design and layout is complemented with good boundary control.'

Representations

Site notices have been posted around the site and neighbouring occupiers notified of the application. This has to date resulted in two letters commenting on the proposal one which simply states 'object' to the application.

The other is from a resident of Dover Road who is not completely opposed to the scheme but has concerns about the impact of the access points which will have on the road particularly to prevent congestion and possible accidents during rush hour times when pick up and drop offs of children occur.

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: -

- Layout and external appearance of proposed new educational environment (Policies CS02, CS20; CS32 and CS34 of the Core Strategy)
- Impact upon the amenities of neighbouring properties (Policy CS34 of the Core Strategy)
- The adequacy of access and parking arrangements (Policy CS28 of the Core Strategy)

Layout and external appearance of proposed new educational environment

Considerable thought and care has been taken over the original design and layout of the main school complex by a firm of architects who have established an excellent reputation for designing, and getting built, new schools. The amended proposal does not make any fundamental change to the approved concept – the proposal remains for a new group of schools based around a courtyard, which respects the contours of the land and provides community and shared facilities, such as the new public library, on the western frontage – essentially it is a modification to that plan made in response to the changed brief. The brief provides for the replacement of more of the existing buildings.

External Appearance of proposed new buildings

The campus buildings continue to have a strong horizontal emphasis with robust brick ground floors designed to be hard wearing and rendered protruding first floors. The area of glazing has been reduced to minimise solar gain and ease future maintenance.

Impact upon the amenities of neighbouring properties

The impact upon surrounding residential properties remains very limited as the changes are within the approved development area of the campus.

The proposed changes affect the built area of the site and do not affect the trees and ecological habitats. Work on these areas was undertaken last winter, outside nesting season, in preparation for redevelopment. As the 'red' line of this application goes around the whole of the reiteration of the conditions.

Policy CS20 (Sustainable Resource Use) of the Core Strategy seeks to promote development that utilises natural resources in an efficient and sustainable way as possible. It is still proposed that the scheme will be developed comfortably in accordance with BREEAM 'very good' rating – although the location of the energy plant room, containing biomass boilers, has been moved on site.

The adequacy of access and parking arrangements

The proposal does not significantly increase the size of uses accommodated on the site and maintains accesses on Miller Way as the vehicular accesses to the site. There are a few concerns about the parking layout and the upgrading of the junctions to roundabouts. Clearly capacity must be built in to ensure, with upgrading if necessary, service of the housing land at a future date. But with traffic calming measures and crossing improvements to Miller Way recommended by the highway authority these issues can be resolved, in relation to this proposal without obviously undermining future indicated intentions for the perimeter of the site – although these stand to be considered with their respective planning applications at the time.

Section 106 Obligations

None. PCC are the applicants

Conclusions

This proposal refines and improves upon the previously approved scheme in response to changes in the brief. Such modifications and changes often occur prior to the implementation of a major scheme. Whilst vigilance always needs to be maintained in considering such applications - to ensure that there is no reduction in the quality of the architecture or materials - it is not considered in this case that the proposed changes will result in an inferior scheme to that enthusiastically approved last time.

Recommendation

In respect of the application dated **08/09/2008** and the submitted drawings, **1395/P/001-B; 1395/P/100-A; 1395/P/101-Q; 1395/P/102-L; 1395/P103-G; 1395/L/020-D; 1395/L/021-D; 1395/L/022-D; 1395/L/023-C; 1395/P/1127-B; 1395/P/160-C; 1395/P/161-C; 1395/P/162-D; 1395/P/163-B; 1395/P/150-J; 1395/P/151-G; 1395/P/152-G; 1395/P/153-G; 1395/P/154-H; 1395/P/155-H; 1395/P/156-H** , 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.

SURFACE WATER DISPOSAL

(2) Development shall not begin until details of the proposals for the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development hereby permitted is first .

Reason:

To enable consideration to be given to any effects of changes in the drainage regime on landscape features in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

EXTERNAL MATERIALS

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

Reason:

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

SURFACING MATERIALS

(4) No development shall take place until details of all surfacing materials to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

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

CODE OF PRACTICE DURING CONSTRUCTION

(5) Prior to the commencement of the development hereby approved, a detailed management plan for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the management plan.

Reason:

In the interests of amenity and highway safety

EXTERNAL LIGHTING SCHEME

(6) Before the development hereby approved commences details of any external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be fully implemented before the development is first occupied and henceforth permanently maintained for the occupiers of the site.

Reason:

In order to ensure that adequate external lighting is provided for future occupiers of the site.

REFUSE DETAILS

(7) Before the development hereby permitted commences details of the siting and form of bins for the disposal of refuse shall be provided on site shall be submitted to and approved in writing by the Local Planning Authority. The refuse storage provision shall be fully implemented before the development is first occupied and henceforth permanently made available.

Reason

In order to ensure that adequate, safe and convenient refuse storage provision is provided and made available for use by future occupiers in accordance with Planning Guidance 9 - Refuse Storage in Residential Areas.

LANDSCAPE DESIGN PROPOSALS

(8) 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 .

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LANDSCAPE WORKS IMPLEMENTATION

(9) 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 Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

DETAILS OF BOUNDARY TREATMENT

(10) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the details of the development are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CAR PARKING PROVISION

(11) The building shall not be occupied until the car parking area shown on the approved plans has been drained and surfaced (or such other steps as may be specified)(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 in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CYCLE PROVISION

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

Reason:

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

TRAFFIC CALMING WORKS

(13) No development shall commence on site until the traffic calming works shown on the approved plans have been completed.

Reason:

In order to reduce traffic speeds in the interest of public safety in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

STAFF TRAVEL PLAN

(14)The use hereby permitted shall not commence)(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 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 (the commencement of the use)(occupation) 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 Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

FURTHER DETAILS

(15) 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 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 in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

BAT ROOST PLAN

(16) Prior to the commencement of development, a plan should be submitted to the Local Planning Authority specifying the exact position and detail of the replacement bat roosts. The replacement roosts shall be put in position in accordance with the approved details and in accordance with the approved schedule of works.

Reason To ensure that appropriate mitigation is provided for the European protected species.

TREE PROTECTION PLAN

18) The Tree Protection Plan shall be implemented prior to development commencing on site.

Reason: To ensure no damage occurs to the vegetation that is to be retained on site.

INFORMATIVE - NATURAL ENGLAND BAT LICENCE

(1) Prior to any works commencing on the existing buildings, in the vicinity of the identified bat roost, a Natural England licence must be obtained.

INFORMATIVE - KERB LOWERING

(2) Transport would ask that for this and all future applications a set of drawings be provided at a suitable scale of 1:200 to enable proper assessment of the proposal and help avoid the need for otherwise unnecessary additional planning conditions.

INFORMATIVE -CODE OF PRACTICE

(3) The management plan shall be based upon the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web-pages, and shall include sections on the following;

- 1) Site management arrangements including site office, developer contact number in event of any construction/demolition related problems, and site security information.
- 2) Construction traffic routes, timing of lorry movements, weight limitations on routes, initial inspection of roads to assess rate of wear and extent of repairs required at end of construction/demolition stage, wheel wash facilities, access points, hours of deliveries, numbers and types of vehicles, construction traffic parking.
- (3) Hours of site operation, dust suppression measures, noise limitation measures.

Statement of Reasons for Approval and Relevant Policies

- The principle of developing a new school campus on a consolidated site
- Layout and quality of educational environment proposed
- External Appearance of proposed new buildings
- Impact upon the amenities of neighbouring properties
- Ecology and trees
- Sustainable resource use
- Community Uses & Benefits
- The adequacy of access and parking arrangement

Having regard to the planning considerations, which are: public safety and amenity, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed signs are acceptable and comply with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c) relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, as follows:

- PPG17 - Sport and Recreation
- PPS9 - Biodiversity and geological conservation
- PPS1 - Delivering Sustainable Development
- CS28 - Local Transport Consideration
- CS32 - Designing out Crime
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS14 - New Education Facilities

CS18 - Plymouth's Green Space

CS19 - Wildlife

CS20 - Resource Use

CS21 - Flood Risk

CS01 - Sustainable Linked Communities

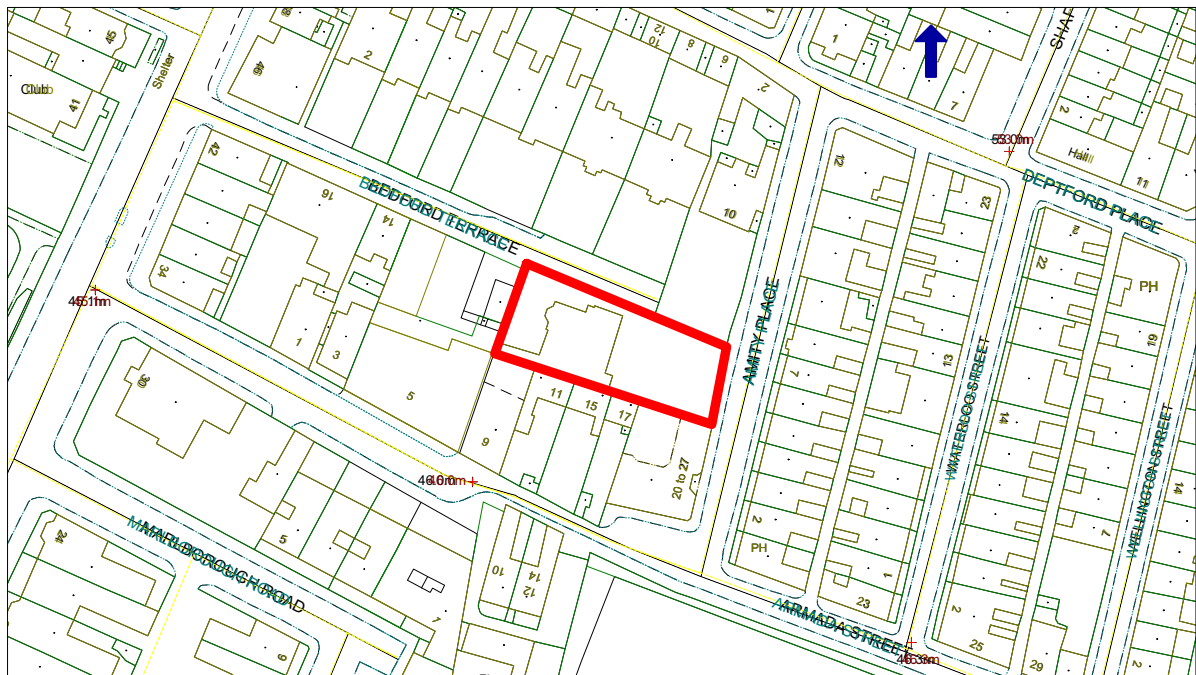
CS02 - Design

CS30 - Sport, Recreation and Children's Play Facilities

This page is intentionally left blank

ITEM: 04

Application Number:	08/01289/FUL
Applicant:	Bedford Villas Developments Ltd
Description of Application:	Redevelopment to provide 45 student study bedrooms in two blocks (4 storey block containing 40 study bedrooms and 3 storey block containing 5 study bedrooms) together with 3 parking spaces and associated landscaping
Type of Application:	Full Application
Site Address:	BEDFORD VILLAS, AMITY PLACE PLYMOUTH
Ward:	Drake
Valid Date of Application:	11/07/2008
8/13 Week Date:	10/10/2008
Decision Category:	Major Application
Case Officer :	Jeremy Guise
Recommendation:	Granted Conditionally S106
Click for Application Documents:	www.plymouth.gov.uk



(c) Crown Copyright. All rights reserved. Plymouth City Council Licence No. 100018633 Published 2008 Scale 1:1250

OFFICERS REPORT

Site Description

This application relates to regular shaped site (approximately 0.16 ha.) located at the eastern end of Bedford Terrace, between it and Amity Place to the east.

Currently the site is occupied by Bedford Villas, a substantial two storey period property - solid masonry, stucco rendered walls and pitched/ slated roof - that dates from the mid nineteenth century. Vehicle and pedestrian access is provided from Amenity Pace, to the east; and, for pedestrians only, from North Hill (B3250) via Bedford Terrace.

The surrounding area is predominantly residential in character. Bedford Terrace is a 'set piece' architectural feature of four storey town houses built on higher ground to the north. Many have been subdivided. These properties have fairly generous front gardens, which at the eastern end of the terrace, contain mature and semi mature trees including a magnificent copper beech in the garden of No.10. Since submission of this application the copper beech tree has been made subject of a Tree Preservation Order (TPO – No. 457). No. 9 is a listed building.

Amity Place is also residential in character, but different in scale. It contains smaller three storey terraced houses on its eastern side and 'The Friendship Inn' public house, on the corner of Amity Place and Armada Street. The western side contains a modern three storey block (Nos. 20-27) on the corner of Amada Street and Amity Place and a row of older, terraced, houses Nos. 5-17) Armada Street to the south.

The site is located close to Plymouth University and the character of the surrounding area is influenced by the student community.

Proposal Description

Permission is sought to redevelop the site with 45 student study bedrooms and ancillary facilities in two buildings: a four storey building occupying roughly the same position as the existing, and a smaller, three storey, building fronting onto Amity Place.

The larger four storey building shows 40 study bedrooms arranged in eight 5 room units with shared kitchen/lounge accessed off a northern stair well. The study bedrooms each have an en-suite bathroom. Half face west towards a parking area on an adjoining site and half face east towards the proposed parking area / interior courtyard proposed for this development. A combined kitchen / dining room, lit from a central light well, is proposed for each group of five study bedrooms along with laundry facility in the basement.

The east-west orientation of the proposed study bedroom windows is reflected in the external appearance of the larger building. Full storey height glazing for the study bedrooms is proposed on the eastern and western elevations interspersed with timber cladding. The northern elevation, which would face Bedford Terrace, contains extensive floor to ceiling height glazing in a centre

of the block around the main staircase. This feature is shown framed by wooden cladding on either side and 'wrap round' glazing for the larger, northernmost, study bedrooms. The southern elevation would be substantially obscured by neighbouring buildings and boundary. It is shown simply rendered, with no glazing.

Since submission the proposal has been amended so that it is only 1.5-3m higher than the ridge of the existing. This has been achieved by reducing the individual storey heights to 2.5m; simplifying and reducing in height the roof detailing and lowering the building into the ground by 1.2m.

The smaller building is shown extending across most of the Amity Place frontage with an opening only on the northern side to provide vehicular and pedestrian access to the site. It too has been amended since the original submission to locate the proposed building further away from the TPO protected copper beech tree and to address neighbours' concerns about potential use of the recessed flat roof as a balcony. This has resulted in a net reduction in the number of study bedrooms proposed in the building from 7 to 5. Externally, the building has a rendered ground floor, wood clad first floor and recessed second floor topped with a copper roof. Annotations to the plan make clear that no access will be provided to the roof.

Three parking spaces are shown provided on site capable of being used for loading and unloading of student possessions and being used by disabled people.

The Design and Access Statement that accompanies the application states:-

'Various options were reviewed following purchase of the premises e.g. conversion to private flats, conversion to student accommodations etc, but with the new site owner already being a provider of student accommodation and the site location near the University of Plymouth it was decided to follow this end use particularly as the University authorities are seeking purpose built student accommodation to accompany the University's current development plans.

It became evident early in the feasibility process that re-use and alteration of the existing building would result in a compromised end solution that was economically unviable – e.g. alterations to large spaces and structural alterations to existing large masonry structures to create repetitive 'study bedroom' requirements.

It is proposed therefore to demolish the existing building due to the above structural constraints and build a new structure that achieves a higher occupational density, also to construct modern buildings that reflects more honestly the function of the structure together with respecting the adjacent residential neighbours and by utilising high quality materials/detailing.'

Relevant Planning History

No relevant history. Note an earlier submission, which immediately proceeded the current application, was given a planning application number, but it was incomplete and not registered.

Consultation Responses

Highway Authority

Highway Authority – Commented upon original submission as follows:-

Have no objection to the proposal, despite the absence of any on-site car parking, providing the use remains restricted to students.

The proposal will redevelop the site from the current building with car park to a 47 bed student accommodation with 3 off-street parking spaces in a courtyard formation accessed via Amity Place. A previous Transport consultation response (07/00966/FUL) to convert the building into a single dwelling raised a concern regarding the use of the retained car park. However, as this latest application builds on the car park this issue is resolved.

The site is located within walking distance of the university and is within a resident parking zone, which is currently over-subscribed. As such the development will be excluded from purchasing permits or visitor tickets for use within the zone. This will prevent student occupants from parking cars at, or near to the development and as such the proposed 3 spaces, which should be allocated as disabled bays by condition, are acceptable. This would accord with travel plan initiatives of the University to encourage sustainable travel.

The applicant has indicated the provision of 10/15 cycle spaces, although the location is not shown on the plans. This provision is too low and would recommend that as a minimum the applicant should provide 50% (24 spaces) provision. The storage facility must be secure and covered and located within an area which is self promoting.

Although a residential travel plan will not be required I would suggest that measures are put in place, in addition to the above cycle storage, to inform residents of Public transport services within the area, such as bus timetables, taxi phone numbers, and walking routes to services

Point out that residents will be excluded from the Permit Parking Zone and suggests that the applicant is made aware of this.

Further consultation has been undertaken following the amendment reducing the number of study bedrooms from 47 to 45.

Public Protection Service

Public Protection Service has no objection to the above application, however, should permission be granted we recommend that conditions are attached to

the application relating to Code of Practice (construction); sound insulation; land quality; verification .

Representations

Consultations have been undertaken with the occupiers of neighbouring property and site notices posted, both in relation to the original submission and the amended proposal. This has resulted in receipt of 20 letters of representation (LOR's) to the original submission including one from the local ward member and one from the Greenbank Community Association. These all raise objection to the proposal. The grounds of objection to the original submission can be summarised in the following way:-

Cllr. Ricketts (Member Drake Ward):- This application beggars believe, it is a disgrace for the following reasons 47 flats! 3 disabled car parking spaces! 4 storey high building! Knocking down of a quality building! I could go on... We must not ignore the residents of the area - Greenbank and the residents deserve better than absurd overdevelopment in our community. Please advise the applicant that this application is unacceptable.

Greenbank Community Association:- the proposal is considered to be overdevelopment of a single family house; the height , mass and design are out of keeping with the surrounding buildings which are mainly nineteenth century. There is a surplus of student accommodation in Greenbank with student flats remaining empty. Students account for nearly 50% of the population of Greenbank. They are transient with no commitment to the community and bring problems of anti social behaviour including all night noise and filthy environment. The developer has a poor track record of managing student accommodation in Greenbank - note that the development does not appear to have provision for an on site warden. Would regret the demolition of the nineteenth century villa and consider it important that the copper beech tree in the adjacent garden is protected.

The grounds of objection to the original submission in the 18 other letters can be summarised as follows (note not all grounds are shared):-

- **Students**

The dynamics of the street would be changed if the developer provided part student / part professional accommodation. Greenbank already has 40% residents being students this will distort the local population even further leading to that empty feel that student areas have during vacations, and reducing the council tax income from the area even further. There are already more than enough students and student accommodation in the area – the proposal should be rejected on over saturation grounds. Anti –social behaviour poor waste management practices rubbish noise, broken glass, abandoned take-aways, urine and vomit: this development can only make the situation worse. Support the permanent community of long suffering people who want to continue to live in Greenbank and refuse this application

- **Over-development**
Density excessively high huge overdevelopment
- **Appearance**
The existing villa is a nineteenth century gentleman's residence worth preserving. Its current footprint and roofline should be retained
Development should be in keeping with classical buildings
The four storey building has a substantial roof structure which makes it the height of a five storey building out of keeping
- **Impact upon the amenities of neighbouring property**
Concerned about the unsafe working practices of contractors employed by this developer. He has a poor track record as a student property manager.
The proposed development will overshadow buildings around it overlooking of buildings on the north side of Bedford Villas Impact on outlook of Bedford Terrace spoil view noisy overlooked The proposed development will tower, two storeys, above neighbouring property.
- **Car parking and access**
There is a covenant to prevent any public thoroughfare from Bedford Terrace to Amity Place would like to see greater number of parking spaces provided 15+ on neighbouring site always full during term time. Increasingly students do have cars and the lack of parking on one site means they will attempt to park in the streets around. Bedford terrace is a private road which already has a huge parking problem any additional pressure from student will make the situation intolerable.
- **Trees**
Large cherry tree outside No. 8 Bedford terrace will not provide a screen as it has a rotten core. Concerned about Copper beach.

Any further comments received in relation to the amended plans will be reported in an addendum report or verbally to committee.

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 to consider in this case are:-

- The principle of developing student accommodation in this location (policies CS01; CS04; CS05 and CS15 of the Core Strategy)
- The design and appearance of the buildings and environs (Policies CS02, CS03, CS15; CS20 and CS32 of the Core Strategy).
- Historic environment issues including the impact upon the setting of a listed building [No. 9 Bedford Terrace] (Policy CS03 of the Core Strategy)

- The impact on the TPO protected copper beech tree (Policy CS18 of the Core Strategy)
- The impact upon the amenities of neighbouring property (Policy CS34 of the Core Strategy)
- The adequacy of proposed parking and access arrangements (Policy CS28 of the Core Strategy)

The principle of developing student accommodation in this location

Although originally built as a house the last use of the building was as offices, an employment use; and, in the first instance, consideration needs to be given to the loss of existing employment use. Policy CS05 (Development of Existing Sites) permits the development of existing employment uses for alternative purposes where there are clear environmental, regeneration and sustainable community benefits from the proposal. It goes on to state that in making this assessment consideration will, among other issues, be given as to whether the proposal would result in the loss of a viable employment site necessary to meet the area's current or longer term economic development needs; whether the site is an appropriate location for, or suited to, the needs of the city's priority economic sectors and whether the neighbourhood within which the site is located already has a good range of employment opportunities available for local people, or the proposal will deliver a mixed use development which continues to provide for a good range of local employment opportunities.

Policy CS04 covers future employment provision within the city. It identifies two broad areas of the city where future employment provision opportunities are envisaged: the City Centre and Waterfront; and Northern Corridor. The university area is included within the City Centre and Waterfront regeneration area and is identified as being particularly suitable for tourism, leisure and creative industries. The City Centre Area Vision Strategy, and accompanying Vision Diagram (Chapter 5 of the Core Strategy), includes the university and, on its' north eastern edge, the application site. However, it envisages the main area of education, cultural, employment led mixed use regeneration and intensification opportunities being located to the south of the application site. The area in which the application site is located is identified as an existing urban area suitable for enhancement. Consequently there is no overriding policy requirement in relation to the city's longer term economic development needs – the CS05.1 consideration - to retain the existing employment site.

The close proximity of site to the university regeneration area means that it is not obviously apparent that the site is unsuitable for a new educational, cultural or employment led mixed use – supporting one of the city's priority economic sectors. Nevertheless the difficulties in adapting the existing building / viability of developing an new employment use property; the restricted access, particularly vehicle - dependent as it is on the narrow and often congested nineteenth century residential side streets to the east - and absence of a conspicuous main street frontage mean that its loss to an appropriate alternate use is considered to be acceptable in relation to CS05.2.

Finally, in relation to loss of employment facilities, it should be noted that thanks in large part to the presence of the university and Plymouth College, the area already provides a good range of local employment opportunities with a high job ratio score 1.29, that is nearly twice the benchmark ratio of 0.7 (i.e. 7 jobs per 10 economically active persons) suggested as an indicator of sustainability in supporting paragraph 6.25 of Policy CS05.

The provision of student accommodation is considered to be an acceptable alternative use following acceptance of the loss of the existing employment use.

The City Centre Area Vision Strategy acknowledges in paragraph 5.23 that:-

With the rapid expansion of the university there is a need for more student accommodation. This is an issue for the area and surrounding community.

This is further amplified and explained in paragraph 5.25 of the 'Approach' section which states:-

The Council will take a positive approach to promoting development of key opportunity sites that can help deliver a step change in the quality of the city centre and the services and facilities it provides. These will include:-

- *The provision of student dwellings in and around the city centre and university area in accordance with the university's strategy for delivering accommodation. Such development needs to be managed such that there is appropriate integration with excising communities*

The university's strategy for delivering accommodation is set out in *University of Plymouth Accommodation Strategy*. It identifies a critical shortage of appropriate property for students as numbers continue to expand to 19,912 full time equivalent 2007-2008 - boosted partly by 1,150 transfers from Exmouth campus in 2008-2009 to at least 21,062 in Sept. 2008. This expansion, and consolidation on the main Plymouth campus, has resulted in a significant shortfall between the number of university managed bed spaces available (University Managed bed spaces 1,760, plus University allocated spaces 347 [Unite building]) and strong ongoing demand from students which is not satisfied by current provision. In Sept. 2007 the university received 3,468 applications from new incoming students 90% of whom had expressed a preference for managed allocated bed spaces – over 1,000 were disappointed. In relation to future provision the Strategy states:-

The university would like to offer new incoming students a place in a managed or allocated property for at least their first year of study. To achieve this aim would require future provision of at least 1,000 bed spaces in either managed or allocated scheme there is a marked preference for large cluster flats studio developments

Large purpose built cluster flats developments with on site management are the stated preference for most incoming students. Key geographical areas for providing this type of accommodation are city centre in close proximity to main campus.

The application site is located within 5 minutes walk of the main university campus and its redevelopment to provide specialist student accommodation would clearly help meet the demand identified in the university's accommodation strategy. However, the view that the area already contains enough student accommodation - articulated by Cllr Ricketts, the Greenbank Association, and others, in the Letters of Representation (LOR's) – is partly acknowledged in the qualifications attached to paragraphs 5.23 and 5.25 where it states that student accommodation '*needs to be managed such that there is appropriate integration with existing communities*'

Tensions between 'town and gown', which are mirrored in other communities throughout the country that have a large student population, are not easily reconciled; but the main issue here is whether, on balance, the proposal helps deliver a sustainable community in accordance with Core Strategy Policy CS01 (Development of Sustainable linked Communities) and Policy CS15 (Overall Housing Provision).

The Local Development Framework (LDF) aims to build a city of sustainable linked communities. It identifies 43 Plymouth Neighbourhoods stating in paragraph 3.3:-

3.3In reviewing Plymouth's 43 neighbourhoods , the Council has undertaken a number of studies , highlighting spatial planning issues and options for creating satiable linked communities . The Sustainable Neighbourhood Assessment effectively provide an initial 'planning audit' for each of the city's neighbourhoods and will be used alongside other studies (shopping guides , review of employment land etc), together with input from local communities and stakeholder engagement, in informing planning decisions.

The site is located in Sustainable Neighbourhoods Study (SNS) 20, Mutley and Greenbank. Along with acknowledging all the positive impacts that a large student population (43.2% of the population, compared with 7.3% nationally) brings to the area, underpinning the viability of many shops and services; the continuing vitality of Mutley as one of the largest District Centres in the city and high job ratio score, the SNS recognises the negative impact that it has upon the character of the area in terms of significant seasonal variation in occupation leading to unbalanced housing stock with low proportions of owner occupied and social housing (48.1% of residents rent from private landlords). It identifies a need to increase the density and diversity of accommodation, frontages, year round use etc. and recommends that new housing development is primarily high density to increase the population.

The redevelopment of this site for specialist student accommodation would not directly increase the number of owner occupied or social housing units available in the area and would contribute to the concentration of students living in the area. But indirectly it could contribute by easing the pressure on the area's existing housing stock by providing purpose built accommodation for 45 students who would otherwise be accommodated in flats and shared houses in multiple occupations (HMO's) elsewhere. The flats and houses that

these students occupy may be located further away from the university, encouraging less sustainable travel, but the likelihood is, that they will be within the local area where they would further add to the pressure on existing housing supply.

Provision of a small number of study bedrooms capable of being used by disabled students and a very limited number of parking spaces ensures that the development can accommodate the needs of the student community.

The design and appearance of the buildings and environs

The layout of the proposed development is respectful of the existing access arrangements and site constraints. The larger of the two proposed buildings is shown occupying a similar position within the site to the existing villa - although its footprint is bigger - whilst the smaller building continues the existing street pattern of frontage development along Amity Place. Public and private realms are clearly distinguished with pedestrian access through the site by student residents and guests encouraged. But the interior courtyard and shared surface parking area kept sufficiently private, secure, and overlooked to discourage general access. Despite concerns about the creation of a thoroughfare, the scheme retains the integrity of Bedford Terrace as a cul-de-sac, which offers no public access to Amity Place. This delineation, between public and private realms, and the natural surveillance provided by the corner windows demonstrates compliance with Policy CS32 (Designing Out Crime).

The proposed larger block is double aspect and, at 20m., quite deep. But by positioning the main study bedroom windows on the exterior, east and west, elevations and introducing a small interior courtyard/ light well some sunlight is provided to the main habitable rooms and natural light to all habitable rooms. The layout is efficient and makes effective use of the available land. Since submission, further amendments have been received reducing the overall height of the larger building and simplifying the 'gull' roof design, so that it is not significantly higher than the ridge of the existing villa. Given the underlying topography, with land levels falling from the north, the scale and height of the building is, in the amended submission, considered appropriate to the urban context and adjoining street scene.

The applicant's architect has designed both buildings to have a strong modern appearance that deliberately contrasts with the eighteenth and nineteenth century buildings to the north and the fairly recent, functional, red brick building on the corner of Armada Street and Amity Place to the south. The use of timber on the side elevations of the 40 bed unit and second floor of the 5 bed unit provides a contemporary look whilst the 'gull' roof shape, extensive use of copper and floor to ceiling glazing around the main staircase echo many of the better post war buildings in Plymouth.

It is considered that the style and appearance of the new buildings would result in an appropriate contemporary design for this site, superior to any bland pastiche of the surrounding buildings. But it is acknowledged that matters of style and taste involve a degree of subjectivity. In considering such

issues, particularly in site located in sites outside a conservation area, Members should be aware of the advice in PPS1 which states:-

Local Planning Authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to confirm to certain deferments forms or styles.

The proposed five storey building fronting Amity Place, to the east, would continue the street pattern established by the Amity Street flats (Nos. 20-27) and, despite the loss of the attractive stone wall, is acceptable. The amendment which relocates the building away from the northern boundary, slightly weakens the overall frontage development, but is considered a necessary compromise to safeguard the canopy / root systems of the neighbouring TPO protected copper beech tree.

Historic environment issues including the impact upon the setting of a listed building

The existing Bedford Villas is a pleasant example of a nineteenth century house that fits its site and the character of the surrounding area; but it is not listed or covered by any restriction on demolition or internal alteration. The owner has provided evidence that many of the original internal fittings have been removed during its previous use as offices and that the interior is much altered. He argues that the room sizes and configuration are unsuited to conversion. Your officers agree and have not championed the retention or the listing of the building.

Nevertheless a local member and some residents consider that it may be worthy of listing protection and have applied to English Heritage to consider listing the building. English Heritage are assessing the building in relation to the listing application. It is hoped to report their decision to Committee. A decision to list the building would be a significant new material consideration, which could have potentially changed the balance of this report assessment.

The site is not located in a conservation area or within the immediate vicinity of one. The only other historic environment constraint is the proximity to number 9 Bedford Terrace, a grade II listed building located to the north of the site and noted for its 'distinguished picturesque gothic design'.

Policy CS03 (Historic Environment) makes clear that the council will safeguard and where possible enhance historic environment interests and the character and setting of areas of acknowledged importance including listed buildings (both statutory and listed). This dovetails with national guidance in PPG 15 (Historic Environment) which discusses the desirability of preserving the setting of the building gardens or grounds that have been laid out to compliment its design or function. Paragraph 2.16 of PPG15 states:-

The setting of individual listed buildings very often owes its character to the harmony produced by a particular grouping of buildings (not necessarily all of great individual merit) and to the quality of the spaces created between them. Such areas require careful appraisal when proposals for development are under

consideration , even if the redevelopment would only replace a building , which is neither itself listed nor immediately adjacent to a listed building.

No.9 Bedford Terrace is located on the opposite side of the cul-de-sac from Bedford Villas and relates, in terms of street alignment and garden configuration, closely to its immediate neighbours in the terrace. The visual appearance, harmony and rhythm of the terrace will not be changed by the redevelopment of Bedford Villas whose historic separation from the terrace, on the southern side of the cul-de-sac, is reinforced by screening provided by mature trees and shrubs. The proposal would result in some change to the overall character of the street, as the proposed building, even in its amended form, would be higher and wider than the existing and use a different architectural style; but the impact on No.9, how it and the spaces around it are viewed and perceived, will not be much altered by the proposed development.

The impact on the TPO protected copper beech tree

The application site has no trees within it, but there is a mature Copper Beech in the garden of No. 10 Bedford Terrace that overhangs the northern boundary of the site. Since submission the tree has, at the owner's instigation, been protected by a TPO 457 adding weight to the general Policy CS18 (Plymouth's Green Space) presumption to protect green space and trees. Policy CS18 states;-

The council will protect and support a diverse and multi functional network of green space and waterscape through

- *Using its planning powers to safeguard important trees and hedgerows and to secure provision of soft landscaping where appropriate as part of the development*

This proactive stance towards protection of green space accords with supporting paragraph 11.37 which states:-

Also important to quality of life and the environment are smaller scale greenspace features – even down to individual tree or hedgerow. The Council will be proactive in protecting such features through Tree Preservation Orders or other application of its planning powers.

In response the applicant's architect has more accurately plotted the canopy of the tree and moved the smaller building, fronting onto Amity Place, further away from the canopy and likely position of the root system. This has had some impact upon the Amity Place frontage and reduced the number of study bedrooms from 7 to 5, but should provide a better long term prospects for survival of the tree.

A condition to require the foundation excavations to be undertaken carefully – and in the event of any major root systems being discovered, approval of foundation construction details, is considered necessary to safeguard the protected tree.

The impact upon the amenities of neighbouring properties

In general terms the layout and orientation of the property is considered to have limited impact upon the amenities of neighbouring property and demonstrated compliance with Policy CS34 (Planning Application Considerations).

With the exception of the 'wrap' around corner windows on the northern end of the proposed larger building – which serve the dual function of providing

natural light and surveillance of the approach and entrance - the study bedroom windows are located on an east-west axis where they would not directly overlook neighbouring property. There would be some indirect views, and angled views of neighbouring property including the student accommodation managed by Buckclose Ltd., and of course the main staircase would face north towards neighbouring property, but the relationship to Bedford Terrace at this point is frontage to frontage in a fairly high density urban area and is, in any case, partly mediated by the foliage screening

Concerns raised in LORs about the height and scale of the proposed larger building, the proximity of the smaller building to the site boundary with no. 10 and the potential use of the flat roof as a balcony have been responded to positively and more considerate scheme developed. In its amended form the proposal is considered to be acceptable in relation to Policy CS34.

The adequacy of proposed parking and access arrangements

Core Strategy Policy CS28 (Local Transport Considerations) set out the Council's transport policies. It states:-

The Council will develop and promote a high quality and sustainable transport system for the city and reduce the need to travel through spatial planning and design, including the following elements:

4. Demand management. Development proposals will be assessed in relation to car parking standards set out in the Council's Car Parking Strategy. These set a maximum level of provision for different types of proposal. These standards will be applied within the context of the capacity of the local road network and the need to promote the city for economic development, support shopping areas, safeguard residential amenity and ensure highway safety.

The Council's parking standards are couched in terms of maximum rather than minimum standards.- with a *maximum* for a C1 (Hostel Use) of 1 space per 8 residents.

The site is located in close proximity to city centre and very well served by public transport with Plymouth central rail station is central and the bus/ coach station within the neighbourhood. The provision of three spaces for loading and unloading and use by disabled residents is more than many similar student hostels in the area and considered sufficient.

Section 106 Obligations

- Clause to restrict occupation to students
- Delegated authority to refuse the application if the Section106 agreement not completed within 3 months of the date of a committee resolution to approve.

Conclusions

The proposed development is located close to the university and would provide new purpose built student accommodation of the type sought in the *University of Plymouth Accommodation Strategy* in two attractive modern buildings. It would not displace existing residential accommodation – and may even help ease some of the pressure on it.

The City Council has worked in partnership with the university over a number of years to help it develop its Drake circus campus, appreciative of the economic benefits its expansion brings to the city as a whole. But this has, inevitably, generated some pressures upon the local area which are acknowledged in the Core Strategy Area Vision and underlying SNS evidence base. Reconciling those interests and getting the right balance between preservation and innovation in relation to the wider area is not always easy. However, in its amended form, this development proposal is considered to strike the right balance and is consequently recommended for approval.

Recommendation

In respect of the application dated **11/07/2008** and the submitted drawings, **Amended plans and description of development (plan numbers 3600/201; 3600/202; 3600/203 & 3600/204)**

3600/201; 3600/202; 3600/203 & 3600/204

Sheet L1.3600; 3600/033600/101Rev.A;3600/102Rev.A (7Bed unit).3600/103;3600/104 , it is recommended to: **Granted Conditionally S106**

Conditions

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: -

- The principle of developing student accommodation in this location
- The design and appearance of the buildings and environs
- Historic environment issues including the impact upon the setting of a listed building
- The impact upon the amenities of neighbouring property
- The adequacy of proposed parking and access arrangements
- Community Benefits / Planning Obligation

, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c) relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, as follows:

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.

SURFACE WATER DISPOSAL

(2) Development shall not begin until details of the proposals for the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development hereby permitted is first .

Reason:

To enable consideration to be given to any effects of changes in the drainage regime on landscape features in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

EXTERNAL MATERIALS

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

Reason:

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

SURFACING MATERIALS

(4) No development shall take place until details of all surfacing materials to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

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

LANDSCAPE DESIGN PROPOSALS

(5) 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 .

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LANDSCAPE WORKS IMPLEMENTATION

(6) 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 Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

REFUSE PROVISION

(7) Before the development hereby permitted commences details of the siting and form of bins for disposal of refuse shall be provided on site shall be submitted to and approved in writing by the Local Planning Authority . The refuse storage provision shall be fully implemented before the development is first occupied and henceforth permanently made available for future occupiers of the site.

Reason;

In order to ensure that adequate, safe and convenient refuse storage provision is provided and made available for use by future occupiers in accordance with Planning Guidance 9 - Refuse Storage in Residential Areas.

CODE OF CONSTRUCTION PRACTICE

(8) Prior to the commencement of the development hereby approved, a detailed management plan for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the management plan.

Reason: To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SOUND INSULATION OF BUILDING

(9) The building is built in accordance with BS8233:1999 to meet the 'good room criteria' for living spaces. Due to the nature of the development each bedroom should meet this criteria as well as the living areas of each flat.

Reason: To protect the residents from noise generated by other residents of the building and to protect the general amenity of the area, given the high density of housing.

LAND QUALITY

(10) Prior to the commencement of development, the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the Local Planning Authority.

That scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority.

1. A preliminary risk assessment/desk study identifying:
 - All previous uses
 - Potential contaminants associated with those uses
 - A conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for an assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these agreed elements require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: Historical maps indicate 2 depots in the immediate vicinity of the proposed development which may include the development site. The condition covers the full range of measures that may be needed depending on the level of risk at the site. If the LPA is satisfied with the information submitted with the application they can decide to delete any of elements 1 to 4 no longer required. The LPA may still decide to use the whole condition as this would allow them to declare the information no longer satisfactory and require more or better quality information if any problems are encountered in future.

REMEDATION VERIFICATION

(11) Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met. It shall also include, where relevant, a plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the local planning authority.

Reason: Without this condition, the proposed development on the site may pose an unacceptable risk to the environment. This is listed as a separate

condition as it gives the LPA the option to choose a later control point: i.e. prior to occupation, rather than commencement of the development for the main phase of the remedial works.

CYCLE PROVISION

(12) The development shall not be occupied until space has been laid out within the site in accordance with the approved plan for 22 bicycles to be parked.

Reason:

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

PROVISION OF PARKING AREA

(13) Each parking space shown on the approved plans shall be constructed, drained, surfaced and made available for use before the unit of accommodation that it serves is first occupied and thereafter that space shall not 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 in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

LIGHTING SCHEME

(14) Before the development hereby approved commences details of any external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be fully implemented before the development is first occupied and henceforth permanently maintained for the occupiers of the site.

Reason:

In order to ensure that adequate external lighting is provided for future occupiers of the site and that it does not interfere with navigation.

LIFETIME HOMES

(15) None of the residential units hereby approved shall be occupied until 2 units (20% of the total) have been constructed to 'Lifetime Home' standard.

Reason

In order to ensure that a percentage of the housing stock is designed to a standard that meets the needs of disabled people.

GATE DETAILS REQUIRED

(16) Details of the gate(s) between the site and Amity Place shall be submitted to and approved in writing prior to construction, and implemented in accordance with the approved plan prior to any of the buildings first being occupied.

Reason:

To ensure satisfactory delineation between the public and private realm and satisfactory appearance onto Amity Place

EXCAVATIONS & TREE ROOTS

(17) Details of excavations foundations and servicing shall be submitted to and approved in writing prior to the commencement of any construction works on site.

Reason

To safeguard the roots of the TPO protected Copper Beech tree in the garden of the adjacent property, no. 10 Bedford Terrace.

EXCLUSION FROM RESIDENT'S PERMIT PARKING

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

PPG15 - Planning and the Historic Environment

PPS3 - Housing

PPS1 - Delivering Sustainable Development

CS28 - Local Transport Consideration

CS32 - Designing out Crime

CS33 - Community Benefits/Planning Obligation

CS34 - Planning Application Consideration

CS20 - Resource Use

CS03 - Historic Environment

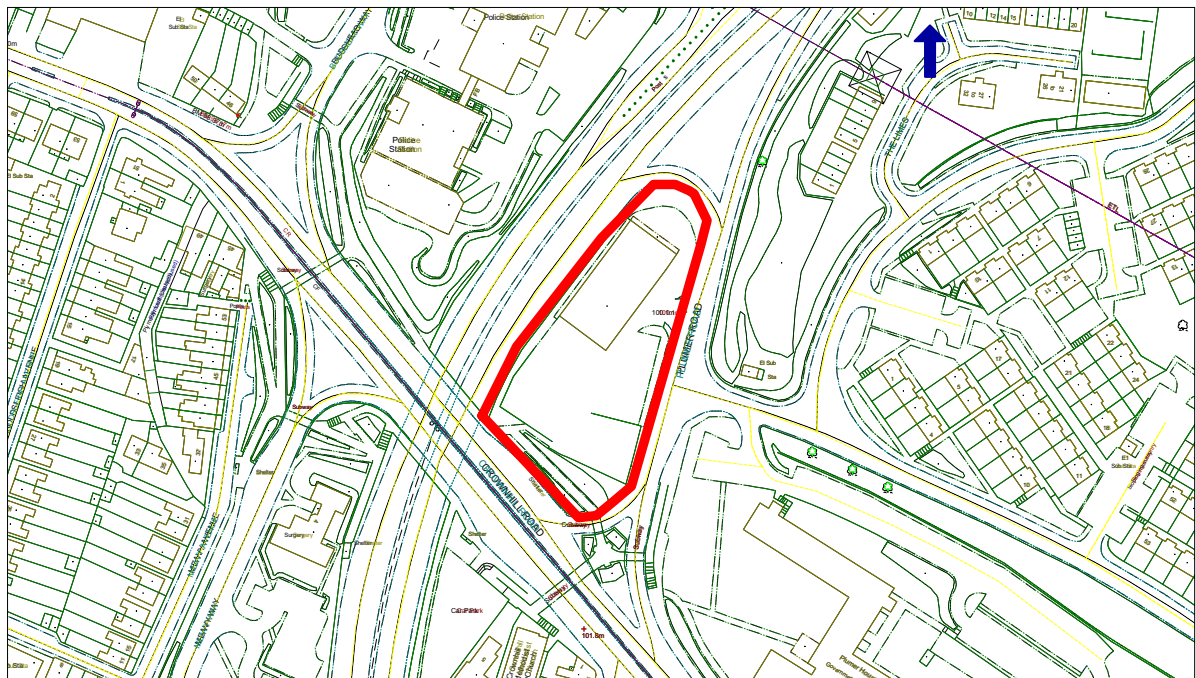
CS02 - Design

CS15 - Housing Provision

This page is intentionally left blank

ITEM: 05

Application Number:	08/01077/FUL
Applicant:	Farmfoods Ltd
Description of Application:	Change of use of the car showroom to general retail use (class A1) with alterations to building, including creation of two retail units, erection of new retail unit in southeast corner; alterations and extension to car parking and landscaping areas
Type of Application:	Full Application
Site Address:	FORMER HAXBY SITE PLUMER ROAD PLYMOUTH
Ward:	Budshead
Valid Date of Application:	28/05/2008
8/13 Week Date:	27/08/2008
Decision Category:	Major Application
Case Officer :	Robert Heard
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



(c) Crown Copyright. All rights reserved. Plymouth City Council Licence No. 100018633 Published 2008 Scale 1:2500

OFFICERS REPORT

Site Description

The site comprises of a former car dealership located within the Crownhill area of Plymouth, on the edge of the existing Crownhill Local Shopping Centre based on Morshead Road.

It is bordered on all sides by roadways and surrounding development is a mix of retail, commercial and residential. There is an existing building located at the northern end of the site that was formerly the car showroom and workshop. This is a single storey steel framed structure with a curved insulated roof cladding, with blockwork walls and showroom style areas of glazing. The rest of the site is tarmac and was previously used as a car park and for the display of cars for sale. Although not obvious, there is a fairly steep rise across from south to north, with the former car park area split level, supported by a small retaining wall.

Proposal Description

It is proposed to change the use of the site to a general retail (A1) use, with sub division of the existing building to create 2 units and the erection of a new retail unit in the south east corner of the site. Alterations to the car parking and landscaped areas are also proposed.

Relevant Planning History

None.

Consultation Responses

Highway Authority

Support subject to conditions. Request a financial contribution to improve public transport facilities.

Highways Agency

No objection.

Architectural Liaison Officer

No objections.

Access Officer

No comments.

Representations

4 letters of representation received, all objecting to the application on the following grounds:

1. Increase noise and pollution in the area.
2. The site is difficult to access for pedestrians.

3. Danger to highway safety due to increase in traffic.
4. The retail impact assessment submitted by the applicants is inadequate.

The reasons for objection listed above are examined below in the Analysis section of this report.

Analysis

As stated, this application proposes to change the use and sub divide the former Haxbys car showroom/workshop to provide 2 retail units with a further smaller new build unit to be positioned in the south east corner of the site. Minor changes to the car parking area are proposed and additional landscaping also forms part of the application.

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 application is made by Farmfoods, a budget 'long shelf-life' retailer. Farmfoods propose to occupy the larger of the 2 sub divided units that form the previous Haxbys showroom/workshop, which would have a floor area of 8940 sq/ft, in comparison to the smaller unit which would be 1000 sq/ft in floor area. The proposed new build unit would be 1200 sq/ft in floor area. The applicants have not identified tenants for either of the other 2 smaller units but have applied for an unrestricted A1 (retail) use for all 3 proposed units. Minor changes are proposed to the elevations of the former showroom in order for it to be converted into 2 retail units, but on the whole the building will remain very similar in external appearance to the former showroom. The proposed new build unit is finished in materials similar to those used on the existing building, being microrib cladding panels, glazing and a metal roof.

The applicants are proposing to provide 71 car parking spaces at the site (including disabled) and also dedicated cycle storage. Additional landscaping is proposed at the north and south elevation of the site but no specific details have been submitted regarding species or form. It is considered by the case officer that the main issues this application raises are the proposed change of use (and therefore the retail impact), highways considerations and visual amenity.

Use

Although the site is currently vacant the last permitted use at the site (car show room with ancillary workshop) was 'sui generis', so any proposed change of use requires the benefit of planning permission. The site is well related to the existing Crownhill Local Shopping Centre and is considered to be an 'edge of centre' site in terms of its retail impact. The applicants Retail

Impact Assessment (RIA) has identified that Crownhill Local Shopping Centre lacks a key anchor store, being heavily biased towards the service and catering sectors. It is considered by the applicants and stated in their RIA that main food shopping trips are therefore undertaken in competing retail destinations outside of the local catchment of Crownhill and nearby convenience stores are considered to be overtrading. This is confirmed in the Cushman and Wakefield Plymouth Shopping Study (August 2006). The site has also been previously identified as being suitable for a foodstore to form an extension to Crownhill Shopping Centre.

With regards to retail policy, CS08 of the City of Plymouth Local Development Framework Core Strategy (2007) is relevant. Concerning the criteria set out in this policy, the site is considered to be at the 'edge' of an existing local centre and there is considered to be a proven need for an anchor food store in this location (demonstrated in the applicants RIA and stated within the Plymouth Local Shopping Needs Study). The development is considered appropriate in scale as it proposes to reuse an existing building on the site, and its function would complement the services on offer in Crownhill Local Centre. A sequential approach to site selection has been carried out in the applicants RIA and there are no suitable sites for the proposed use within the existing centre. It is considered that a convenience store in this location could widen the offer of shops and services at Crownhill, provide additional car parking which could also serve the existing local centre and reinforce and strengthen the vitality and viability of the existing Crownhill Local Centre.

The Councils Retail Policy Officer supports the application, stating that 'the justification for the proposal is based upon Farm Foods operation, and therefore supposes an A1 food store. A non foodstore would not complement the existing shops in Crownhill Local Centre so well, and would have less of a role in strengthening the local centre. For this reason conditions should be used limiting a consent to food retailing (for the main store), and ensuring that the car park can be used by people using Crownhill Local Centre.'

Visual Amenity

The site is quite prominent from areas to the north and can be clearly viewed when travelling into the city along Tavistock Road. It is surrounded on all sides by roadways and is set in an urban context of retail, commercial and residential uses. At present the site is not being used and has been vacant for a number of years, formerly being occupied by Haxbys as a car showroom with ancillary motor trade facilities.

The former car showroom is still located at the site and the application proposes to reuse this building for occupation by Farm Stores as a food retail outlet. It comprises of a single storey portal steel framed building with curved insulated roof cladding, painted brickwork walls and showroom style glazing. The rear of the unit contains roller shutter doors giving access to an ancillary workshop.

As stated, the existing building is proposed to be retained. However, improvements are proposed to the external appearance so that additional

glazing is provided at both end elevations (north east and south west). These are the most prominent elevations and the additional glazing presents a more attractive façade whilst enabling views into and out of the building to create active frontages at both ends of the building.

A new building is proposed in the southern corner of the site and is intended to provide a visual marker to the main pedestrian access to the site. It is perceived that the new unit will assist in integrating the site with the existing local shopping centre, as its located closer to the existing centre than the former Haxbys showroom. The new unit will utilise similar materials to those on the existing building, being microrib cladding panels and glazing. It is considered that the proposed new building is acceptable in principle, and could make a positive contribution to an important corner of the site. However, further details are required regarding its design and external appearance, although these details can be requested via planning condition.

The application proposes to introduce small new areas of landscaping at the site and whilst minimal this does help to provide much needed green areas at the site and is an improvement on the current situation. It is considered that whilst removal of the existing building and comprehensive redevelopment of the site would be desirable and in terms of visual amenity would offer a far better opportunity to provide a development with a high quality urban design solution at the site, the current proposal does improve visual amenity at the site and offers a development that is complimentary to the surrounding development. It is therefore considered acceptable on design grounds and complaint with Policy CS02 of the City of Plymouth Local Development Framework Core Strategy (2007).

Highways Issues

The site is located at the centre of a convoluted road network and is surrounded by roadways on all sides. However, despite the complicated nature of the surrounding highway network, the site is considered to be a sustainable location, well served by public transport and close to local amenities. Despite being surrounded by roads its pedestrian links to the surrounding areas are excellent and it's well connected to these by a series of underground subways.

The application proposes 71 car parking spaces and this is compliant with highway policy regarding maximum standards for development within the A1 use class. It is considered that the site could also be used by shoppers visiting the existing Crownhill shops as it is so close and so well served by pedestrian underpasses. Currently the car park available off Morshead Road is often parked to capacity at peak times and the site would offer much needed overflow parking for Crownhill shoppers.

The site is within close proximity to bus stops on Crownhill Road and these are currently well equipped with shelters and borders. The existing bus stops provide access to many different parts of the city and it would be difficult to pick an existing site that is better served by public transport. The application

includes provision for cycle parking to further encourage the use of sustainable forms of transport.

The Councils Highways Officer has stated support for the development, subject to conditions, and the application is considered to be compliant with Policy CS28 (Local Transport Considerations) of the City of Plymouth Local Development Framework Core Strategy (2007).

Other Relevant Issues

As stated above in the representations section of this report, 4 letters of objection have been received, for reasons already outlined in the Representations section. With regards to increased noise and pollution, it is accepted that there could be increased activity at the site, but this would not be to a significant level that would adversely impact upon the surrounding development or highway network. The sites accessibility for pedestrians has already been discussed and the proposal is not considered to impact significantly on highway safety, as stated the Highways Officer supports the application. Regarding the applicants Retail Impact Assessment, this was appraised by the Councils Retail Officer and considered to adequately address the main retail issues. The application was also discussed at the Strategic Development Panel where it was agreed that the proposed use was acceptable, subject to control by planning conditions.

It is the case officers opinion that residential amenity is not a significant issue in the consideration of this application as the site is not located particularly close to any residential properties and is surrounded on all side by busy roadways. It is very unlikely that the proposed development will have any impact upon the residential amenities of any of the nearby properties due to their separation distance from the site. For this reason, it is also considered that it is not appropriate to restrict hours of opening at the site. Crownhill Local Centre contains a public house, restaurant and many takeaways that ensure it is still fairly vibrant in the later evening hours. It is considered that use of the application site later in the evening could encourage greater use of the existing centre in the evenings and also help to increase pedestrian circulation in the area, which would aid natural surveillance and ensure the site does not become deserted in the evening hours and subject to vandalism and anti social behaviour.

Section 106 Obligations

The Councils Highways Officer has requested a contribution of £21, 826.60 in order to provide Real Time Passenger Information (RTPI) systems at the site. However, this is considered unreasonable by the case officer as the site is already well served by public transport and the applicants are providing additional car parking that can be used by visitors to Crownhill Local Centre. Due to the sustainable location of the site and the car parking proposed as part of the development, it is considered that the proposal would not place undue additional pressure on the surrounding highway network and public transport services that would be significant enough to warrant mitigation in the form of contributions.

Conclusions

This application proposes to change the use of the site to a general retail (A1) use, with sub division of the existing building to create 2 units and the erection of a new retail unit in the south east corner of the site. Alterations to the car parking and landscaped areas are also proposed.

It is considered that the proposal would improve consumer choice and strengthen the vitality and viability of Crownhill Local Shopping Centre, whilst improving visual amenity at the site, adding much needed landscaping and providing active frontages to each end of the main building. The site is considered a sustainable location that is already well served by public transport and has excellent pedestrian links to the surrounding areas, despite being bounded by roads on all sides.

It is considered that subject to conditions, the application is acceptable, and it is therefore recommended for approval.

Recommendation

In respect of the application dated **28/05/2008** and the submitted drawings, **6592(90)05, 6592(20)04, 6592(20)05, 6592(90)01B, 6592(20)02A, 6592(90)02A, 6592(90)03A, 6592(20)04, 6592(90)06** and 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.

EXTERNAL MATERIALS

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

Reason:

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

FURTHER DETAILS

(3) Notwithstanding the details shown on the submitted plans, 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:

Details showing the design and external appearance of Sub Unit 2, including details of external materials.

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 in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SPECIFIED USE RESTRICTION

(4) The Farmfoods unit hereby approved shall be used as a foodstore only with the ancillary sale of non-food goods comprising no more than 15% of the total net sales floor area (830 Square meters), and for no other purposes including any other purpose in Class A1 of the Schedule to the Town and Country (Use Classes) Order 2006, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason:

The Local Planning Authority considers that, in the particular circumstances of the case, the use of the premises for the purpose specified is appropriate but that a proposal to use the building for any other purposes would need to be made the subject of a separate application to be considered on its merits in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SPECIFIED USE RESTRICTION

(5) Sub Units 1 and 2 hereby approved shall operate within Class A1 of the Schedule to the Town and Country (Use Classes) Order 2006, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason:

The Local Planning Authority considers that, in the particular circumstances of the case, the use of the premises for the purpose specified is appropriate but that a proposal to use the building for any other purposes would need to be made the subject of a separate application to be considered on its merits in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

GRAMPIAN

(6) 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 CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

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 (or such other steps as may be specified) 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 in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CYCLE STORAGE

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

Reason:

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

CAR PARKING MANAGEMENT PLAN

(9) No development shall commence on site until a Parking Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The approved Parking Management Strategy shall be implemented upon first occupation of the first unit and shall remain permanently operational thereafter.

Reason:

To control car parking at the site and to prevent commuter parking.

LOADING AND UNLOADING PROVISION

(10) 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 in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

DETAILS OF BOUNDARY TREATMENT

(11) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the details of the development are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LANDSCAPE DESIGN PROPOSALS

(12) 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.) and proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc., indicating lines, manholes, supports etc.).

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SOFT LANDSCAPE WORKS

(13) 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 Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

LANDSCAPE WORKS IMPLEMENTATION

(14) 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 Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE: ADVERTISING

(1) This permission does not give or imply any consent for the advertising material shown on the approved plans. Such advertising is controlled under the Town and Country Planning (Control of Advertisements) Regulations 1992 and the applicants should obtain any necessary consent separately.

Statement of Reasons for Approval and Relevant Policies

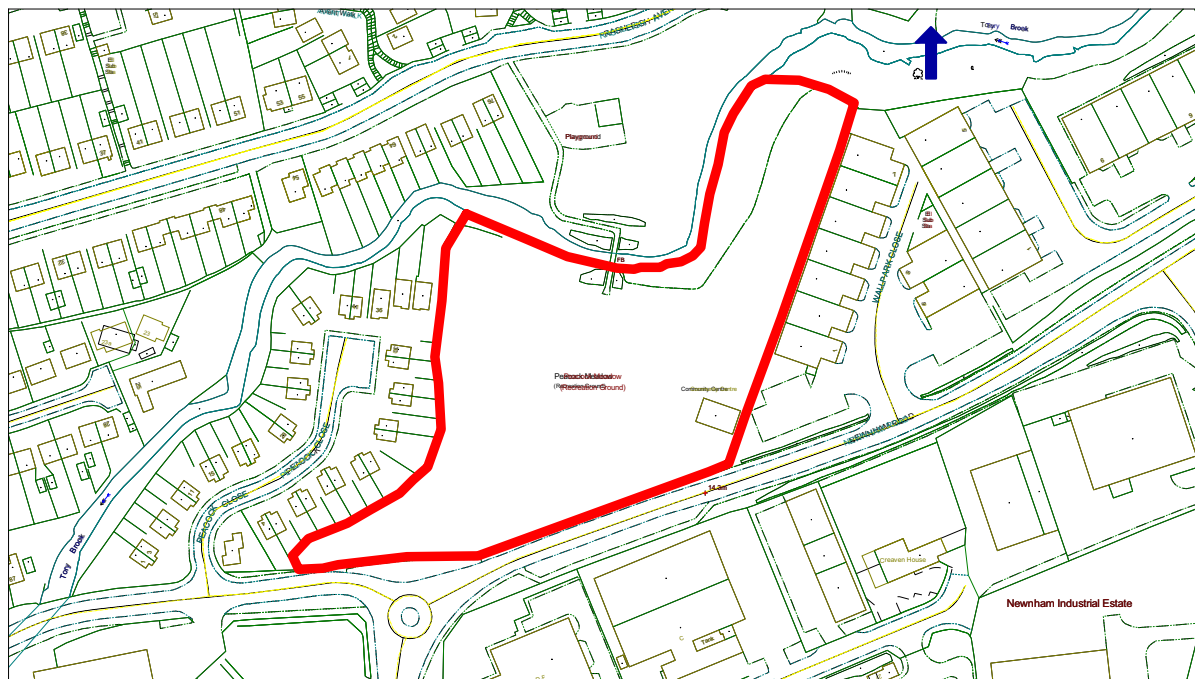
Having regard to the main planning considerations, which in this case are considered to be the retail impact of the proposed development, its affect on visual amenity and highways issues, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (1) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c) relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, as follows:

- CS28 - Local Transport Consideration
- CS34 - Planning Application Consideration
- CS08 - Retail Development Considerations
- CS05 - Development of Existing Sites
- CS02 - Design

This page is intentionally left blank

ITEM: 06

Application Number:	08/00857/FUL
Applicant:	Colebrook Community Association
Description of Application:	Use of land to hold 28 car boot sales per year (increase from current 14 sale per year)
Type of Application:	Full Application
Site Address:	PEACOCK MEADOW, NEWNHAM ROAD PLYMPTON
Ward:	Plympton St Mary
Valid Date of Application:	20/06/2008
8/13 Week Date:	19/09/2008
Decision Category:	Major Application
Case Officer :	Carly Francis
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



(c) Crown Copyright. All rights reserved. Plymouth City Council Licence No. 100018633 Published 2008 Scale 1:2500

OFFICERS REPORT

Site Description

This site is located at Peacock Meadow in Plympton and is located to the north east of the junction of Newnham Road and Strode Road. Industrial estates lie to the east and south, housing is located to the west and open land to the north. The tree-lined Tory Brook runs along the northern boundary. The site is public open space and used as a playing field. This level area of grass has a tree belt along the western, northern and part of the eastern boundaries and a small hedgebank on the southern boundary. There is a single storey brick community building and small parking area in the southeastern corner. The semi detached residential estate of Peacock Close lies beyond the western boundary.

Proposal Description

Use of land to hold 28 car boot sales per year (increase from current permitted development 14 sales per year).

Relevant Planning History

04/00860 (FULL) Continue use of land for car boot sales- WITHDRAWN.

Consultation Responses

Environment Agency- no objections.

Access Officer- no objections.

Public Protection Service- no comments received.

Parks Services- recommend refusal.

Asset Management- no comments received.

Representations

42 Letters of Representation

34 in support

8 objecting

Plus petitions for and against the proposal.

Support application on the basis that:

- Provides funding to keep community centre open, which offers many benefits to local residents.

Object on the grounds of:

- Increased traffic to the site.
- Noise and disturbance to surrounding properties.

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 considerations for this application are whether there would be an adverse impact upon the public open space, to the natural characteristics of the area, local amenities and on the highway. The main policies relevant to this application are CS18, CS19, CS22, CS28 and CS34 of the adopted Core Strategy.

Car boot sales already take place at this site; it can be used in this way for 14 days in a calendar year under permitted development rights. This application is to allow a further 14 car boot sales.

The Parks Department have raised concerns about the impact on the land; they are not supportive of the car boot sales due to the potential harm that could be caused to the playing field. Despite these concerns it is not deemed that 14 more car boot sales a year would cause significant harm to the field and it is not deemed that the playing field would suffer excessive use. It is also noted that as the land is in Plymouth City Council ownership, the Parks Department could seek that car boot sales cease, as they have ownership rights. Any conflict of use between the primary function of the site as a playing field and the car boot sale use should be resolved by management of the site by the Parks Department. Likewise any damage that may be caused to the field as a result of the car boot sales should be managed by the Parks Department who are responsible for the sites maintenance.

The Transport Officer does not wish to raise any objections to the principal of increasing the regularity of car boot sales occurring on a Sunday providing that they are properly controlled and managed. In this respect the Transport Officer requests that further information be provided and that the use should be restricted in order to control and manage the likely risks, hazards, and inconvenience associated with the increased use of the highway.

He states that further details submitted for approval should include; a generic site layout indicating areas and numbers of car-boot sale pitches and car parking spaces, along with associated aspects of the site. He also requests a Site Management Plan in relation to the car-boot sale events, and a Risk Assessment, both of which shall include all relevant and associated details. Details should include average numbers of persons on site, sellers, buyers, organizers/staff and their functions; marshalling and how marshals are deployed; vehicular and pedestrian management and segregation; arrangements for liaison with the police and issues of off-site car parking; etc. A condition shall therefore be attached to secure that these further details are

submitted for approval. Subject to the management details being approved the proposal is deemed to adhere to policy CS28.

Many letters of representation were received, the majority of which were in support of the proposal due to the fact that the car boot sales are enjoyed and the funding raised from them allows the Community Centre to continue operating. The Colebrook Community Centre is a self funding charity and without the funding from the car boot sales they state that that the Community Centre may be forced to close. The Community Centre provides a local facility for many residents and therefore the loss of the centre would result in a loss of amenity to the local community.

The letters of objection received are concerned mainly with the impact on the surrounding highway and noise/ disturbance created by traffic and activity at the site. The highway concerns have been addressed by the Transport Officer. It is not considered that there would be considerable noise or disturbance caused by the car boot sales. The hours that the car boot sales normally run are 9am to 1pm on Sundays. A condition shall be attached to restrict the operation of the car boot sales to these times so that extended hours do not cause an unacceptable degree of disturbance. It is also important that these times are adhered to as the impact on the highway has been assessed on a Sunday morning when traffic movements are low. The running of car boot sales in the given time period is considered to adhere to policies CS22 and CS34.

The applicants were required to submit an Emergency Flood Plan with the planning application because the site is located within what are defined as Flood Zones 2 and 3 by the Environment Agency. Flood zones 2 and 3 are identified as being at medium and high risk of flooding from the Tory Brook. The Environment Agency are satisfied that the document provides a structured approach for site evacuation and that the proposed measures would reduce the risk of damage to property and ensure the safety of people attending the car boot sales. The proposal therefore accords with policy CS21.

Conclusions

It is not considered that the increase of car boot sales would cause demonstrable harm to the site or surrounding residents and therefore it is recommended that this application be recommended for approval.

Recommendation

In respect of the application dated **20/06/2008** and the submitted drawings, **Site plan, Emergency Flood 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.

FURTHER DETAILS

(2) 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:- generic layout plan, traffic management plan and risk assessment. 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 in accordance with Policy CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

HOURS OF OPERATION

(3) The permitted car boot sales must only take place on Sundays and must commence no earlier than 9am and finish no later than 1pm.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

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 upon the public open space, to the natural characteristics of the area, local amenities and highway safety, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c) relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, as follows:

CS28 - Local Transport Consideration

CS34 - Planning Application Consideration

CS22 - Pollution

CS18 - Plymouth's Green Space

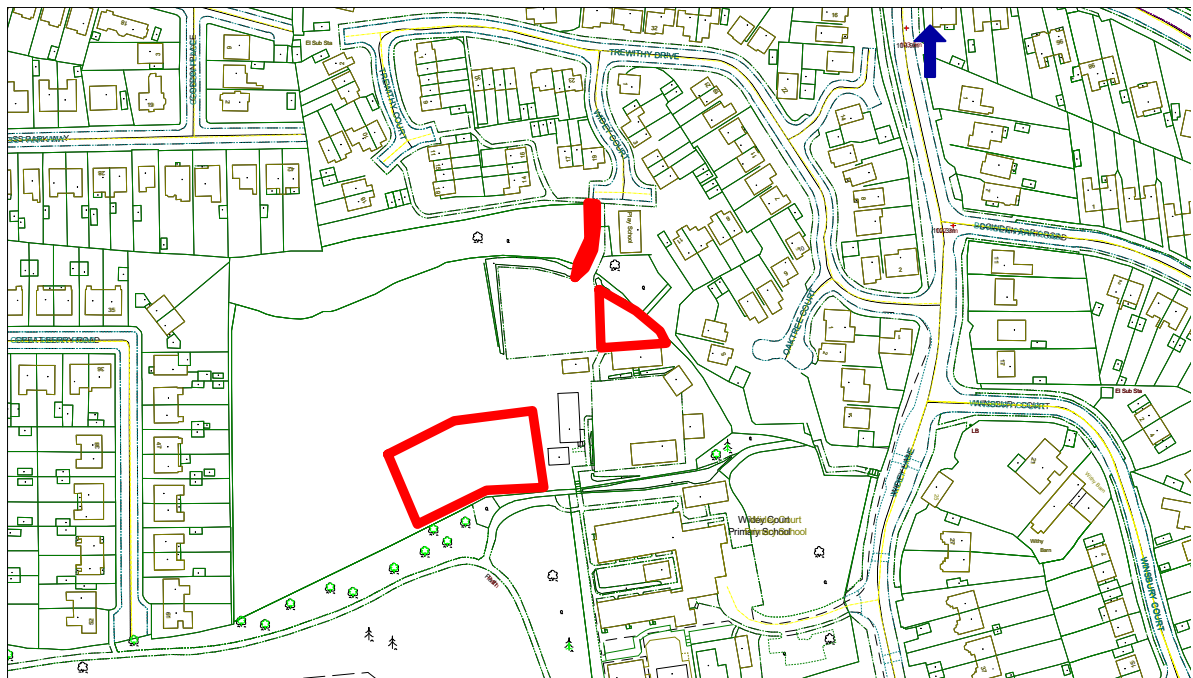
CS19 - Wildlife

CS21 - Flood Risk

This page is intentionally left blank

ITEM: 07

Application Number:	08/01433/FUL
Applicant:	Plymouth City Council
Description of Application:	New playground area, Devon bank and outdoor teaching area, new parking spaces within existing playground
Type of Application:	Full Application
Site Address:	WIDEY COURT PRIMARY SCHOOL, WIDEY LANE CROWNHILL PLYMOUTH
Ward:	Eggbuckland
Valid Date of Application:	22/07/2008
8/13 Week Date:	21/10/2008
Decision Category:	Major Application
Case Officer :	Carly Francis
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



(c) Crown Copyright. All rights reserved. Plymouth City Council Licence No. 100018633 Published 2008 Scale 1:2500

OFFICERS REPORT

Site Description

This is Widey Primary School located in Crownhill. The proposed playground and outside teaching area are proposed at the rear of the school, the parking area proposed is currently used as a playground and is situated near the entrance to the site from Widey Court. There is public open space to the west and south of the school, this comprises of a public footpath through a wooded area. There are residential properties to the north and east of the school site. The school can be accessed from Widey Lane to the east and Widey Court to the north.

Proposal Description

New playground area, Devon bank and outdoor teaching area, new parking spaces within existing playground and new pedestrian access.

Relevant Planning History

08/00875 (FULL) New playground, outdoor teaching area and additional car parking area- WITHDRAWN.

07/00751 (FULL) Extension to provide 4 classrooms and an ICT suite- PERMITTED.

Consultation Responses

Highway Authority- no objections.

Tree Officer- no objections.

Representations

21 letters of representation all objecting to the proposal for reasons which include concerns relating to:

- Traffic congestion.
- Loss of the playground area.
- The proposed footpath.
- Increased flood risk.
- The impact on trees.

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 for consideration in this case are the impact to the amenity of the school, on surrounding properties, to the natural environment and on the highway. The policies relevant from the adopted Core Strategy include CS18, CS28 and CS34.

The application comprises of two distinct elements where one would not appear to be dependent on the other, firstly the provision of a new playground, to replace play space previously lost to development, along with a new outdoor teaching area; and secondly, the change of use and creation of an additional car parking area for nine cars on part of an existing playground, along with associated alterations to the existing access-way to Widey Court.

The previous application submitted for the new playground, outdoor teaching area and additional car parking area was withdrawn as objections were raised by the Tree Officer and therefore significant amendments were necessary in order to ensure that there would be no harm to important trees on the site.

Following extensive discussion with the Tree Officer the resubmission includes a Tree Report to standard BS 5837:2005 and the outdoor teaching area and playground are now proposed in revised positions further away from any trees. The Tree Officer supports the application providing works follow the recommendations made in the Tree Report. The proposal therefore accords with policy CS19.

The outdoor teaching area would consist of a picnic style table surrounded by timber planks to form seating. The playground area would be an open area with a tarmac finish.

The playground and teaching area would not cause significant disturbance to local residents when used due to the distance away they would be located from residential properties. The proposal therefore accords with policy CS34. These additional facilities are supported, as they would improve the amenities of the school to the benefit of the school children in accordance with Strategic Objective 9 and CS14.

The Transport Officer initially expressed concern regarding the original proposal for creation of additional car parking on the playground however the plans have now been amended and the Transport Officer is now able to support the application. It was initially felt that the parking area would have been likely to generate and encourage a significant increase in vehicle trips associated with parents cars picking-up and dropping-off of children, in Widey Court and Trewithy Drive. It is considered that the group of cul-de-sac streets have a particular design capacity and are not designed to allow for significant increases in vehicular trips and traffic flows. Currently Widey Court accommodates 16 residential dwellings and a Children's Nursery, and could not safely accommodate further significant traffic movements associated with picking-up and dropping-off children at the school, and the likely resultant conflict with the existing uses.

The low level of traffic movements associated with nine car parking spaces for use by full-time teaching staff (generally, 9 in am & 9 out pm) is considered unlikely to be detrimental to the local road network or local residents always providing that the access/egress for vehicles was restricted to authorized users only and strictly controlled at all times, to prevent pedestrians from

being able to use the access and ensure that parents would not be encouraged to pick-up and drop-off children there. The existing access is single track and not wide enough for two cars to pass one another, however with parking for just 9 cars belonging to full time members of staff the single track, with good forward visibility along its length, and staff generally moving in the same direction at or about the same time, the arrangement is considered satisfactory for the proposed low level use.

The Transport Officer would not wish to raise any objections in principal to increasing the provision of off-street car parking that may help to ease congestion in the existing surrounding streets and improve convenience and amenity for local residents. The application indicates that currently the school has 28 car parking spaces, the proposal would increase the number to a total of 37, the Transport Officer reasonably considers that the guidance on parking standards would allow for a further increase in car parking at the site over and above this number, taking account of full time teaching assistants, 42 to 50 car parking spaces may be sought. The Transport Officer would however encourage the use of sustainable travel which is why a Staff Travel Plan should be implemented at the school.

The proposed new pedestrian access/egress from Widey Court into the school no longer forms part of this application and would not be progressed or formed. Therefore the Transport Officer has removed the concerns he initially had in relation to the likely resulting associated increase in vehicle trips.

The amended proposal and drawing has altered the layout of the proposed car park area by adding a fence as a physical barrier, segregating the car park area and vehicle movements from the playground and children in order to overcome and avoid potential conflict between pedestrians and vehicles and improve safety. A single pedestrian gate is provided in the fence for linking the playground, car park, and an existing access/egress to the adjacent nursery site, where an indicative pedestrian route is shown by shading on the revised drawing. Double gates are shown for emergency and maintenance purposes, in the interest of safety the double gates for vehicular use should be kept locked at all times other than when they are in use and it is recommended that this should be conditional in any grant of planning permission.

The school shall be required to operate a Staff Travel Plan, in conjunction with the School Travel Plan to encourage staff as well as parents and children to use sustainable forms of travel to and from school. To further encourage this adequate weather-proof cycle storage facilities should also be available and well situated to promote cycling as a sustainable means of travel; details of such have not been included in the application. Transport would recommend that; a Staff Travel Plan; up-dated School Travel Plan, to take account of proposed changes; and cycle parking; should be conditional in any grant of planning permission.

The views of the Highway Authority are supported on the strict understanding that access and road network leading thereto would not be of an appropriate

standard to safely accommodate any significant increase in use beyond the nine car parking spaces proposed. It is also essential that access to the proposed car park is strictly controlled and limited to authorized and named users only (authorized users named in the Staff Travel Plan) to prevent pedestrian and other unauthorized use. The use of the access/egress and car park shall not be varied or in any way increased beyond that which is authorized conditionally in accordance with any grant of planning permission. Providing the above measures are adhered to it is considered that the proposal complies with policy CS28.

A number of concerns have been raised by local residents. Those relating to transport and tree concerns have been dealt with through negotiations with the Transport Officer and Tree Officer. The objection raised with regard to the loss of the playground area to car parking, has been dealt with as part of this application, a new playground large enough to cater for the needs of the school is proposed. It is not considered that the new playground would result in the site suffering flooding as suitable drainage is proposed and the footpath previously proposed has now been removed in order to satisfy the Transport Officers requirements.

Conclusions

The proposed playground, outdoor teaching area and additional parking spaces would improve amenities for the school and are not considered to be harmful to neighbouring properties or users of the highway. This application is therefore recommended for approval.

Recommendation

In respect of the application dated **22/07/2008** and the submitted drawings, **AL(01)01, AL(90)02, AL (90) 04 Amended version received on 22/09/08), AL(90)03, AL(90)01 and 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.

TREE PROTECTION PLAN

(2) The development hereby permitted shall be carried out in accordance with the approved Tree Protection Plan unless subsequently otherwise approved in writing by the Local Planning Authority.

Reason:

To ensure that the details of the proposed development protects trees and vegetation on site in accordance with policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

TREE PROTECTION DURING CONSTRUCTION

(3) The existing trees and/or hedgerows on site shall be retained and properly protected with appropriate fencing during construction works as detailed in the Arboricultural Report submitted with the application. 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 Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CAR PARKING PROVISION

(4) The development shall not be occupied until space has been laid out within the site in accordance with the Approved plan for a maximum of 9 cars to be parked

Reason:

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

VEHICLE ACCESS DETAILS

(5) No work shall commence on site until details of secure and controlled vehicle access/egress arrangements at the gate between Widey Court and the car parking area have been submitted to and approved in writing by the Local Planning Authority. This should include the fixing of automatic security gates, that may only be activated and used on a daily basis by a maximum of 9 named and authorized car park users. The security gates shall not operate between the hours of 8.30am and 4.30pm. 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 in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SECURE PARKING AREA

(6) Before the development hereby permitted is first brought into use the fencing between existing playground and new car parking area must be in place and the double gates between the playground and new parking area must be locked and kept locked at all times except during use.

Reason:

To ensure that the car parking area is secured before it is used, in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CYCLE PROVISION

(7) The development shall not be occupied until space has been laid out within the site in accordance with the approved plan for 8 bicycles to be parked.

Reason:

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

STAFF TRAVEL PLAN

(8) The developments hereby permitted shall not be used 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 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 it's implementation. From the date of the commencement of the use 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 Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SCHOOL TRAVEL PLAN

(9) The developments hereby permitted shall not be used until an updated and revised School Travel Plan (STP) has been submitted to and approved in writing by the Local Planning Authority. The said STP shall revised to reflect the proposed changes and 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 it's implementation. From the date of the commencement of the use 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 Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

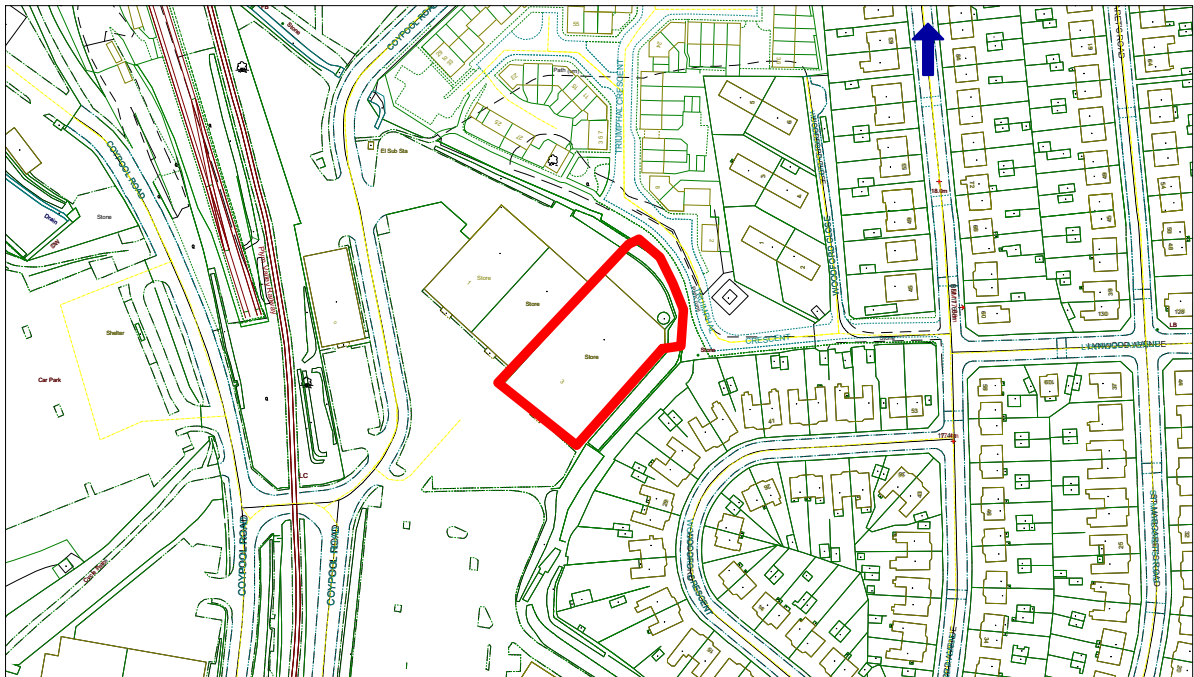
Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the impact on the amenity of the school, to surrounding properties and on the highway, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c) relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, as follows:

- CS28 - Local Transport Consideration
- CS34 - Planning Application Consideration
- CS14 - New Education Facilities
- CS18 - Plymouth's Green Space
- CS19 - Wildlife
- SO9 - Delivering Educational Improvements

ITEM: 08

Application Number:	08/01497/FUL
Applicant:	Mr David Rodwell
Description of Application:	Change of use from bulky goods retail (restricted class A1) to Health and Fitness Club (Class D2) with associated alterations, and an extension to provide squash courts
Type of Application:	Full Application
Site Address:	UNIT A, COYPOOL ROAD PLYMOUTH
Ward:	Plympton St Mary
Valid Date of Application:	01/08/2008
8/13 Week Date:	26/09/2008
Decision Category:	Major Application
Case Officer :	Carly Francis
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



(c) Crown Copyright. All rights reserved. Plymouth City Council Licence No. 100018633 Published 2008 Scale 1:2500

OFFICERS REPORT

Site Description

This is a large building located in Coypool, Plympton. The unit is located in a retail park and has a floor area of 37000 sq ft. This is a brick building with metal roofing which is currently occupied by the YMCA. It was previously occupied by Furnitureland who vacated the unit in August 2005. Two other bulky goods units adjoin this building, 'Harveys' Furniture Store is the adjoining unit at the front of the buildings is a carpark. Residential dwellings are located to the north and east of the unit.

Proposal Description

Change of use from bulky goods retail (restricted class A1) to Health and Fitness Club (Class D2) with associated alterations, and an extension to provide squash courts.

Relevant Planning History

07/01470 (ADV) Installation of aluminium composite advertisement panels- PERMITTED.

Consultation Responses

Highway Authority- no objections but recommend that conditions regarding car parking provision, cycle provision and a staff travel plan be attached to any grant of planning permission.

Public Protection Service- no comments received.

Access Officer- initially raised concerns regarding access standards; amended plans have since been received to include accessible WC and changing facilities.

Health and Safety Executive- no objections.

Crime Prevention Officer- no objections.

Planning Policy- no objections.

Community Leisure and Learning- no comments received.

Representations

4 letters of representation received.

No objections in principle but concerns regarding:

- Noise pollution.
- Parking problems.
- Loss of privacy

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 planning considerations for this application are the impact on surrounding properties and to the function of this retail centre. The main policies relevant to this proposal are CS01, CS02, CS08, CS09, CS10, CS11, CS12, CS13, CS28 and CS34 of the adopted Core Strategy.

The proposal entails a leisure club, boxing gymnasium, changing rooms, spa, dance studio, café-bar, crèche, hair salon and sports injury clinic, plus an extension to form 3 squash courts. The extension would be 2500 sq feet.

Impact to the Amenity of the Area

The principle of this change of use is deemed acceptable. The applicant has submitted a Leisure Assessment with the application. Within this Leisure Assessment the applicant has undertaken a sequential test to demonstrate that there are no other more suitable sites in the city. They have also demonstrated that there is a need for such a facility in this part of the city. The proposal therefore accords with PPS6. The Leisure Assessment demonstrates that there are no available sites in the City Centre for this use and that there would not be a detrimental impact on the City Centre or District and Local Centres as a result of this change of use.

Concerns raised in the letters of representation received relate to possible noise pollution, a loss of privacy and parking problems, these issues are addressed below.

Impact to Neighbouring Properties

The Leisure Centre has been designed in a way to minimize noise pollution to surrounding residents. The dance studios have also been placed within the centre of the building so that they are as far from local housing as possible. The dance studios would be sound proofed in order to reduce noise to an acceptable level, and it is stated in the application that classes will be concluded by 2100. A condition shall be attached to ensure that this is adhered to. The applicant also states that the music played within the gym area will be background music, and that the volume will be monitored by duty instructors. Further to this it is stated in the Design and Access Statement that there will be no boxing 'events', as it is purely a training gym and that there will be no large screen TV's within the complex. The cafe bar will be for members only, and not open to the public. It is proposed that the centre will be closed at 2200 to negate noise disturbance at unsociable hours. Conditions shall be attached to ensure that the above time constraints are adhered to.

With regards to residents concerns of overlooking and a loss of privacy, there are no windows proposed at the rear of the building that could lead to overlooking of neighbouring properties.

Landscaping

The proposals do not currently include additional landscaping to the rear of the building, although the applicant does anticipate improving the maintenance and appearance of existing landscaping to the front of the building. A condition shall be attached to obtain details of this and so that a landscaping strategy may be agreed for the site.

Highway Considerations

The Transport Officer comments that he would not wish to raise any objections in principal to the proposal for a change of use, the proposal would extend the type and mix of uses in the local area. The application site forms part of a group of established retail outlets located close to Marsh Mills interchange at Plympton in the east of the City. The site is accessible by public transport with bus stops reasonably close by on Plymouth Road for travel in both directions. There is a pedestrian footpath that links the site to the adjacent Woodford residential estate. A Transport Assessment (TA) has been included as part of the application to consider accessibility and establish the impact of the proposal on the highway network, to determine that the proposal would be able to function within the parameters of the existing highway capacity and safety requirements, without causing conflict or congestion. The Transport Department has commissioned an independent technical audit of the TA, to test the robustness of the data and the conclusions. From a Transport perspective the most significant impact of the proposed change of use is considered to be the resultant change in the pattern of trip generation on the highway network, rather than the number of trips. Although the expectation is that shared trips would occur given that the application site is located within a group of retail outlets and close to the 'Coypool Park and Ride'. With a percentage of those attending at the development sharing the journey to or from, work, shopping, Park & Ride use, etc, which would to some extent further ameliorate the impact of the change of use, in particular during peak demand on the highway network. The TA and the technical audit concur in that on average throughout the week, including the weekend, the proposed use is likely to generate fewer trips than the extant permission, and it is considered that the likely transport impacts of the proposed development should not be significant. It may also be expected that the change of use may result in a small increase in walking and cycling trips associated with the development and leisure use. Apparently the proposed leisure development would be expected to employ in the order of between 35 and 50 staff, many of them working shift patterns to cover the proposed opening hours ranging from 6:30 am to 10:00 pm. The application considers that in the order of 15 employees would be in attendance on site at any one time. Car parking is shared with the adjacent retail outlet with an overall provision of 132 parking spaces, this shared use optimizes the use of the parking stock and the car park should continue to be used in this way, without restrictions or reservations, aside from the provision of 3 parking spaces for the disabled. High quality weather-proof and conveniently placed cycle

parking is to be provided to accommodate a minimum of 5 cycles and will be secured by condition. The Transport Officer states that a Leisure Centre Travel Plan should be implemented once the use becomes operational and that Plymouth City Council officers would assist in identifying soft measures and setting it up. The Transport Officer comments that the Travel Plan would address travel issues relating to, staff, customers, and events at the site, and would assist with promoting sustainable green travel initiatives.

The applicant states that adequate car parking will be provided within the designated area both for customers for Harveys and club members. Members will be issued with windscreen passes for ease of identification, and a parking management regime will be in operation.

Alterations to the Building

Minimal changes to the appearance of the building are proposed. There would be additional windows to the front elevation of the building to allow natural light and ventilation to office accommodation, plus the rear extension to form new squash courts. It is stated in the Design and Access Statement that materials for the extension will reflect that of the existing building where possible, a condition shall be attached to ensure that this is adhered to.

Conclusions

The proposed Health and Fitness Club would improve amenities in the area and would not be harmful to surrounding residents or have a detrimental impact to the highway. This application is therefore recommended for approval.

Recommendation

In respect of the application dated **01/08/2008** and the submitted drawings, **08594 EX 01, 31039-SK-01 A, EX01, 667.01, 667.02, 667.03, 667.04, 667.05** and 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.

CAR PARKING PROVISION

(2) 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 in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CYCLE PROVISION

(3) 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 Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

STAFF TRAVEL PLAN

(4) The use hereby permitted shall not commence until a Leisure Centre Travel Plan (LCTP) has been submitted to and approved in writing by the Local Planning Authority. The said LCTP shall seek to encourage persons attending at the premises to use modes of transport other than the private car to get to and from the premises. It shall also include arrangements for, staff, customers, and events and monitoring the use of provisions available through the operation of the LCTP; and the name, position and contact telephone number of the person responsible for it's implementation. From the date of (the commencement of the use)(occupation) 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.

OPENING HOURS

(5) The use hereby permitted shall not be open to customers outside the following times: 06.30- 22.00 hours Mondays to Saturdays inclusive and 08.00 - 21.00 hours on Sundays and Bank or Public Holidays.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects, including noise and disturbance likely to be caused by persons arriving at and leaving the premises, and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

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.

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

EXTERNAL MATERIALS

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

Reason:

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

Statement of Reasons for Approval and Relevant Policies

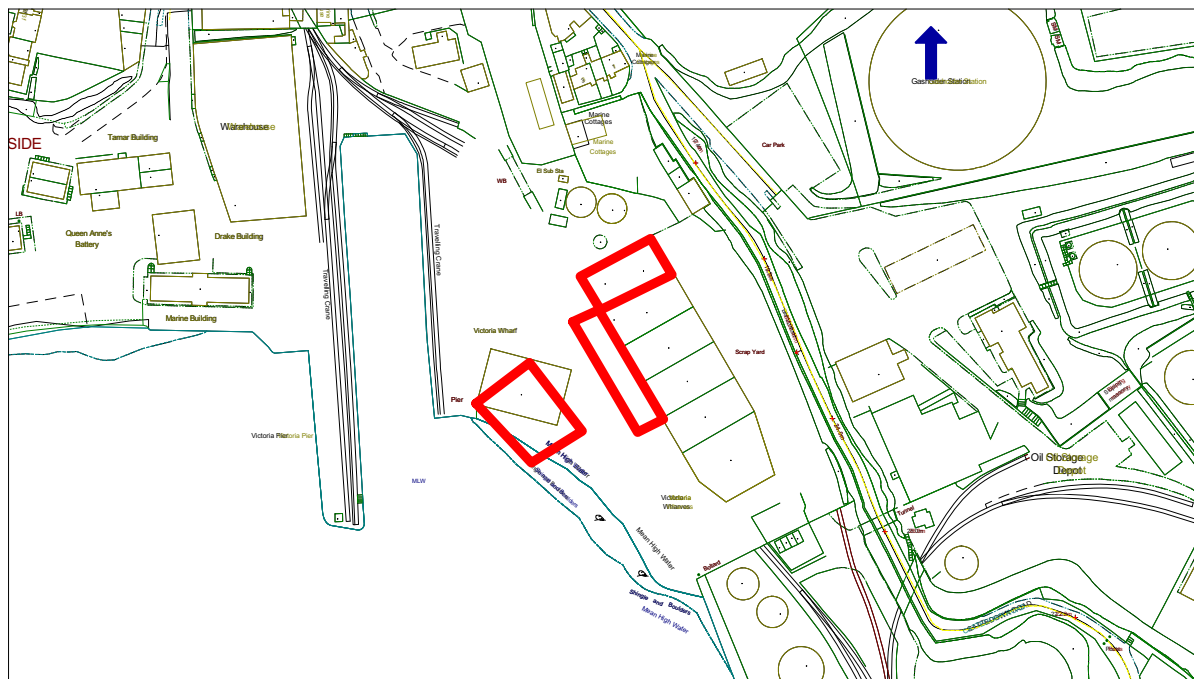
Having regard to the main planning considerations, which in this case are considered to be: the impact on the amenity of the area, to the highway and on surrounding residential properties, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c) relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, as follows:

- PPS6 - Planning for Town Centres
- CS28 - Local Transport Consideration
- CS32 - Designing out Crime
- CS34 - Planning Application Consideration
- CS08 - Retail Development Considerations
- CS09 - Marsh Mills Retail Parks
- CS11 - Change of Use in District/Local Centres
- CS13 - Evening/Night-time Economy Uses
- CS12 - Cultural / Leisure Development Considerations

This page is intentionally left blank

ITEM: 09

Application Number:	08/01545/FUL
Applicant:	Victoria Group Ltd
Description of Application:	Extension to storage silos and re-location of building 'N' (revised scheme)
Type of Application:	Full Application
Site Address:	VICTORIA WHARF, BREAKWATER HILL PLYMOUTH
Ward:	Sutton & Mount Gould
Valid Date of Application:	11/08/2008
8/13 Week Date:	10/11/2008
Decision Category:	Major Application
Case Officer :	Carly Francis
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



(c) Crown Copyright. All rights reserved. Plymouth City Council Licence No. 100018633 Published 2008 Scale 1:2500

OFFICERS REPORT

Site Description

Victoria Wharf is the port at Cattedown. On this site is the Marine building which is in B1 use, to the east of this lies the working docks at Victoria Wharf and to the west various marine and retail businesses at Queen Anne's Battery. The vehicular entrance is separate from the docks and forms a self contained enclave beyond the existing rising barrier at the entrance opposite Commercial Street.

Proposal Description

Extension to storage silos and re-location of building 'N' (revised scheme).

Relevant Planning History

07/01530 (FULL) Four-storey office building, extension to silos and re-siting of building- REFUSED.

07/00679 (FULL) Extension to roof to create further office space- PERMITTED.

Consultation Responses

Environment Agency- no objections but recommend that a condition is attached to request that a flood mitigation and warning evacuation scheme be submitted.

Highway Authority- no objections.

Public Protection Service- no objections but recommend that a condition requesting a land quality assessment be attached to any grant of planning permission.

Health and Safety Executive- 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 considerations in this case are the design and appearance of the building proposed, its impact on surrounding buildings, to neighbouring amenity and on the highway. The policies relevant in this case are CS01, CS02, CS21, CS28, CS33 and CS34 from the adopted Core Strategy.

This application follows the recent refusal of an application at this site for a four-storey office building, extension to silos and re-siting of a building. The previous application was refused due to objections raised from the Health and Safety Executive. It was considered that the office building proposed was unacceptable on health and safety grounds. This application sees the removal of this part of the proposal. The other difference to this revised application is that an additional extension is proposed to one of the silos.

The application consists of 2 elements:

Part 1 is the extension of existing storage silos G, H, J & K to allow for the increase in shipment sizes. In addition a new side extension to F (known as unit Q) is now included.

Part 2 consists of moving the existing shed P (rotating clockwise on plan) to allow for movement of goods to pass the extended silos G & H.

At Victoria Wharf the typical ship size has increased from 2500 tonnes to 3500 tonnes and is generally handled by conveyor. To accommodate these needs it is proposed to increase the depth of four silos to accommodate these larger loads in one building rather than inefficiently in 2. This will require the reorientation of Silo P (twisting clockwise on plan) to ensure clear operation of plant.

Part One – Extension of existing storage silos

The increase of individual building size does not itself affect either the volume of shipping or the lorry traffic associated with transshipment. It is merely to provide improved control of the cargo, reduce/ remove potential contamination of different grades of china clay (or other bulk cargoes) associated with using 2 silos for one shipment and it is more efficient to enable dedicated silos for individual shipments.

To use the site efficiently and re-balance the stock of available sized silos a new facility is proposed in the form of Q located between the existing F and an electricity sub-station.

Part Two – Relocating building P

The location plan shows that without turning building 'P' a pinch point would be created between the NE corner of 'P' and the revised front to silo H. This can be corrected by resiting 'P' in the location shown. This building was built in 2003/4 on a superficial ground beam. It therefore does not have deep foundations and can fairly easily be stripped back to the steel frame and rotated through an angle of 340 degrees on plan as shown. There is therefore no loss to the storage capacity or productivity of the docks by the removal of this building.

These elements of this planning application are to be considered as parts of a single plan for improving the efficiency of the dock. There will be an increase to the competitiveness of the working port.

Health and Safety Executive

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the consultation distance of a major hazard sites/ pipelines. Consultation zones within which this site wholly or partially lies include;

- Transco, Coxsid (North) Holder Station, Clovelly Road
- Transco, Coxsid (South) Holder Station, Clovelly Road
- SGS Strath Services Ltd at Mayflower Terminal, Breakwater Hill
- Conoco Ltd at Cattedown

The proposal has therefore been considered using PADHI+, the HSE's planning advice software tool, based on details input by Plymouth City Council. The assessment indicates the HSE's does **not** advise, on safety grounds, against the granting of planning permission in this case.

Major hazard sites/ pipelines are subject to the requirements of the Health and Safety at work etc. Act 1974, which specifically includes provisions for the protection of the public. However, the possibility remains that a major accident could occur at an installation and that this could have serious consequences for people in the vicinity. Although the likelihood of a major accident occurring is small, it is felt prudent for planning purposes to consider the risks to people in the vicinity of the hazardous installation. As no objections are raised by the HSE in this case the proposal would comply with policies CS01 and CS34.

Highway Considerations

The Transport Officer comments that given that the proposed extensions are to provide more efficient storage of cargo arriving from larger ships to accommodate the loads into 1 large building rather than inefficiently in 2. It is not anticipated that there would be an increase in HGV movements associated with the proposal as it would provide a more efficient use of the site. However even as a worst case scenario a warehouse facility of this size would generate a minimal number of additional trips on the network and therefore the Transport Officer does not wish to raise objections to the proposal and the development would comply with policy CS28.

Flood Risk

The applicant was required to submit a Flood Risk Assessment with this application as the site is in what has been designated as a medium risk flood zone (Flood Zone 2) by the Environment Agency. The Environment Agency are satisfied with the Flood Risk Assessment submitted and do not wish to raise any objections. They do however request that a condition be attached requesting that a flood mitigation and warning evacuation scheme be submitted and agreed by the Local Planning Authority. Providing these details are agreed the proposal is considered to comply with policy CS21.

Conclusions

It is not considered that the proposals would have a detrimental impact on the character of the area, to surrounding amenity, or on the highway. Nor are

there any objections raised on health and safety grounds. This application is therefore recommended for approval.

Recommendation

In respect of the application dated **11/08/2008** and the submitted drawings, **No. 6 REV A, 7A, 8 and 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.

FLOOD MITIGATION AND WARNING EVACUATION SCHEME

(2) No development approved by this permission shall be commenced until details of flood mitigation and warning evacuation scheme have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

Reason:

To minimise flood risks in accordance with policy CS21of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

MANAGEMENT PLAN

(3) Prior to the commencement of the development hereby approved, a detailed management plan for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the management plan.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during site works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LAND QUALITY ASSESSMENT

(4) Prior to the commencement of development approved by this planning permission, or such other date or stage in development as may be agreed in writing with the Local Planning Authority (LPA), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the LPA:

1. A preliminary risk assessment which has identified:
 - a. all previous uses;
 - b. potential contaminants associated with those uses;

- c. a conceptual model of the site indicating sources, pathways and receptors; and
 - d. potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on 1 to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The site investigation results and the detailed risk assessment from 2 above and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in 3 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- Any changes to, or deletion of, any of these components will require the express written consent of the LPA; the procedure for such changes/deletions is hereby allowed under the terms of this condition. The scheme shall be implemented as approved.

Reason:

The proposed development is approximately 30 metres from a former gas works and this condition covers the full range of measures that are required, unless agreed otherwise by the LPA, to comply with policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

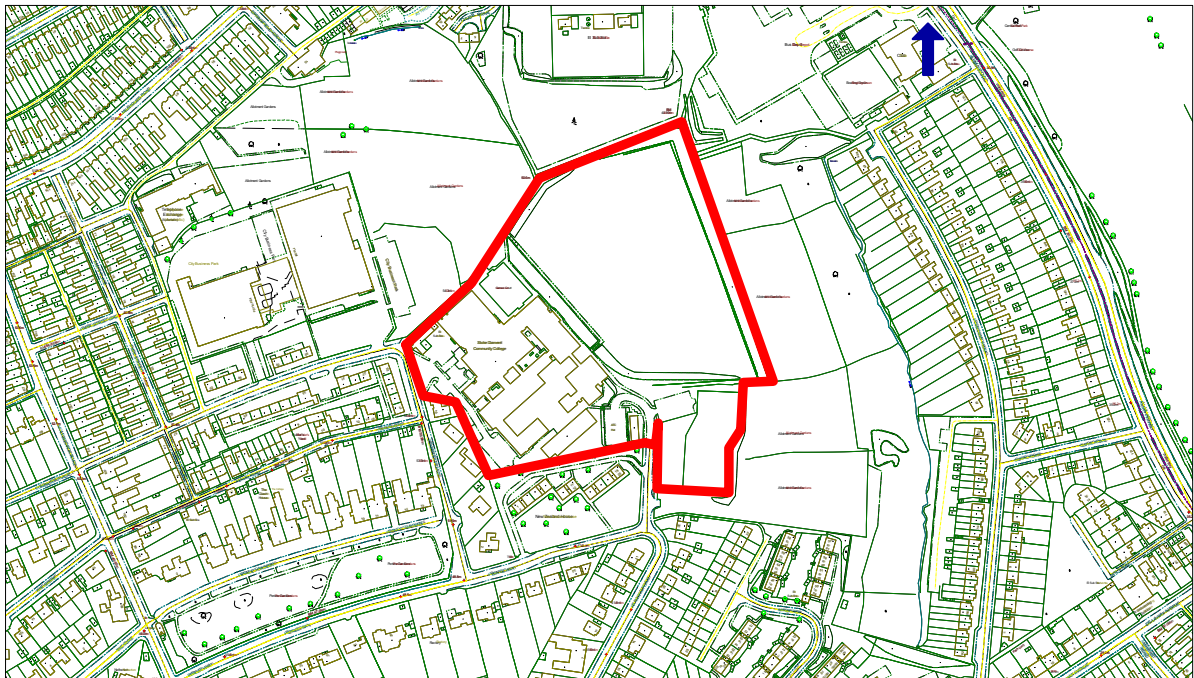
Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the impact on the surrounding area, on the health and safety of those on and around the site and the impact on the highway, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c) relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, as follows:

- CS28 - Local Transport Consideration
- CS21 - Flood Risk
- CS01 - Sustainable Linked Communities
- CS02 - Design

ITEM: 10

Application Number:	08/00984/FUL
Applicant:	Plymouth City Council
Description of Application:	Two storey extension (to provide additional dining and class room accommodation) adjacent to Somerset Place frontage
Type of Application:	Full Application
Site Address:	STOKE DAMEREL COMMUNITY COLLEGE, SOMERSET PLACE PLYMOUTH
Ward:	Stoke
Valid Date of Application:	19/05/2008
8/13 Week Date:	18/08/2008
Decision Category:	Major Application
Case Officer :	Liz Maynard
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



(c) Crown Copyright. All rights reserved. Plymouth City Council Licence No. 100018633 Published 2008 Scale 1:5000

OFFICERS REPORT

Site Description

Stoke Damerel Community College is a large site located within the Stoke area of Plymouth. The college site comprises an eclectic collection of modern linked single and two storey buildings (interspersed with internal courtyards) situated on the western part of the site and playing fields to the eastern part of the site.

This application relates to a small part of the school site close to the main school entrance on Somerset Place and in front of the existing sports hall in the far western corner of the school site. This area is currently used for staff car parking (8 marked spaces) and a planting bed.

Stoke Damerel Community College is located to the NE of the Somerset Place Conservation Area. It is boarded on the north western side by the City Business Park from which it is separated by a public footpath. The main entrance off Somerset Place abuts residential property (10 Somerset Place) and residential properties opposite the entrance appear to provide for sheltered accommodation. There is a second vehicular entrance off Raynham Road/Penlee Way towards the south east corner of the site which serves access to the main staff car park.

Proposal Description

Two storey extension (to provide additional dining and class room accommodation and toilets) adjacent to Somerset Place frontage.

The proposal is located in front of the existing sports hall and will adjoin the single storey brick building which is understood to accommodate the school's current dining area and main kitchen facilities.

The proposed building is a modular design with PPC coated metal walls, a flat roof and UPVC or aluminium windows. A new feature 'art' screen is proposed along the Somerset Place frontage. Further details of the screen were received 22.09.08 showing perforated metal figures behind horizontal wooden slats. Further details were also provided on 22.09.08 regarding replacement of the parking spaces that will be lost in the area of the development.

Relevant Planning History

There have been number of applications for extensions to the school during the 1990s, and three more recent applications (listed below). Although not directly relevant to this application, many residents referred to the previous application (07/02128/FUL) in their letters of representation so some details are provided below.

07/02128/FUL - Installation of temporary classroom sited on a former car park in the south-west corner of site. Confirmation was received that the proposed class room will not result in an increase in student numbers – GRANTED CONDITIONALLY. Conditions: advance/screening details, school travel plan, and temporary permission until 31/01/2013.

04/00982 - Erection of two storey classroom block, covered walkway and two storey glazed entrance – GRANTED CONDITIONALLY. Report noted that following initial concern from Highways for this application, the applicant confirmed that there will be no loss of car park numbers on site and that the number of pupil and staff movements to and from the site should not be affected; progress is also being made on the preparation/ updating of the Green Travel Plan. It was not considered that an objection on parking and highway grounds could be sustained.

03/01276 - Single storey extension to existing detached workshop/store building (adj to Somerset Place) to provide additional storage facilities) – GRANTED CONDITIONALLY.

Consultation Responses

Highway Authority – a very detailed response taking into consideration concerns raised in the letters of representation (detailed below), the impact of the previous application (07/02128/FUL) and progress on the School and Staff Travel Plan, and experience of a site visit at time when the school was coming out. The consultation response concluded that Transport would support the proposal along with the introduction of certain limited and sensitive mitigation measures and recommended conditions for (i) an amended Staff Travel Plan and School Travel Plan; (ii) replacement elsewhere within the site of the car parking spaces lost; (iii) code of practice during construction; (iv) further details of pedestrian and vehicle management; and (v) measures to improve public safety via the funding of a traffic order and measures to prevent parking on the street near the Somerset Place entrance of the school.

A recent meeting with the school (31.07.08) allowed for discussion of the various issues that the Transport Officer raised in his comments and the recommended conditions. The school had previously met with some local residents and various actions agreed. The school agreed to the recommended conditions and demonstrated a proactive approach.

The Highways Authority has been consulted on the replacement car parking proposed (4 within the school site and 4 in the City Business Park car park) received 22.09.08. They have suggested that the proposed relocation of the car parking spaces as shown on drawing 08556 SD-01 Rev A is not appropriate; the two car parking spaces shown repositioned adjacent to the new development at the front of the school should be altogether removed from the front area of the school, to the rear car park, (further details to be submitted for approval). The school already experience severe problems with vehicle circulation and potential pedestrian vehicle/conflict within the area around the front of the school.

Public Protection Service – no objection but recommended condition for code of practice for construction and land quality investigation due to being on an area of potential land filled/filled ground.

Crime Prevention Officer – no objections.

Representations

A total of 22 letters of representation have been received from local residents and local resident associations, all expressing concern with the parking situation and the loss of car-parking within the site that the application proposes. Letters raise issue with current high level of cars parking on surrounding residential roads and how the proposal will further impact on this, with the associated impact on the safety of children attending the school and nearby elderly residents using the pavements; and due to parked cars interfering with access to private drives. The majority of letters indicate that the car parking situation had worsened since the previous application in 2007 was permitted. Some letters suggest that the Travel Plan that was a condition to the previous application has not been implemented. Many letters expressed the opinion that additional/replacement parking should be provided for staff within the site. Several letters also draw attention to the recent changes in the parking arrangement at the City Business Park – by parking meters – and how this has also impacted on the surrounding streets. Some letters make suggestions as to how the parking situation could be approved – the letter from the Penlee Resident's Association is particularly proactive in this regard.

No letters object to the proposed building itself. One letter indicates that they are reluctant to oppose an improvement to the school.

Neighbours have been reconsulted on the additional information supplied 22.0908 and the committee will be updated on any further letters of representation received via addendum report.

Analysis

This application was discussed at Planning Committee on 21st August 2008, when members voted to defer the application for further information on the art screen and for the number of parking spaces to be checked. Further information has been supplied by the agent and further observations have been made by the case officer. To aid navigation of this analysis section, discussion of the further information is provided below, followed by the analysis previously presented but amended to reflect changes.

FURTHER ART SCREEN DETAILS

Details of the art screen show the screen to be 7 metres in height (5 metres tall but raised 2 metres from the ground with defensive planting below) and 15 metres long, which will screen the south elevation of the proposed building. The screen pictures silhouettes of humans (approximately 2 metres high made of perforated steel or aluminium) behind horizontal slatted wood (cedar or similar). This demonstrates an innovative design solution to mask the modular building behind.

During discussion at the August Planning Committee Members queried the justification for the temporary nature of the building. The applicant has commented that the temporary nature of accommodation is covered in the Council's current Strategy for Change paper which was agreed by the Council on 2nd June 2008 and is the subject of a forward planning document to go to cabinet in October. The Strategy for Change project has been set up to pull

together a number of citywide strategies and to outline how capital investment in the services for children will shape a future of environments that will achieve the Government's objectives to "Creating schools equipped for 21st century learning, at the heart of the community, with a range of children's services in reach of every family". It takes into account the criteria for application of funding and dates that funding will be available, specifically Building Schools for the Future (BSF) funding.

FURTHER PARKING DETAILS

At the August Planning Committee there was some discussion about the loss of car parking, and following from the speaker's comments in objection to the proposal that the development area has been observed to accommodate up to 14 vehicles, the Members requested the Case Officer sought further information.

The Case Officer has established that the area has 8 marked car parking spaces. In addition, there is a hatched area labelled 'school mini bus only' but in discussion with a site manager, the minibuses now get parked near the school reception where they can be locked within the school gates. It is the case that there is space around the marked spaces – specifically, the two hatched areas and the area marked 'no parking' where further vehicles can park.

The car park was checked on two occasions during school hours, when 8 and 10 cars (respectively) were parked in this car park.

The recommended condition would require the car parking spaces lost as a result of the development to be replaced. As such, there would be no net loss in car parking spaces. It is considered reasonable to request 8 spaces to be re-provided, as this is the number of marked spaces.

Further details have been submitted to set out how 8 spaces could be provided. An amended site layout plan has been submitted showing the proposed site layout showing the creation of 2 new car parking spaces to the front of the school and 2 spaces added to the small car park to the west of the Raynham Road entrance, next to the ATC hut. Further to this, the school proposed to take on a further 4 car parking spaces in the adjacent City Business Park car park.

The Highways Authority response (detailed above) suggests that the 2 proposed spaces to the front of the school are not appropriate (since they could interfere with circulation of traffic). Given the large car park and grassed area to the rear of the school, it is likely that these spaces could be accommodated in that area. The Highways Authority raises no objection to the replacement of 4 spaces within the City Business Park which the school has justified by commenting: 'As a tenant of the business park with 2 units rented to the college we are entitled to do this. The business park car park is never full. The places will be allocated and will include the site staff at the college. These staff work a shift pattern and although there is cross over for short periods of time it is unlikely there are here at the same time during the

day. In short taking up some of the unutilised space in the business park will not displace other cars onto Somerset Place.

Local Residents have made the point several times that we should make more use of this resource as there are always spaces in the car park."

It is noted that the Business Park has recently starting charging for parking and signage suggests it is open to the public. Although this may also impact on the amount of car parking in Somerset Place, the issue is being investigated separately as to whether a material change of use has taken place (and hence whether planning permission is required for that change). However, the change in status of the Business Park is not a material consideration in this application given that the school have already outlined that they are entitled to spaces within the car park.

The issue with car parking, and specifically staff car parking is considered to be largely a management issue of staff parking. The Case Officer has discussed the School Travel Plan with the School Travel Plan Officer, who noted that progress was being made by the school on the staff aspect of the travel plan. The recommended condition requires the school to submit and have approved in writing a Staff Travel Plan (STP) in addition to a School Travel Plan amended to reflect the changes, prior to the development being occupied.

MAIN ANALYSIS SECTION (Amended)

This application turns on Policies CS02, CS14, CS28 & CS34 of the Core Strategy with the key considerations being impact on the public highway, neighbouring amenity and the character of the area

CS02 – Design

The proposed extension is relatively small (approximately 15m square and 6m in height), is contained wholly within the existing school site and its scale is generally in keeping with the scale of surrounding school buildings.

The building itself is not considered to represent a positive contribution to the school or area's identity due to its modular and utilitarian design. However, the accompanying design and access statement (DAS) gives justification for this design in terms of the school's requirement for the building restricting the timescale for construction by traditional methods, and offering flexibility to respond to future funding opportunities in connection with the national 'Building Schools for the Future' programme. The proposal also includes a proposed 'art screen' which does have the potential for a unique and exciting display of public art that could completely screen the modular building from the adjacent conservation area and offer a positive identity to the school entrance. In spite of the proposed art screen, the temporary nature of the proposed building, similar in design to the classrooms permitted by the previous application (07/02128/FUL), due to their contribution to the school and area's identity, are considered to warrant a temporary (rather than permanent) permission (5 years). This was supported by the school during a recent meeting, where their aspirations for a more permanent design solution for the building was discussed in the context of the school's future. A more

permanent design solution also appeared to be supported by Planning Committee members during discussion at the August committee.

With regards to equal access, the DAS indicates that the building will fully comply with relevant requirements.

CS28 – Local Transport Considerations

As already indicated above, the letters of representation received have raised strong objection to the loss of parking proposed and the impact this may have on the safety of the local highway network as a result of further on-street parking. These issues have been carefully considered in the Transport consultation response (and recommended conditions) and have been discussed in a recent meeting with the school. The school had already met with some local residents and have agreed actions to encourage staff and visitors to the school to use the off-street car parking facilities (both at the school and adjacent Business Park). The school indicated consideration had already been given to the provision of replacement car parking in site, although replacement spaces should be required by condition in accordance with the further details received 22.09.08.

Following discussion with the school, a suggested plan of measures to discourage indiscriminate parking on the street near the Somerset Place entrance during the working day by additional single yellow lines and zigzag lines has been drawn up and the school agreed to fund the Traffic Order which would be required to implement these. This suggested plan is referred to by informative but the detail of the lines cannot be required by condition as a Traffic Order will be subject to its own advertisement and consultation procedure.

As an additional point, it was noted that there was significant level of on-street car parking in the east-west section of Somerset Place at the time of the meeting which was held during the school holidays when no teaching staff were scheduled to be on site. This would suggest that the teaching staff are unlikely to be the sole cause of the on-street car parking in the area.

CS14 – New Educational Facilities

This application does not specifically provide for community use, however parts of the school already support community use. As such, this policy does not raise any new issues.

CS34 – Planning Application Considerations

The Public Protection Service recommends a condition for land quality investigation, however, since the land is already predominantly hard surfaced and the temporary nature of the proposed building is unlikely to warrant significant excavation work, it is considered an informative is adequate in this regard.

No further material planning consideration are raised by policy CS34 or the letters of representation.

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

Not applicable to this application. A negative condition is used to secure the funding for the Traffic Order.

Conclusions

This application proposes a relatively small and functional extension to the existing college premises that will not have any detrimental impact on neighbouring amenity and will improve the facilities at the school. Whilst there is some concern about the impact on on-street car parking and associated highway safety, the conditions recommended are considered to address these concerns and seek a more permanent deterrent to indiscriminate parking in the area by way of a Traffic Order.

The appearance and temporary nature of the building warrants a temporary permission, whilst allowing for flexibility to respond to future funding opportunities. The proposed art screen offers a positive contribution to the character and appearance of the area, whilst screening the modular building from the adjacent conservation area.

The application is therefore recommended for approval subject to conditions.

Recommendation

In respect of the application dated **19/05/2008** and the submitted drawings, **Site layout plan showing existing and proposed carparking spaces on site 08556-EX02A and 08556_SD01A and associated email setting out provision of replacement car parking spaces; Screen Rev A showing Art Screen elevation received 22.09.08**

**08556/EX/01, 08556/EX/03, 08556/SD/02, 08556/SD/03 and accompanying design and access statement received 19.05.08, 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.

STAFF TRAVEL PLAN AND SCHOOL TRAVEL PLAN

(2) The development hereby permitted shall not be occupied until a Staff Travel Plan (STP) and an updated School Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The said STP shall include measures for monitoring and managing vehicular access and car parking at the main entrance to the school in Somerset Place in particular at the starting and finishing times of the school day when marshalling and restricting parental car parking and access to parts of the site may be required; and 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 the commencement of the occupation 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 Policy CS28 of the Local Development Framework Core Strategy (2006-2021) 2007.

FURTHER DETAILS: PEDESTRIAN AND VEHICLE MANAGEMENT

(3) 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:- Pedestrian routes and circulation; monitoring and management of vehicle access and movements at the main entrance in Somerset Place; Off-site highway safety measures: 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.

CAR PARKING PROVISION

(4) Notwithstanding the detail of the submitted plan 08556SD-01Rev A showing the provision of 4 replacement car parking spaces and email dated 22.09.08 indicating that arrangement has been made to allocate a further 4 car parking spaces on the adjacent City Business Park land, the building hereby approved shall not be occupied until area(s) for car parking has been formed in accordance with details to be submitted to and approved by the local planning authority for the replacement elsewhere within the application site or adjacent land of the 8 car parking spaces lost as a result of the development, 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, in accordance with policies CS34 and CS28 of the Local Development Framework Core Strategy (2006-2021) 2007.

MEASURES TO IMPROVE HIGHWAY SAFETY

(5) The development hereby permitted shall not be brought into use until provision for the introduction of public safety improvements have been made to control indiscriminate and hazardous car parking in Somerset Place in the form of a Traffic Order and measures to prevent the parking of cars on the street, at the entrance to the school, on the junctions of Penlee Road and Penlee Way, and the footways within the streets.

Reason:

In the interest of public and highway safety.

TEMPORARY BUILDING

(6) The building hereby permitted shall be removed and the land restored to its former condition on or before 31/10/2013 in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority before any works commence on site, unless a further permission has been granted for it to continue.

Reason:

Whilst it is accepted that there is a need to provide the building for a limited period, the building is unsuitable for permanent retention due to the nature of its construction and appearance. This condition is imposed to comply with Policies CS02 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CODE OF PRACTICE DURING CONSTRUCTION

(7) Prior to the commencement of the development hereby approved, a detailed management plan for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the management plan.

Reason:

In the interests of amenity of neighbouring residential occupiers and highway safety in accordance with policy CS22 and CS28 of the Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE: CODE OF PRACTICE DURING CONSTRUCTION

(1) The management plan shall be based upon the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web-pages, and shall include sections on the following;

- 1) Site management arrangements including site office, developer contact number in event of any construction/demolition related problems, and site security information.
- 2) Construction traffic routes, timing of lorry movements, weight limitations on routes, initial inspection of roads to assess rate of wear and extent of repairs required at end of construction/demolition stage, wheel wash facilities, access points, hours of deliveries, numbers and types of vehicles, construction traffic parking.
- 3) Hours of site operation, dust suppression measures, noise limitation measures.

INFORMATIVE: LAND QUALITY

(2) The Council's Environmental Protection Officer (Land Quality), Public Protection Service, advises that the site is close to an area of filled ground and there is the possibility of contamination of the site as a result. It is therefore recommended that appropriate assessments and site investigations are carried out and, depending on the results, appropriate measures put into place to remediate any contamination affecting the proposed development.

INFORMATIVE: CAR PARKING REPLACEMENT

(3) With reference to condition 4 and the detail of the reprovision of car parking spaces, the two car parking spaces shown repositioned adjacent to the new development at the front of the school should be altogether removed from the front area of the school, to the rear car park.

INFORMATIVE: MEASURES TO IMPROVE HIGHWAY SAFETY

(4) With reference to condition 5, a Traffic Order will be required in order to implement measures to improve highway safety and should include (i) zigzag lines near the main school entrance off Somerset Place, (ii) single yellow lines along the east side of Somerset Place and (iii) single yellow lines on small sections of the west side of Somerset Place by the junctions with Penlee Road and Penlee Way. A plan (dated 31/07/08) showing the additional road marking has been drawn up by PCC Highways department which is suggested to be used for this purpose.

The applicant's attention is drawn to the fact that there is a fee associated with the application of a Traffic Order, and that it is subject to its own consultation process.

Statement of Reasons for Approval and Relevant Policies

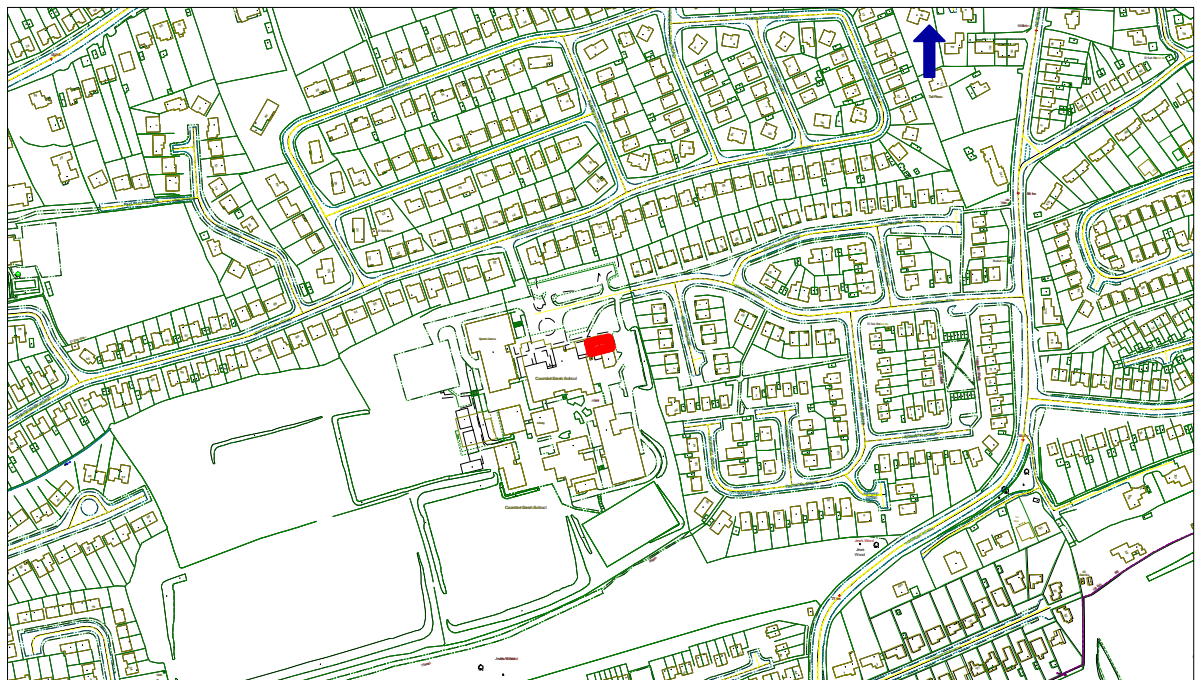
Having regard to the main planning considerations, which in this case are considered to be: impact on the public highway, neighbouring amenity and the character of the area, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (1) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b)

non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c) relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, as follows:

- CS28 - Local Transport Consideration
- CS32 - Designing out Crime
- CS34 - Planning Application Consideration
- CS22 - Pollution
- CS03 - Historic Environment
- CS01 - Sustainable Linked Communities
- CS02 - Design

ITEM: 11

Application Number:	08/01508/FUL
Applicant:	Coombe Dean School
Description of Application:	Installation of a roof-mounted solar photovoltaic (PV) system on top of the pitched metal roof of the new hall of the school, including panels and fixings
Type of Application:	Full Application
Site Address:	COOMBE DEAN SCHOOL, CHARNHILL WAY ELBURTONPLYMOUTH
Ward:	Plymstock Dunstone
Valid Date of Application:	05/08/2008
8/13 Week Date:	04/11/2008
Decision Category:	Major Application
Case Officer :	Liz Maynard
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



(c) Crown Copyright. All rights reserved. Plymouth City Council Licence No. 100018633 Published 2008 Scale 1:5000

OFFICERS REPORT

Site Description

Coombe Dean School is a local authority school in the Plymstock area of the city. It occupies a relatively large site located in a predominantly residential area.

The area of the school site to which the application relates is towards the north east corner of the site near to the entrance from Charnhill Way. The area of the site is at a lower ground level than the nearest neighbouring properties, which are bungalows 7-12 Renoir Close.

Proposal Description

Installation of a roof-mounted solar photovoltaic (PV) system on top of the pitched metal roof of the new hall of the school, including panels and fixings.

The proposed panels are dark blue-black in colour and positioned in two rows on the southern roof slope. The panels are angled towards the sun, meaning they will protrude 0.45 from the roof slope.

Relevant Planning History

There are numerous previous planning applications on the school site, including 3 recent applications for installation of two window turbines at the school (reference 07/01194 – withdrawn; 08/00031 – withdrawn; 08/00941-refused).

The most relevant application to this proposal is that for the building on which this proposal would add to:

02/02022 (FULL) Extensions and alterations to form new hall and three-storey general teaching block- PERMITTED.

Consultation Responses

No consultation responses requested or received.

Representations

No letters of representation received for this application.

Analysis

The main consideration in assessing the application is the visual impact of the proposal. The application turns on policy CS34 of the LDF Core Strategy.

The new hall on which the proposed panels are positioned is single story and has a very shallow pitched metal roof. The small protrusion from this roof of 0.45m will mean that the panels will barely be visible from the ground level around the building. The nearest neighbouring properties are at a relatively elevated level, but are bungalows and windows of those properties are screened by a boundary fence and the panels are angled at 90 degrees to the boundary. As such, the proposal will have little impact on the visual amenity of the area and no significant impact on neighbouring residential amenity.

Policy CS20 is not directly relevant to this proposal but suggests that sustainable resource use is to be encouraged. The design and access statement accompanying the proposal also indicates that the school to

promote awareness of environmental issues and to use the system for educational purposes.

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

Not applicable to this application.

Conclusions

The proposed panels are compatible with the surrounding in terms of siting, scale, materials and visual impact. The proposal also offers environmental and educational benefits.

The application is recommended for approval.

Recommendation

In respect of the application dated **05/08/2008** and the submitted drawings, **site location plan, roof layout PL-040, panel layout J0769-100, panel cross-section J0769-200 and accompanying design and access statement received 05.08.09**, 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.

Statement of Reasons for Approval and Relevant Policies

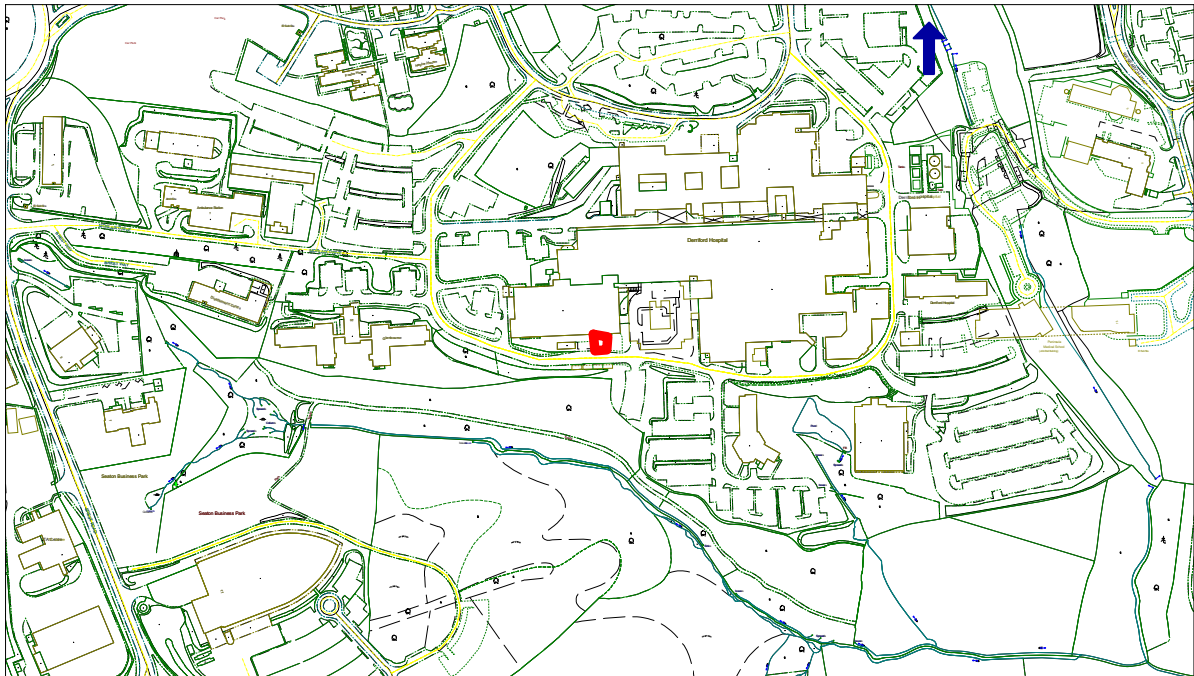
Having regard to the main planning considerations, which in this case are considered to be: the impact on the visual amenity of the area, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit

(1995-2011) 2001, and (c) relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, as follows:

CS34 - Planning Application Consideration
CS01 - Sustainable Linked Communities
CS02 - Design

ITEM: 12

Application Number:	08/01361/FUL
Applicant:	Mr J. Culham
Description of Application:	Relocation of gas tanks and associated work at the rear of the hospital
Type of Application:	Full Application
Site Address:	DERRIFORD HOSPITAL, DERRIFORD ROAD DERRIFORD PLYMOUTH
Ward:	Moor View
Valid Date of Application:	22/07/2008
8/13 Week Date:	21/10/2008
Decision Category:	Major Application
Case Officer :	Janine Pomphrey
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



(c) Crown Copyright. All rights reserved. Plymouth City Council Licence No. 100018633 Published 2008 Scale 1:5000

OFFICERS REPORT

Site Description

The proposal site is located at the rear of the Derriford Hospital building adjacent to the Maternity Unit.

Proposal Description

The proposal relates to the relocation of gas tanks and associated work at the rear of the hospital.

Relevant Planning History

There is an abundance of planning history relating to the Derriford Hospital site. However, the case officer considers that such planning history is not relevant to this application.

Consultation Responses

Plymouth City Airport – No objections.

Public Protection Service – No comments.

Transport – No comments.

Representations

No letters of representation have been received regarding this planning application.

Analysis

This application turns upon Policy CS34 of the Council's adopted Core Strategy 2006-2021.

The existing cylinder gas storage tanks and associated plant are located within a fenced enclosure to the west of the Derriford Hospital building in front of the Maternity Unit. This planning application relates to the repositioning of the gas tanks and associated works at the rear of the Maternity Unit, to the southwest of the Derriford Hospital site. The proposal site is a flat piece of disused land which is currently covered in gravel. The site is level with the adjoining highway and is located alongside an existing sub-station.

The proposal relates to the relocation of two existing oxygen tanks and associated plant. The larger oxygen unit peaks at approximately 10.1m above ground level. The smaller unit peaks at approximately 6.7m above ground level. These metal cylinders will be sympathetic in colour, matching the backdrop of the hospital building. The footprint of the proposed gas tank boundary measures approximately 9.5m x 6.5m. The site will be bound by a 'chain link' fence measuring approximately 1.75m in height. The existing fence surrounding the current gas tanks shall be reused. If this is not possible a new fence will be erected to match the existing.

It is considered that, given the site circumstances, the gas cylinders will have minimal visual impact. The larger of the two gas tanks will protrude less than two metres above the height of the adjacent sub station and will be dwarfed by the magnitude of the main hospital building. Therefore the relocated gas

tanks will not appear unduly prominent within the context of their locality and are only visible from the confines of the Derriford Hospital site. In addition, no neighbouring amenity or highway safety issues arise.

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

This application is recommended for approval.

Recommendation

In respect of the application dated **22/07/2008** and the submitted drawings, **854/00 Rev P1, 854/01 Rev P1, 854/02 Rev P1, 854/03 Rev P1**, 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.

Statement of Reasons for Approval and Relevant Policies

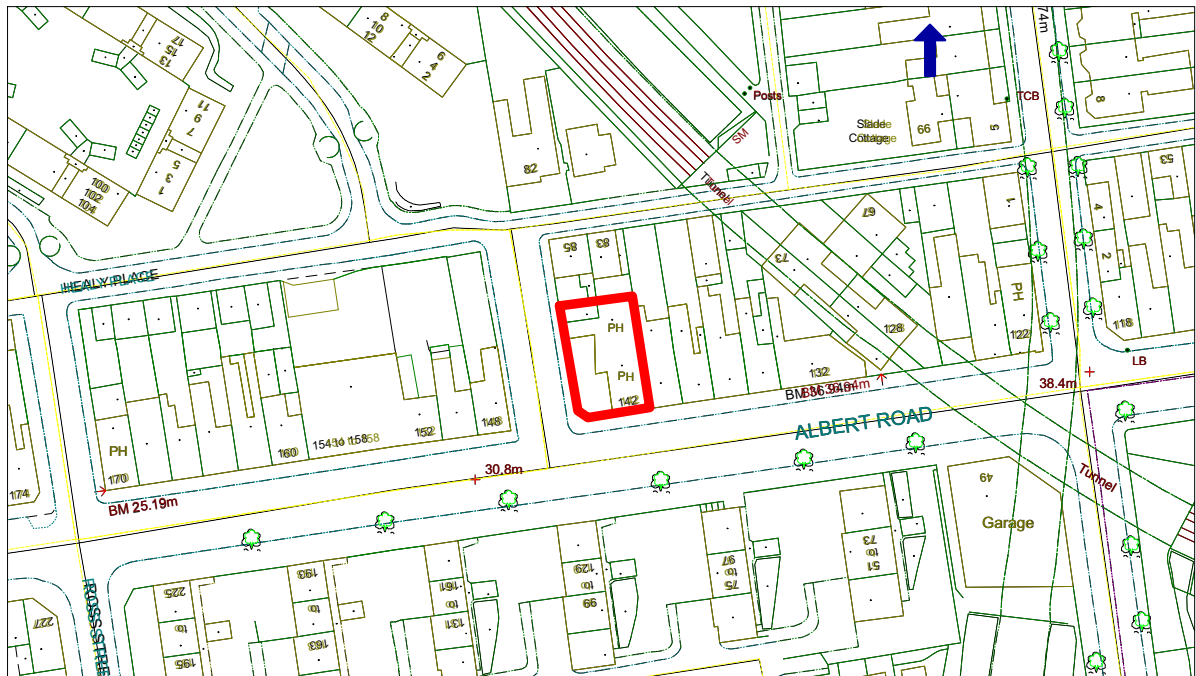
Having regard to the main planning considerations, which in this case are considered to be: the impact on neighbouring amenity, the impact on the character and visual appearance of the area, and the impact on conditions of highway safety, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c) relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, as follows:

CS34 - Planning Application Consideration

This page is intentionally left blank

ITEM: 13

Application Number:	08/00816/REM
Applicant:	Crisplane Ltd
Description of Application:	Redevelopment of former public house to 11 flats with associated car parking, cycle and bin store
Type of Application:	Reserved Matters
Site Address:	STONEMASONS ARMS, 142 ALBERT ROAD DEVONPORT PLYMOUTH
Ward:	Devonport
Valid Date of Application:	16/04/2008
8/13 Week Date:	16/07/2008
Decision Category:	Major Application
Case Officer :	Stuart Anderson
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



(c) Crown Copyright. All rights reserved. Plymouth City Council Licence No. 100018633 Published 2008 Scale 1:1250

OFFICERS REPORT

Site Description

The site of the proposed development is the Stonemasons Arms Public House, 142 Albert Road, Devonport. The public house is now vacant. The site is located on the corner of Albert Road and Healy Place. The site is bounded by residential property on its north and east sides, and highways on its south and west sides.

Proposal Description

Redevelopment of former public house to 11 flats with associated car parking, cycle and bin store.

The proposed new building would be arranged over 4 storeys at the Albert Road frontage, diminishing to 2 storeys on the Healy Place frontage. Render, natural slate, painted timber, and block paving would be used in the construction of the building.

The proposed building would contain 7 two-bedroom units and 4 one-bedroom units. 4 Off-street parking spaces with a turning area, and parking for 7 bicycles is also proposed. A refuse storage area would also be added.

This is a reserved matters application (all reserved matters), pursuant to 06/01641/OUT (see below).

Relevant Planning History

06/00960/OUT – erection of building with 12 flats (refused)

06/01641/OUT – redevelopment of site by erection of 11 flats with associated car parking, cycle and bin store (granted)

Consultation Responses

Devon and Cornwall Constabulary – no objections

Public Protection Service – no objections, subject to a construction code of practice and contaminated land conditions

Transport Officer – recommending conditions, see report below

Education – an education contribution of £13,366 is requested

Parks Services – a contribution of £13,523 is requested

It should be noted that the education and parks contributions were not requested at the time of dealing with application 08/01641/OUT, therefore the contributions would appear not to be applicable on this reserved matters application.

Representations

Two letters of representation have been received, from the occupiers of 83 and 85 Healy Place, the properties that bound the north of the site. The

objections are on the grounds of impact on the amenities (i.e. privacy, light, outlook) of these properties.

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 relevant planning policies on this proposal are CS02, CS15, CS28, and CS34 of the Core Strategy. The relevant issues are discussed below.

This recommendation is based on the set of amended plans that were received on the 10th September.

IMPACT ON NEIGHBOURING AMENITY

In terms of the proposed building's relationship with 83 and 85 Healy Place, the amended plan replicates the scheme that was approved under 06/01641/OUT. Therefore, the relationship with these properties is now considered acceptable. It is, however, recommended that a condition is added in order to prohibit the use of the flat roof of 'flat type C' as an outdoor sitting area.

For clarification, it is noted that the small hatched area shown on the plans for flat type C is a window for the staircase which has been added in order to allow for natural light and headroom on the staircase.

DESIGN

The design of the proposed building is similar to that of 06/01641/OUT, but on this scheme the window sizes have been made slightly larger, in order to blend better with the neighbouring buildings. The construction materials used would be in keeping with the buildings in this area, and the scale of the proposed building is in keeping with the buildings in this area.

STANDARD OF ACCOMMODATION

No external amenity space is proposed on-site, but the site is very close to Devonport Park, so on this basis it is considered that outdoor relaxation is catered for. The proposed flats are considered to be satisfactory to the standards implied in policy CS15.

HIGHWAYS/PARKING MATTERS

The proposal meets the transport requirements as set out in the outline application.

The Transport Officer has also requested that the applicant/agent submit details of surface water drainage, prior to development.

Conclusions

The proposal is recommended for approval.

Recommendation

In respect of the application dated **16/04/2008** and the submitted drawings, **Site location plan, CD876.S.01, CD876.P.02.05, CD876.P.01.06, CD876.P.01.07, CD876.P.01.08, and accompanying Design and Access Statement, CD876 P.01.06** Changes to elevations/layout of flat type C, it is recommended to: **Grant Conditionally**

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.

FLAT ROOF AREA

(2) The flat roof area on flat type 'C' shall not be used as an outdoor amenity area.

Reason:

To protect the privacy of the neighbouring properties, in accordance with policies CS15 and CS34 of the Plymouth Local Development Framework Core Strategy.

FURTHER DETAILS (SURFACE WATER)

(3) 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:- disposal of surface water. 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 in accordance with policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

ADHERENCE TO OUTLINE PERMISSION CONDITIONS

(1) The applicant's attention is drawn to the conditions attached to the substantive outline planning permission (ref. 06/00555/OUT - copy of decision notice attached) and the need to adhere closely to them in the implementation of this reserved matters approval.

SURFACE WATER DRAINAGE

(2) With regards to condition 3 of this grant of planning permission, the development must not discharge surface water onto the public highway. Adequate provision for the disposal of surface water drainage must be made within the bounds of the private property.

KERB LOWERING

(3) Before the access hereby permitted is first brought into use, it will be necessary to secure dropped kerbs, with the consent of the Local Highway Authority. The developer should contact the Transport, Infrastructure and Engineering department (tel 304910) of Plymouth City Council for advice on this matter before any work is commenced.

Statement of Reasons for Approval and Relevant Policies

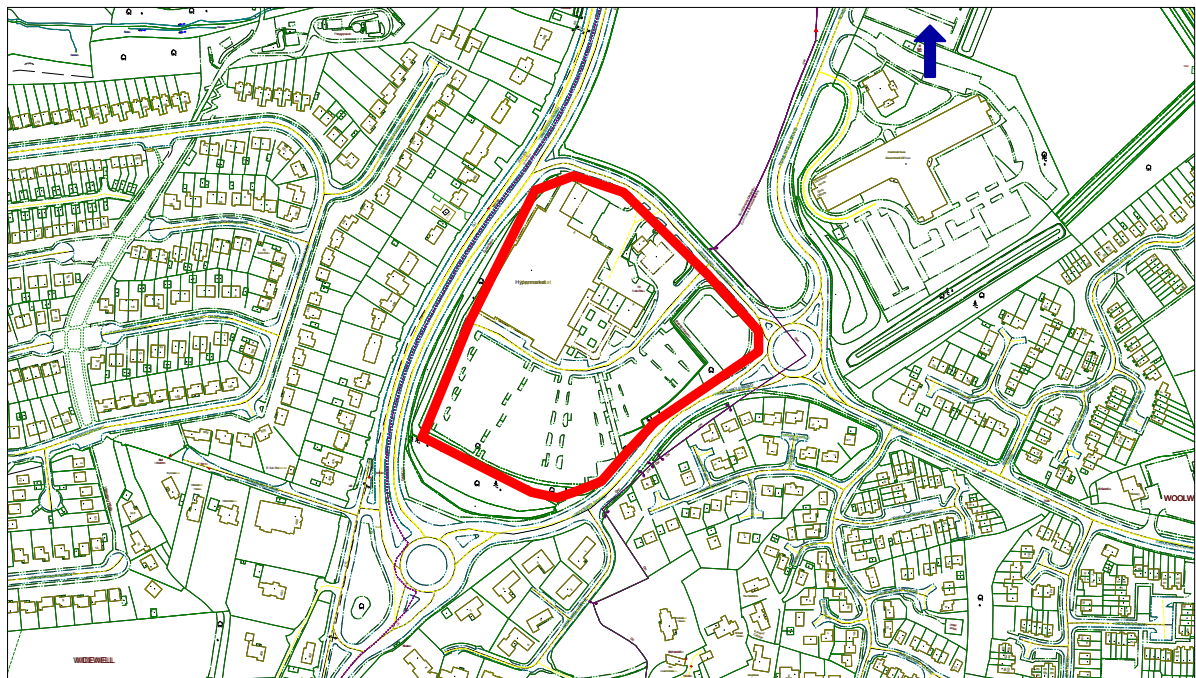
Having regard to the main planning considerations, which in this case are considered to be: adherence to the outline planning permission, design, highways/parking, impact on neighbouring amenity, standard of accommodation, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c) relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, as follows:

- CS28 - Local Transport Consideration
- CS34 - Planning Application Consideration
- CS02 - Design
- CS15 - Housing Provision

This page is intentionally left blank

ITEM: 14

Application Number:	08/01536/FUL
Applicant:	Tesco Stores Ltd
Description of Application:	Installation of a combined heat and power unit (adjacent to Tavistock Road/Woolwell Crescent junction)
Type of Application:	Full Application
Site Address:	TESCO STORES, WOOLWELL CRESCENT WOOLWELL PLYMOUTH
Ward:	Moor View
Valid Date of Application:	12/08/2008
8/13 Week Date:	07/10/2008
Decision Category:	Major Application
Case Officer :	David Jeffrey
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



(c) Crown Copyright. All rights reserved. Plymouth City Council Licence No. 100018633 Published 2008 Scale 1:5000

OFFICERS REPORT

Site Description

Tesco Superstore, 2 Woolwell Crescent, is a large commercial unit in the Roborough area of Plymouth. The unit is bounded to the west by Tavistock Road and to the southeast by Woolwell Road.

Proposal Description

The proposal includes the siting of a Combined Heat and Power (CHP) unit at the rear of the existing superstore which will contribute towards the store's heating and energy needs.

Relevant Planning History

04/01537/FUL – Extension to existing retail store including alterations to car park and ancillary works – approved subject to Section106 agreement APPROVED.

04/00680/PRDEV – Certificate of Lawfulness for the installation of an internal mezzanine floor to provide an additional 1,115sqm extra sales floor space APPROVED.

06/00107/FUL - Installation of enclosed back-up generator at rear of store APPROVED.

07/02195/FUL - Installation of two vertical axis wind turbines (10.6m in height) within car park APPROVED.

08/00900/FUL - Formation of new glazed access lobby to front of store, with associated alterations to street furniture APPROVED.

Consultation Responses

Three consultations have been undertaken with Public Protection Services, Transport and Plymouth City Airport. The individual responses are outlined below.

Public Protection Service

Public Protection Services have recommended the attachment of a condition intended to control any noise generated by the proposed CHP plant to avoid disturbance to nearby residential properties.

Transport

No objections

Plymouth City Airport

No Objections

Representations

Two letters of representation have been received from residents on Tavistock Road raising concerns related to the noise that the CHP plant may make. One

of the letters also raised the need to maintain the high screening of the store currently located on the boundary.

Analysis

The main issues to consider for the application are the impacts on the character and appearance of the locality and the amenity of surrounding residents.

The proposed CHP unit measures approximately 3m in width and 6.8m in length. The proposed location is 1.2 m from the external wall at the rear of the store adjacent to a large hedge which fronts onto Tavistock Road. With regard to the proximity to surrounding residential properties the CHP unit is around 45m from the nearest dwellinghouse on the west side of Tavistock Road. The residential properties are separated from the superstore and the proposed site of the CHP unit by a busy primary transport route to and from the city centre.

Owing to the location of the CHP unit behind a large hedge it will not be visible from a public vantage point. The proposal is therefore not regarded to have any detrimental impacts upon the character and appearance of the locality.

It is considered to be expedient to include a condition restricting possible noise levels, as recommended by Public Protection Services. Consequently any noise produced by the turbines is not considered to be sufficiently detrimental to the amenity of surrounding properties so as to necessitate refusal.

Owing to the role of the extensive boundary screening between the CHP unit and Tavistock Road in providing a visual and acoustic barrier it is considered necessary to attach a condition to any consent granted that will protect it during construction works. With the inclusion of this condition and another related to the noise levels emanating from the CHP unit the proposal is not considered to have an unacceptable impact on the character and appearance of the locality or the amenity of nearby residential properties. These conditions should also act to address the concerns voiced in the letters of representation.

The proposed CHP unit is therefore considered to be acceptable in design terms and unlikely to pose a detrimental threat to the amenity of surrounding residents.

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

Not applicable in this instance.

Conclusions

Recommended for approval

Recommendation

In respect of the application dated **12/08/2008** and the submitted drawings, **3031elevdgn, 3031boundary dgn, 3031gag##.dgn** , 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.

CONTROL OF NOISE LEVELS

(2)The noise generated by the combined heat and power unit (LAeqT) shall not exceed the background noise level (LA90) by more than 5 decibels, including the character/tonalities of the noise, at anytime as measured at the façade of the nearest residential property.

Reason:

To control noise levels generated by the use hereby permitted, in accordance with policies CS22 and CS34 of the adopted Core Strategy.

TREE PROTECTION DURING CONSTRUCTION

(3)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 Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Statement of Reasons for Approval and Relevant Policies

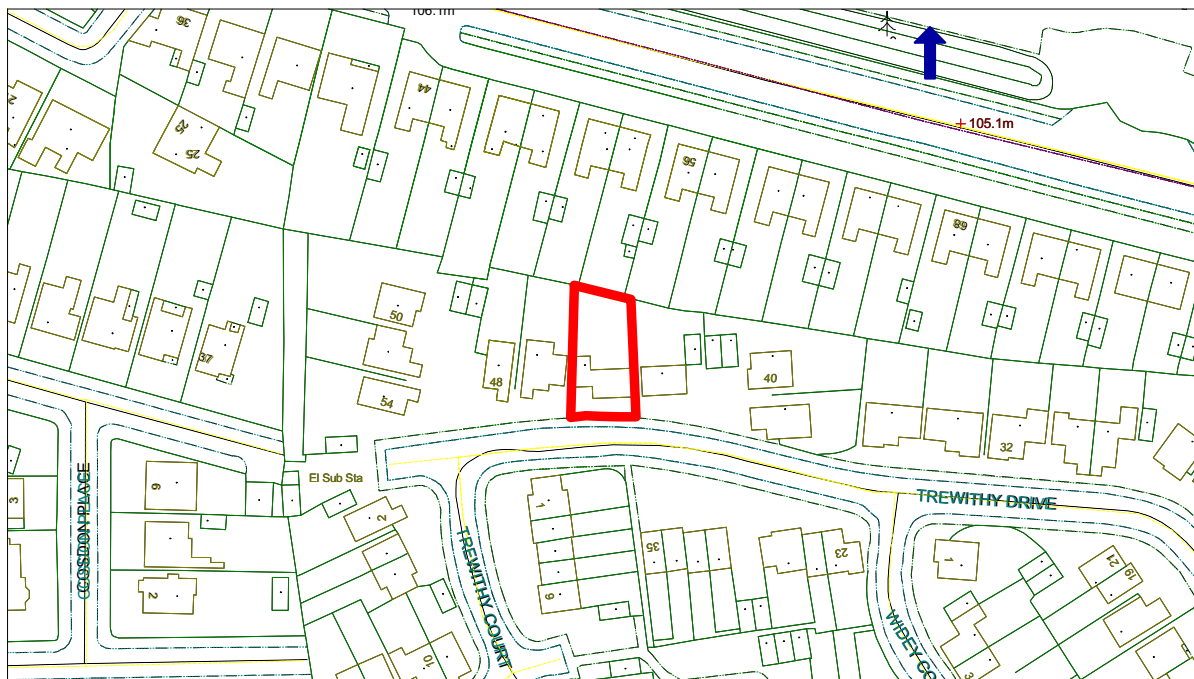
Having regard to the main planning considerations, which in this case are considered to be: the amenity of surrounding residents, the control of pollution and the character and appearance of the locality, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenspace schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c) relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, as follows:

- CS22 - Pollution
- CS34 - Planning Applications
- CS18 - Plymouth's Green Space
- CS22 - Pollution

This page is intentionally left blank

ITEM: 15

Application Number:	08/01455/FUL
Applicant:	Mr Alan Crocker
Description of Application:	Single storey rear extension (existing conservatory to be removed)
Type of Application:	Full Application
Site Address:	44 TREWITHY DRIVE CROWNHILL PLYMOUTH
Ward:	Eggbuckland
Valid Date of Application:	28/07/2008
8/13 Week Date:	22/09/2008
Decision Category:	Member/PCC Employee
Case Officer :	David Jeffrey
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



(c) Crown Copyright. All rights reserved. Plymouth City Council Licence No. 100018633 Published 2008 Scale 1:1250

OFFICERS REPORT

Site Description

44 Trewithy Drive is a detached dwellinghouse on the north side of the road.

Proposal Description

The proposal involves the erection of a single-storey extension to form a new sun room and toilet that is planned to project 3.2 metres from the rear elevation and will be approximately 7.7 metres in width. The pitched roof is planned to be 3.5 metres high and will include 3 rooflights.

Relevant Planning History

There is no relevant planning history related to this application.

Consultation Responses

No consultations were required

Representations

One letter of representation has been received from the adjacent neighbour at 42 Trewithy Drive. The letter objects to the proposed extension because of the negative effects it would have on their property in terms of the daylight they currently enjoy.

Analysis

This application is brought to committee because the agent is an employee of the Council.

As the proposed extension will not be visible from a public vantage point the main issue related to this application is the impact upon the amenity of neighbouring properties.

As there is an existing attached garage which projects beyond the rear building line on the west side of the applicant's property the proposed extension is not considered to have any adverse effects on the amenity of the neighbouring property at number 46.

The rear extension is proposed to extend approximately 3.1 metres from the rear elevation and will replace an existing conservatory of the same width. However, the proposed extension will stretch 7.7 metres in length and will sit in close proximity to the boundary with neighbouring 42 Trewithy Drive. Due to the close proximity of the extension to the boundary with number 42 (and having regard to the letter of objection received from this property relating to the potential loss of daylight), the effects of the extension on the amenity of residents at number 42 is the main issue that needs to be considered.

With regard to daylight, the gardens are north-facing and the extension is limited to a single storey. Therefore, the extension will not have a significant effect on the daylight enjoyed in neighbouring properties.

As the extension is located near the boundary with number 42, the extension has the potential to break the 45 degree rule which is advocated by Supplementary Planning Guidance Note 1 'House Extensions' to assess the effects of development on the outlook of neighbouring properties. Although the proposed extension marginally breaks the 45 degree rule in relation to the neighbour's patio doors, a fence is located on the boundary which already interrupts the outlook. The single-storey extension is not considered to be detrimental to the outlook of residents at number 42.

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

Not applicable

Conclusions

Recommended for Approval

Recommendation

In respect of the application dated **28/07/2008** and the submitted drawings, **01, 02, 03, 04** 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.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the character and appearance of the area and the impact on residential amenity, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified condition, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c)

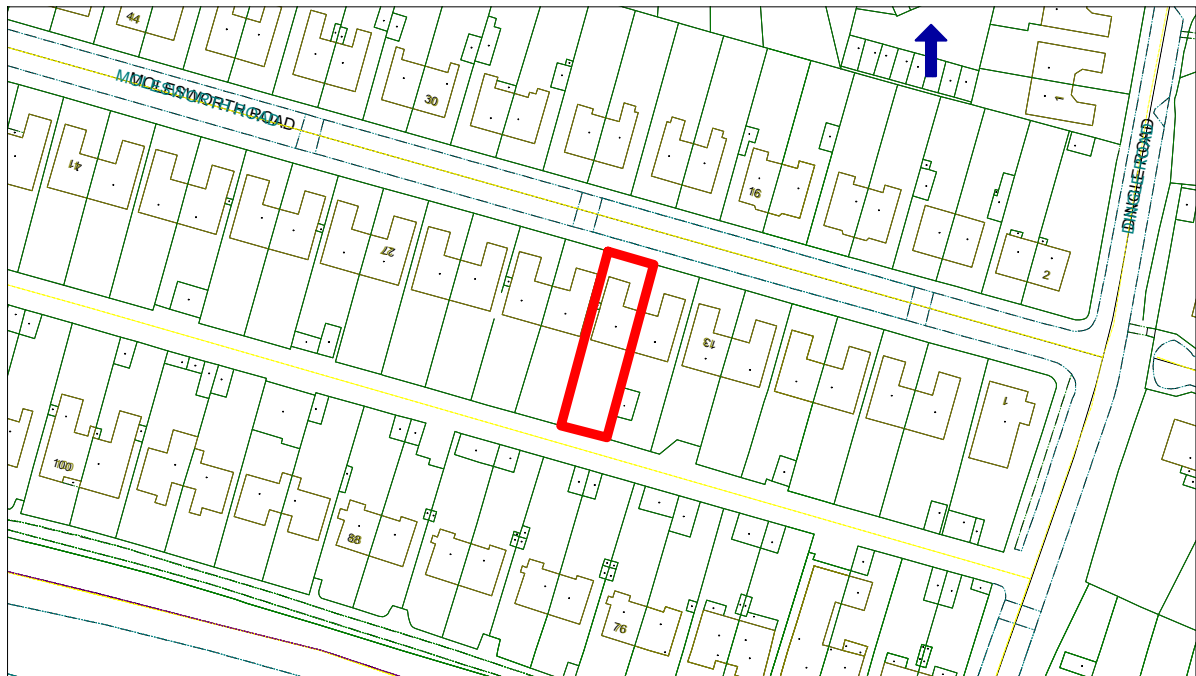
relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, as follows:

SPG1 - House Extensions

CS34 - Planning Application Consideration

ITEM: 16

Application Number:	08/01413/FUL
Applicant:	Mr Dan Coles
Description of Application:	Single storey rear extension with sun terrace above, conversion of integral garage to living accommodation and construction of detached single garage
Type of Application:	Full Application
Site Address:	17 MOLESWORTH ROAD PLYMPTON PLYMOUTH
Ward:	Plympton St Mary
Valid Date of Application:	29/07/2008
8/13 Week Date:	23/09/2008
Decision Category:	Member/PCC Employee
Case Officer :	David Jeffrey
Recommendation:	Refuse
Click for Application Documents:	www.plymouth.gov.uk



(c) Crown Copyright. All rights reserved. Plymouth City Council Licence No. 100018633 Published 2008 Scale 1:1250

OFFICERS REPORT

Site Description

17 Molesworth Road is a semi detached dwelling house on the south side of Molesworth Road. The property is bounded by an attached residential dwelling to the east and has a south facing garden.

Proposal Description

The proposal involves a single storey rear extension with sun terrace above, the conversion of the integral garage to living accommodation and the construction of a detached single garage.

Relevant Planning History

There is no relevant planning history related to this application.

Consultation Responses

No consultations

Representations

No representations have been received relating to this application.

Analysis

The rear extension will only be visible from the lane running along the rear of properties on Molesworth Road and Plymouth Road and will therefore not have a significant impact on the character and appearance of the area.

The garage proposed to the rear of the garden has a pitched roof and rendered walls and is similar to garages at other nearby properties. The garage is therefore considered acceptable.

The main issue to consider related to this application is the impact that the single storey rear extension and associated sun terrace will have on the amenity of neighbouring properties.

The extension is planned to project nearly 4 metres from the rear of the property and will sit immediately adjacent to the garden of 19 Molesworth Road. Although there is no objection in principle to the rear extension, the sun terrace will directly overlook the garden at number 19 and to a lesser extent at number 15. Supplementary Planning Guidance 1 (SPG1) '*House Extensions*' clearly states that balconies in proposed extensions should not be sited so that they impinge on the privacy of neighbours in their gardens. The proposal therefore fails to comply with both SPG1 and Policy CS34 of the adopted Core Strategy 2006-2021 with regards to the adverse effects of the balcony on residential amenity.

It should be acknowledged that there is currently a similar sun terrace at the rear of 43 Molesworth Road. However, there is no record of this being granted planning permission. Furthermore, the sun terrace at number 43 is neither so large or has the potential to impact on the privacy of its neighbours to the

extent of this proposal. It is therefore not considered to provide a precedent for the granting of permission in this case.

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

Not applicable

Conclusions

As a result of the unacceptable impact that this proposal would have on the privacy of neighbours, especially those at 15 and 19 Molesworth Road this application is recommended for refusal.

Recommendation

In respect of the application dated **29/07/2008** and the submitted drawings, **17MR/01, 17MR/02, 17MR/03, 17MR/04, 17MR/05, 17MR/06, 17MR/07** , it is recommended to: **Refuse**

Conditions

The Local Planning Authority considers that the proposal would be detrimental to residential amenity. The proposed sun terrace would result in unacceptable overlooking of neighbouring properties. The proposal is therefore contrary to policy CS34 of the Core Strategy of Plymouth's Local Development Framework (2006-2021) and to the Council's Supplementary Planning Guidance (SPG) Note 2 1995.

Relevant Policies

The following (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c) relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, were taken into account in determining this application.

SPG1 - House Extensions

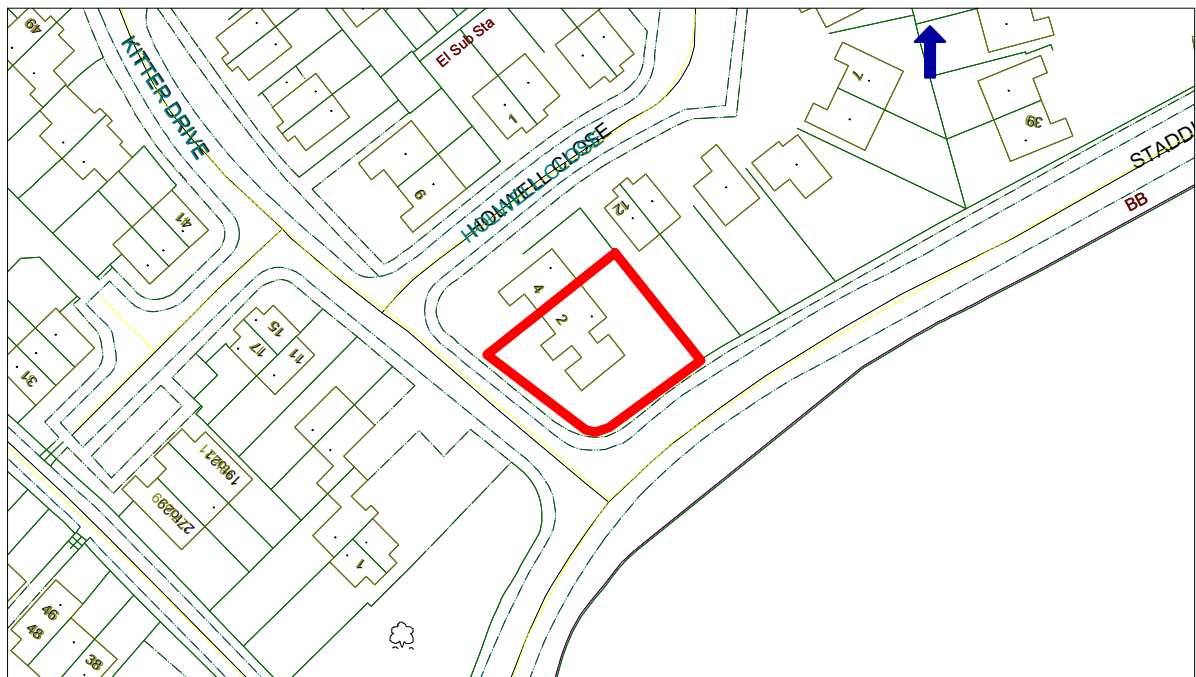
SPG2 - House and Roof Alterations

CS34 - Planning Application Consideration

This page is intentionally left blank

ITEM: 17

Application Number:	08/01322/FUL
Applicant:	Mr Barry Foster
Description of Application:	Rear conservatory
Type of Application:	Full Application
Site Address:	2 KITTER DRIVE PLYMSTOCK PLYMOUTH
Ward:	Plymstock Dunstone
Valid Date of Application:	22/07/2008
8/13 Week Date:	16/09/2008
Decision Category:	Member/PCC Employee
Case Officer :	Rebecca Dewey
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



(c) Crown Copyright. All rights reserved. Plymouth City Council Licence No. 100018633 Published 2008 Scale 1:1000

OFFICERS REPORT

Site Description

2 Kitter Drive is a semi-detached dwellinghouse in the Plymstock area of the city. The rear garden is north-east facing and there are no significant ground level changes.

Proposal Description

This proposal is for a REAR CONSERVATORY. At the boundary with the adjoining neighbour the conservatory projects roughly 2.5 metres, then projects further as it extends across the back of the property, to a maximum projection of approximately 3.5 metres. The roof will sit below the first floor windows.

Relevant Planning History

91/00247/FUL – Conversion of existing garage to living accommodation and erection of replacement private motor garage - 02

01/00017/FUL - First floor front extension – Refused

04/00488/FUL - Part two-storey, part first-floor, side extension to enlarge dwellinghouse and provide accommodation for elderly relative (including conversion of garage) and erection of private motor garage – Permitted

Consultation Responses

There were no consultations made in conjunction with this planning application.

Representations

There were no letters of representation 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.

This application comes before committee because the applicant is an employee of Plymouth City Council.

This application turns upon Policy CS34 and CS02 of the Core Strategy 2006-2021; and the Supplementary Planning Guidance (SPG) Note 1 – 'House Extensions'. The main issues with regard to this application would appear to be impact upon the visual amenity of the area, and the impact upon neighbouring amenity.

Sub-dividing the adjoining property no.4 Kitter Drive and the subject property is a 1.80 metre wooden panel fence. It is considered that the height of this existing fence, coupled with the relatively modest projection of the proposal at the boundary will lead to minimal impact upon this neighbour. Another neighbour to consider is no.12 Holwell Close, as its side elevation is quite close to the rear boundary of the subject property. However whilst on site it was noted that there appeared to be no primary/ or habitable windows in this elevation of no.12. In summary it is thought that privacy, outlook and sun/ daylight of the neighbouring amenity will not be compromised by this proposal.

The conservatory is in-keeping, typical of this residential area in terms of scale, siting, visual impact and design in accordance with CS34 of the Core Strategy. This is because it is thought that the proposal is sympathetic in form, detailing and materials to the existing building and it does not detract from the character or visual appearance of the area.

The application form highlights, and the submitted plan show that there is a Leylandi tree in the adjoining neighbour's garden. However, it is felt that its location in relation to the proposed conservatory means, that there will be minor impact upon this tree.

Conclusions

This planning application is recommended for conditional approval.

Recommendation

In respect of the application dated **22/07/2008** and the submitted drawings, **2KD/Conserv Revision A**, 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.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: impact upon neighbouring amenity and impact upon the streetscene, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the

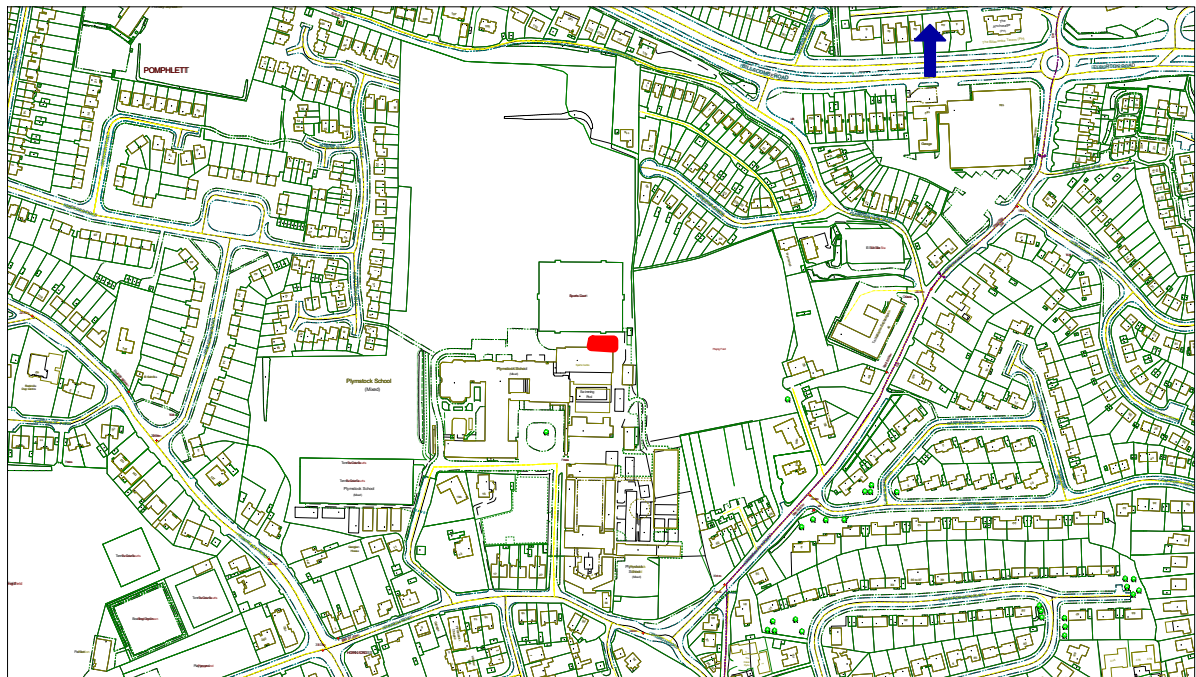
City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c) relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, as follows:

SPG1 - House Extensions

CS34 - Planning Application Consideration

ITEM: 18

Application Number:	08/01396/FUL
Applicant:	Plymstock School
Description of Application:	Relocation of mobile classroom
Type of Application:	Full Application
Site Address:	PLYMSTOCK SENIOR SCHOOL, 29 CHURCH ROAD PLYMSTOCK PLYMOUTH
Ward:	Plymstock Radford
Valid Date of Application:	21/08/2008
8/13 Week Date:	20/11/2008
Decision Category:	Major Application
Case Officer :	Richard Webb
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



(c) Crown Copyright. All rights reserved. Plymouth City Council Licence No. 100018633 Published 2008 Scale 1:5000

OFFICERS REPORT

Site Description

Plymstock Senior School occupies a site of approximately 9.5 hectares, located within a largely suburban residential area with the main access being off Church Road. The proposed port-a-cabin is to replace at least one large metal storage container that is located in a fairly central position to the north side of the overall school grounds and to the rear of a sports hall. This site is separated from residential properties situated on Swallows End, Greenacres and Stentaway Road, to the west, north and east of the school grounds by a sports court, cricket pitch and other sports fields. Numerous other metal storage containers and port-a-cabins already exist within the vicinity of the proposed site for the subject port-a-cabin.

Proposal Description

Relocation of port-a-cabin/mobile classroom measuring 12m long and 4m deep to site at Plymstock Senior School from The College of St Mark & St John. This port-a-cabin is to replace an existing metal storage container and to be used as an external store for large and bulky sports equipment.

Relevant Planning History

Extensive history, the most relevant being:-

03/00269/FUL - Phased two-storey extension to previously approved block (containing 10 classrooms) to provide 12 additional classrooms (4 in phase 1, 8 in phase 2), and formation of 30 parking spaces – Granted Conditionally

04/00764/Ful - Siting of portable building for use by Air Training Corps (existing A.T.C. building on another part of site to be removed) – Granted Conditionally

04/01607/FUL - Free-standing shelter in courtyard – Granted Conditionally

06/01967/FUL – Formation of artificial turf sports pitch with floodlighting and security fencing, and ancillary car parking area – Granted Conditionally

08/01417/FUL - Siting of portable building (on land South of tennis courts) for use by Air Training Corps (existing ATC building in another part of school to be removed) – Case Open

Consultation Responses

None

Representations

None

Analysis

The new port-a-cabin will replace an existing metal storage container providing addition space for the storage of “large and bulky” sports equipment used by local groups outside of normal school hours. These items of equipment would otherwise be left open to the elements or stored in the existing steel lock-up container which lacks decent ventilation.

The main consideration in this case is Policy CS34 of the Core Strategy 2006-2021. The siting of the new port-a-cabin is unlikely to cause any detrimental

effect on the amenity enjoyed by the dwelling houses located adjacent to the school boundaries and in light of the presence of the numerous other metal storage containers and port-a-cabins in the vicinity of this site it is deemed that the provision of one further port-a-cabin will have no further detrimental effect on the school premises.

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

The proposal is recommended for approval.

Recommendation

In respect of the application dated **21/08/2008** and the submitted drawings, **01/M.C./2008, 02/M.C./2008, 03/M.C./2008 and 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.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: impact on neighbouring amenity, impact on the character and appearance of the area, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c) relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, as follows:

CS34 - Planning Application Consideration

This page is intentionally left blank

PLANNING COMMITTEE

Decisions issued for the following period: 8 September 2008 to 6 October 2008

Note - This list includes:

- Committee Decisions
- Delegated Decisions
- Withdrawn Applications
- Returned Applications

Item No 1

Application Number: 07/02282/FUL **Applicant:**
Application Type: Full Application
Description of Development: Formation of rooms in roofspace including rear dormer
Site Address 471 TAVISTOCK ROAD PLYMOUTH
Case Officer: Emily Harvey
Decision Date: 26/09/2008
Decision: Refuse

Item No 2

Application Number: 08/00066/LBC **Applicant:** Plymouth City Council
Application Type: Listed Building
Description of Development: Replacement of external entrance doors at access point onto Market Square
Site Address PANNIER MARKET, MARKET AVENUE PLYMOUTH
Case Officer: Alex Marsh
Decision Date: 11/09/2008
Decision: Grant Conditionally

Item No 3

Application Number: 08/00097/FUL **Applicant:** PLYMOUTH LAND REGISTRY
Application Type: Full Application
Description of Development: Erection of timber log nursery building and wet land area
Site Address SEATON COURT,2 WILLIAM PRANCE ROAD PLYMOUTH
Case Officer: Carly Francis
Decision Date: 22/09/2008
Decision: Grant Conditionally

Item No 4

Application Number: 08/00227/FUL **Applicant:** Cattedown Regeneration Ltd
Application Type: Full Application
Description of Development: Development of 3 sites: Apollo, Aphrodite & Trident at Neptune Park to provide 4370sqm of floor space (2,625sqm B1/B2 business/ industrial use & 1,745sqm B8 warehousing use) together with 133 car parking spaces, servicing and landscaping
Site Address NEPTUNE PARK, MAXWELL ROAD CATTEDOWN PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 22/09/2008
Decision: Refuse

Item No 5

Application Number: 08/00237/FUL **Applicant:** Tamar Housing Society
Application Type: Full Application
Description of Development: Demolition of existing building and redevelopment of site by erection of terrace of 3 dwellings and apartment block containing 6 flats with associated off street parking
Site Address 105 GRENVILLE ROAD PLYMOUTH
Case Officer: Robert Heard
Decision Date: 02/10/2008
Decision: Grant Conditionally

Item No 6

Application Number: 08/00277/FUL **Applicant:** Southway Surgery
Application Type: Full Application
Description of Development: Change of use, conversion, alterations to existing doctors surgery to form 5 self contained flats with associated parking, refuse, storage and amenity space.
Site Address SOUTHWAY SURGERY, 2 BAMPFYLDE WAY SOUTHWAY PLYMOUTH
Case Officer: Jon Fox
Decision Date: 08/09/2008
Decision: Grant Conditionally

Item No 7

Application Number: 08/00288/RE **Applicant:** Devon and Cornwall Developme
Application Type: Reserved Matters
Description of Development: Reserved matters application for the siting, design, landscaping and external appearance of a detached house and garage
Site Address 131 LOOSELEIGH LANE LOOSELEIGH PLYMOUTH
Case Officer: Jon Fox
Decision Date: 06/10/2008
Decision: Application Withdrawn

Item No 8

Application Number: 08/00311/FUL **Applicant:** Mr R Austen
Application Type: Full Application
Description of Development: Develop side garden by erection of detached dwelling with associated parking area (revisions to previously approved application 06/00834)
Site Address 1 CUNDY CLOSE PLYMPTON PLYMOUTH
Case Officer: Jon Fox
Decision Date: 26/09/2008
Decision: Grant Conditionally

Item No 9

Application Number: 08/00321/FUL **Applicant:** The Flat Rental Centre
Application Type: Full Application
Description of Development: Develop part of rear garden by erection of a two-storey mews style dwelling with garages under
Site Address 18 CAROLINE PLACE STONEHOUSE PLYMOUTH
Case Officer: Carly Francis
Decision Date: 15/09/2008
Decision: Refuse

Item No 10

Application Number: 08/00474/RE **Applicant:** Taylor Wimpy (Exeter)
Application Type: Reserved Matters
Description of Development: Reserved matters for the erection of 152 dwellings with associated car parking, access roads and public open space pursuant to outline permission 05/01085
Site Address FORMER PAPER CONVERTING LAND (PHASE 1B) NORTH OF 279 CLITTAFFORD ROAD, EAST OF HARTLARD CLOSE SOUTHWAY PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 10/09/2008
Decision: Grant Conditionally

Item No 11

Application Number: 08/00493/LBC **Applicant:** Mr and Mrs Mapstone
Application Type: Listed Building
Description of Development: Change of use and conversion of existing live/work unit to 2 bed residential unit
Site Address EVANS COURT, 6 CRAIGIE DRIVE THE MILLFIELDS PLYMOUTH
Case Officer: Alex Marsh
Decision Date: 11/09/2008
Decision: Grant Conditionally

Item No 12

Application Number: 08/00716/LBC **Applicant:** Trafalgar Amenity
Application Type: Listed Building
Description of Development: Conversion of first-floor toilet into study, involving removal of partitions, blocking a doorway and replacing a door
Site Address EVANS COURT, 6 CRAIGIE DRIVE THE MILLFIELDS
STONEHOUSE PLYMOUTH
Case Officer: Alex Marsh
Decision Date: 11/09/2008
Decision: Grant Conditionally

Item No 13

Application Number: 08/00732/FUL **Applicant:** Mr and Mrs P O'Leary
Application Type: Full Application
Description of Development: Develop part (west plot) of site by erection of detached dwellinghouse with private motor garage, and formation of access
Site Address FORMER TENNIS COURTS, RUSSELL AVENUE HARTLEY
PLYMOUTH
Case Officer: Jon Fox
Decision Date: 11/09/2008
Decision: Grant Conditionally

Item No 14

Application Number: 08/00836/LBC **Applicant:** Plymouth Gin Distillery
Application Type: Listed Building
Description of Development: Installation of replacement bar within existing cocktail bar lounge
Site Address PLYMOUTH GIN DISTILLERY, 60 SOUTHSIDE STREET
BARBICAN PLYMOUTH
Case Officer: Alex Marsh
Decision Date: 11/09/2008
Decision: Grant Conditionally

Item No 15

Application Number: 08/00931/FUL **Applicant:** Mr S Harbin
Application Type: Full Application
Description of Development: Front garage extension and first-floor extension over garage with external staircase
Site Address 25 TORR LANE HARTLEY PLYMOUTH
Case Officer: Jon Fox
Decision Date: 26/09/2008
Decision: Refuse

Item No 16

Application Number: 08/00980/PRD **Applicant:** Mr J Hellings
Application Type: LDC Proposed Develop
Description of Development: Perforated steel shutter
Site Address 148 EGGBUCKLAND ROAD PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 08/09/2008
Decision: Refuse to Issue Cert - (Ex)

Item No 17

Application Number: 08/00993/FUL **Applicant:** Mr Stuart Mann
Application Type: Full Application
Description of Development: Part two-storey, part single-storey, side extension, including double private motor garage, and two-storey glass atrium to front
Site Address 3 DAVID CLOSE PLYMPTON PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 11/09/2008
Decision: Grant Conditionally

Item No 18

Application Number: 08/01045/FUL **Applicant:** The Voodoo Lounge
Application Type: Full Application
Description of Development: Formation of paved area for use as beer garden with stainless steel and glazed screening
Site Address VOODOO LOUNGE, THE MONEYCENTRE 1 DRAKE CIRCUS PLYMOUTH
Case Officer: Carly Francis
Decision Date: 11/09/2008
Decision: Refuse

Item No 19

Application Number: 08/01056/FUL **Applicant:** Ms Clare McClintock
Application Type: Full Application
Description of Development: Erection of three storey dwelling adjoining existing terrace
Site Address 54 EMMA PLACE STONEHOUSE PLYMOUTH
Case Officer: Alex Marsh
Decision Date: 02/10/2008
Decision: Grant Conditionally

Item No 20

Application Number: 08/01069/ADV **Applicant:** Harmony's Restaurants Ltd
Application Type: Advertisement
Description of Development: One internally illuminated entrance fascia sign, two internally illuminated first floor signs inside windows, and four neon first floor signs inside windows
Site Address 72-84 ROYAL PARADE CITY CENTRE PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 11/09/2008
Decision: Grant Conditionally

Item No 21

Application Number: 08/01087/FUL **Applicant:** Mr Alan Evans & Ms Lisa Willia
Application Type: Full Application
Description of Development: Retention of roof garden over existing garage, with balustrade
Site Address 23 GRENVILLE ROAD ST JUDES PLYMOUTH
Case Officer: Janine Pomphrey
Decision Date: 11/09/2008
Decision: Refuse

Item No 22

Application Number: 08/01153/FUL **Applicant:** Mr G Ford
Application Type: Full Application
Description of Development: Erection of detached two storey dwelling with associated driveway and garage (amendment to previously approved application 06/00493)
Site Address Land to the side and rear of 28 CHURCH ROAD PLYMSTOCK PLYMOUTH
Case Officer: Jon Fox
Decision Date: 02/10/2008
Decision: Grant Conditionally

Item No 23

Application Number: 08/01165/FUL **Applicant:** Mrs Karrie Abbott
Application Type: Full Application
Description of Development: Retention of roof garden over existing garage (amended scheme)
Site Address 10 BURLEIGH PARK ROAD PEVERELL PLYMOUTH
Case Officer: Janine Pomphrey
Decision Date: 19/09/2008
Decision: Refuse

Item No 24

Application Number: 08/01189/FUL **Applicant:** Mr Alan Lawley
Application Type: Full Application
Description of Development: Erection of new store (demolition of existing store)
Site Address 440 CROWNHILL ROAD PLYMOUTH
Case Officer: Carly Francis
Decision Date: 09/09/2008
Decision: Grant Conditionally

Item No 25

Application Number: 08/01200/ADV **Applicant:** Mr Jonathan Hellings
Application Type: Advertisement
Description of Development: Non-illuminated fascia advertisement and barbers pole
Site Address 148 EGGBUCKLAND ROAD COMPTON PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 08/09/2008
Decision: Grant Conditionally

Item No 26

Application Number: 08/01205/FUL **Applicant:** Lipson Community College
Application Type: Full Application
Description of Development: Extension to school premises
Site Address LIPSON COMMUNITY COLLEGE, BERNICE TERRACE
LIPSON PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 01/10/2008
Decision: Grant Conditionally

Item No 27

Application Number: 08/01239/FUL **Applicant:** Mr Daniel Hall
Application Type: Full Application
Description of Development: Formation of rooms in roofspace, including rear dormer
Site Address 11 LOWER SALTRAM PLYMOUTH
Case Officer: Rebecca Dewey
Decision Date: 09/09/2008
Decision: Grant Conditionally

Item No 28

Application Number: 08/01241/FUL **Applicant:** Mr Vic Skinner
Application Type: Full Application
Description of Development: Single-storey front and side extension
Site Address 135 BLANDFORD ROAD EFFORD PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 17/09/2008
Decision: Grant Conditionally

Item No 29

Application Number: 08/01245/FUL **Applicant:** Mr Colin Handforth
Application Type: Full Application
Description of Development: Single-storey rear extension (existing structure to be removed)
Site Address 95 LAKE VIEW DRIVE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 26/09/2008
Decision: Grant Conditionally

Item No 30

Application Number: 08/01256/FUL **Applicant:** Ms Antonia Texidor
Application Type: Full Application
Description of Development: Alterations and extensions (including extension to garage to provide sun room)
Site Address 87 DURNFORD STREET PLYMOUTH
Case Officer: Alex Marsh
Decision Date: 18/09/2008
Decision: Grant Conditionally

Item No 31

Application Number: 08/01258/FUL **Applicant:** NHS Estates
Application Type: Full Application
Description of Development: 11/2 Storey extension to existing Mustard Tree Centre in part of level 03 oncology department
Site Address DERRIFORD HOSPITAL, DERRIFORD ROAD PLYMOUTH
Case Officer: Rebecca Dewey
Decision Date: 26/09/2008
Decision: Grant Conditionally

Item No 32

Application Number: 08/01271/LBC **Applicant:** Ms Antonia Texidor
Application Type: Listed Building
Description of Development: Alterations and extensions (including extension to garage to provide sun room)
Site Address 87 DURNFORD STREET PLYMOUTH
Case Officer: Alex Marsh
Decision Date: 18/09/2008
Decision: Grant Conditionally

Item No 33

Application Number: 08/01300/FUL **Applicant:** Mr Tony Covey
Application Type: Full Application
Description of Development: First-floor side extension including front and rear dormers, single-storey side extension, alterations to raised decking and associated steps to form storage area underneath, provision of pitched roof to porch and alterations to link existing hardstandings
Site Address 32 GRANGE ROAD PLYMPTON PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 22/09/2008
Decision: Application Withdrawn

Item No 34

Application Number: 08/01304/ADV **Applicant:** Mr C Britton
Application Type: Advertisement
Description of Development: Retention of internally illuminated fascia sign
Site Address 24 CORNWALL STREET CITY CENTRE PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 08/09/2008
Decision: Refuse

Item No 35

Application Number: 08/01309/FUL **Applicant:** Mr S Chapman
Application Type: Full Application
Description of Development: Two-storey side extension (existing garage to be removed)
Site Address 4 MOORCROFT CLOSE PLYMSTOCK PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 11/09/2008
Decision: Application Withdrawn

Item No 36

Application Number: 08/01318/FUL **Applicant:** Eggbuckland Vale Primary
Application Type: Full Application
Description of Development: Formation of overflow car parking area
Site Address EGGBUCKLAND VALE PRIMARY SCHOOL, CHARFIELD DRIVE EGGBUCKLAND PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 01/10/2008
Decision: Grant Conditionally

Item No 37

Application Number: 08/01329/FUL **Applicant:** Mr Richard Hudson
Application Type: Full Application
Description of Development: Single-storey rear extension
Site Address 38 WALKHAMPTON WALK PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 09/09/2008
Decision: Refuse

Item No 38

Application Number: 08/01337/FUL **Applicant:** Mr E. Kamaia
Application Type: Full Application
Description of Development: Change of use of offices to 'Cordon Bleu' cookery school, and formation of four car parking spaces
Site Address LAND TO THE REAR OF 10 WOODSIDE PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 22/09/2008
Decision: Application Withdrawn

Item No 39

Application Number: 08/01340/FUL **Applicant:** Jayne Fiander
Application Type: Full Application
Description of Development: Change of use, conversion, alteration, front roof lights, rear dormers and external staircase to existing dwellinghouse to form three self-contained flats, with four parking spaces to rear
Site Address 351 ST LEVAN ROAD DEVONPORT PLYMOUTH
Case Officer: Janine Pomphrey
Decision Date: 16/09/2008
Decision: Refuse

Item No 40

Application Number: 08/01346/FUL **Applicant:** Mr Peter Anderson
Application Type: Full Application
Description of Development: Front extension to private motor garage, and provision of pitched roof
Site Address 9 BEAUMONT AVENUE LIPSON PLYMOUTH
Case Officer: Rebecca Dewey
Decision Date: 16/09/2008
Decision: Refuse

Item No 41

Application Number: 08/01347/PRD **Applicant:** Mrs Ka Tai Rayment
Application Type: LDC Proposed Develop
Description of Development: Rear first floor balcony
Site Address 40 GIFFORD TERRACE ROAD MUTLEY PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 16/09/2008
Decision: Refuse to Issue Cert - (Ex)

Item No 42

Application Number: 08/01348/FUL **Applicant:** Mr Clive Ribbons
Application Type: Full Application
Description of Development: Develop part of garden by erection of two-storey dwellinghouse and detached private motor garage, with alterations to access from private road leading to orchard crescent, and erection of detached private motor garage for existing dwelling, plus turning and parking space, with new access from broad park
Site Address COZIE QUARRIE, BROAD PARK PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 30/09/2008
Decision: Application Withdrawn

Item No 43

Application Number: 08/01356/FUL **Applicant:** Mr Niymet Aydin
Application Type: Full Application
Description of Development: Change of use of restaurant to hot food (kebab) take-away and restaurant
Site Address 6 - 8 UNION STREET STONEHOUSE PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 17/09/2008
Decision: Grant Conditionally

Item No 44

Application Number: 08/01371/FUL **Applicant:** Mr Jason Daykin
Application Type: Full Application
Description of Development: First-floor side extension and single-storey rear extension
Site Address 9 MITCHELL CLOSE PLYMSTOCK PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 26/09/2008
Decision: Grant Conditionally

Item No 45

Application Number: 08/01372/LBC **Applicant:** Mrs Helen Read
Application Type: Listed Building
Description of Development: Internal alterations, including subdivision of rooms and removal/installation of baths, showers, sinks, and toilets
Site Address 6 HOE GARDENS PLYMOUTH
Case Officer: Alex Marsh
Decision Date: 24/09/2008
Decision: Application Withdrawn

Item No 46

Application Number: 08/01379/FUL **Applicant:** Mr Peter Curno
Application Type: Full Application
Description of Development: First-floor side extension, single-storey rear extension and conversion of rear part of garage into laundry room
Site Address 3 CONISTON GARDENS PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 22/09/2008
Decision: Grant Conditionally

Item No 47

Application Number: 08/01383/FUL **Applicant:** Tamarside Community College
Application Type: Full Application
Description of Development: Erection of 2.4 metre high security fencing around school campus (including playing fields)
Site Address TAMARSID COMMUNITY COLLEGE, TREVITHICK ROAD
ST BUDEAUX PLYMOUTH
Case Officer: Liz Maynard
Decision Date: 26/09/2008
Decision: Application Withdrawn

Item No 48

Application Number: 08/01385/FUL **Applicant:** Mr & Mrs Andy Couch
Application Type: Full Application
Description of Development: Loft conversion with side and rear dormers
Site Address 46 TORLAND ROAD HARTLEY PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 19/09/2008
Decision: Grant Conditionally

Item No 49

Application Number: 08/01386/FUL **Applicant:** Mr Alan Place
Application Type: Full Application
Description of Development: Two-storey side and rear extension and provision of pitched roof over existing garage
Site Address 56 AUSTIN CRESCENT PLYMOUTH
Case Officer: Janine Pomphrey
Decision Date: 08/09/2008
Decision: Grant Conditionally

Item No 50

Application Number: 08/01388/FUL **Applicant:** Plymouth College
Application Type: Full Application
Description of Development: Change of use, conversion and alteration including first floor side extension, into a house in multiple occupation (student accommodation - 9 bedrooms)
Site Address 7 FORD PARK LANE PLYMOUTH
Case Officer: Janine Pomphrey
Decision Date: 02/10/2008
Decision: Grant Conditionally

Item No 51

Application Number: 08/01394/FUL **Applicant:** Mr David Vowles
Application Type: Full Application
Description of Development: Conversion of loft space into bedroom, with rear dormer, and extension of existing roof
Site Address 1 SOUTH VIEW TERRACE ST JUDES PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 17/09/2008
Decision: Grant Conditionally

Item No 52

Application Number: 08/01395/FUL **Applicant:** Mr Peter Stableton
Application Type: Full Application
Description of Development: Private motor garage
Site Address 2 ERNESETTLE ROAD ST BUDEAUX PLYMOUTH
Case Officer: Brooke Bougnague
Decision Date: 19/09/2008
Decision: Grant Conditionally

Item No 53

Application Number: 08/01397/PRD **Applicant:** Mr C. Sleep
Application Type: LDC Proposed Develop
Description of Development: Outbuilding, and ground level changes
Site Address 99 FOUNTAINS CRESCENT HAM PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 09/09/2008
Decision: Issue Certificate - Lawful Use

Item No 54

Application Number: 08/01398/FUL **Applicant:** Mr Nigel Elliott
Application Type: Full Application
Description of Development: Front porch with balcony over, accessed via patio doors at first-floor level, and installation of spiral fire escape staircase on north side
Site Address 40 ROLLIS PARK ROAD PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 09/09/2008
Decision: Grant Conditionally

Item No 55

Application Number: 08/01404/FUL **Applicant:** Enterprise Rent-A-Car UK Limite
Application Type: Full Application
Description of Development: Change of use from caravan retail centre to vehicle rental, alterations to offices, provision of car valet area and installation of ramped vehicular access between two levels of car park
Site Address PLYMOUTH CARAVAN CENTRE STRODE ROAD
PLYMPTON PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 18/09/2008
Decision: Grant Conditionally

Item No 56

Application Number: 08/01406/FUL **Applicant:** Plymouth College of Art and Des
Application Type: Full Application
Description of Development: Retention of single-storey clay store building, with alterations, and provision of bike store and smoking shelter
Site Address PLYMOUTH COLLEGE OF ART & DESIGN, TAVISTOCK PLACE PLYMOUTH
Case Officer: Carly Francis
Decision Date: 09/09/2008
Decision: Grant Conditionally

Item No 57

Application Number: 08/01410/FUL **Applicant:** Mr & Mrs K Greeno
Application Type: Full Application
Description of Development: Single-storey rear extension
Site Address 13 LITTLE FANCY CLOSE ROBOROUGH PLYMOUTH
Case Officer: Brooke Bournague
Decision Date: 11/09/2008
Decision: Grant Conditionally

Item No 58

Application Number: 08/01414/FUL **Applicant:** Mr Nicholas Furzeland
Application Type: Full Application
Description of Development: Extension to rear roof slope at first-floor level
Site Address 24 LINKETTY LANE WEST PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 29/09/2008
Decision: Grant Conditionally

Item No 59

Application Number: 08/01415/FUL **Applicant:** Mr D Barnes
Application Type: Full Application
Description of Development: Side conservatory to provide covered link between property and garage, existing roof to be removed
Site Address 180 OLD LAIRA ROAD LAIRA PLYMOUTH
Case Officer: Rebecca Dewey
Decision Date: 15/09/2008
Decision: Grant Conditionally

Item No 60

Application Number: 08/01420/FUL **Applicant:** Mrs Pat Smith
Application Type: Full Application
Description of Development: Front conservatory
Site Address 143 RUSKIN CRESCENT HONICKNOWLE PLYMOUTH
Case Officer: Rebecca Dewey
Decision Date: 11/09/2008
Decision: Refuse

Item No 61

Application Number: 08/01422/FUL **Applicant:** Mr Neil Benney
Application Type: Full Application
Description of Development: Extension to roof to form gable to replace hip, and formation of rooms in extended roofspace with front and rear rooflights and side window
Site Address 46 BEATRICE AVENUE KEYHAM PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 11/09/2008
Decision: Grant Conditionally

Item No 62

Application Number: 08/01423/FUL **Applicant:** Mr & Mrs Mellor
Application Type: Full Application
Description of Development: Front porch
Site Address 91 LANGLEY CRESCENT SOUTHWAY PLYMOUTH
Case Officer: Brooke Bournague
Decision Date: 22/09/2008
Decision: Grant Conditionally

Item No 63

Application Number: 08/01424/FUL **Applicant:** Mr & Mrs Carew
Application Type: Full Application
Description of Development: Front porch
Site Address 89 LANGLEY CRESCENT SOUTHWAY PLYMOUTH
Case Officer: Brooke Bournague
Decision Date: 11/09/2008
Decision: Grant Conditionally

Item No 64

Application Number: 08/01426/FUL **Applicant:** Mr Gordon Hobbs
Application Type: Full Application
Description of Development: Change of use from retail (A1) to combined used as restaurant (A3) and hot food takeaway (A5)
Site Address 234 ALBERT ROAD DEVONPORT PLYMOUTH
Case Officer: Carly Francis
Decision Date: 11/09/2008
Decision: Refuse

Item No 65

Application Number: 08/01429/FUL **Applicant:** Barclays Plc
Application Type: Full Application
Description of Development: New lift motor housing on roof and alterations to shopfront including relocation of entrance and installation of three ATMs (cashpoint machines)
Site Address 140 to 146 ARMADA WAY CITY CENTRE PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 11/09/2008
Decision: Grant Conditionally

Item No 66

Application Number: 08/01430/ADV **Applicant:** Barclays Plc
Application Type: Advertisement
Description of Development: Three internally illuminated fascia signs and two internally illuminated projecting signs
Site Address 140 to 146 ARMADA WAY CITY CENTRE PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 11/09/2008
Decision: Grant Conditionally

Item No 67

Application Number: 08/01431/FUL **Applicant:** Mr Robert Daley
Application Type: Full Application
Description of Development: First-floor rear extension
Site Address 57 BEARSDOWN ROAD EGGBUCKLAND PLYMOUTH
Case Officer: Janine Pomphrey
Decision Date: 15/09/2008
Decision: Grant Conditionally

Item No 68

Application Number: 08/01434/FUL **Applicant:** Mr J Roberts
Application Type: Full Application
Description of Development: Two-storey side extension (existing shed to be removed)
Site Address 10 LYNDHURST CLOSE MILEHOUSE PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 17/09/2008
Decision: Grant Conditionally

Item No 69

Application Number: 08/01435/FUL **Applicant:** Miss C M Franks
Application Type: Full Application
Description of Development: Single storey rear extension
Site Address 29 NORTH DOWN ROAD BEACON PARK PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 15/09/2008
Decision: Grant Conditionally

Item No 70

Application Number: 08/01436/FUL **Applicant:** Mrs G Moore
Application Type: Full Application
Description of Development: Conversion of basement to self-contained flat including provision of entrance door and window
Site Address 55 SOUTH VIEW TERRACE MOUNT GOULD PLYMOUTH
Case Officer: Carly Francis
Decision Date: 15/09/2008
Decision: Refuse

Item No 71

Application Number: 08/01439/FUL **Applicant:** Mr & Mrs Jeremy Lant
Application Type: Full Application
Description of Development: Loft conversion including rear dormer
Site Address 15 SHORT PARK ROAD PEVERELL PLYMOUTH
Case Officer: Rebecca Dewey
Decision Date: 15/09/2008
Decision: Grant Conditionally

Item No 72

Application Number: 08/01442/FUL **Applicant:** Mr N Phillips
Application Type: Full Application
Description of Development: Provision of replacement garden gate
Site Address WEST HOE HOUSE, 23 GRAND PARADE WEST HOE PLYMOUTH
Case Officer: Andrew Kruszynski
Decision Date: 30/09/2008
Decision: Grant Conditionally

Item No 73

Application Number: 08/01443/LBC **Applicant:** Mr N Phillips
Application Type: Listed Building
Description of Development: Provision of replacement garden gate
Site Address WEST HOE ROAD, 23 GRAND PARADE WEST HOE PLYMOUTH
Case Officer: Andrew Kruszynski
Decision Date: 30/09/2008
Decision: Grant Conditionally

Item No 74

Application Number: 08/01444/PRD **Applicant:** Mr C Wright
Application Type: LDC Proposed Develop
Description of Development: Alterations to house roof to create gable end (following removal of garage)
Site Address 57 FORD PARK ROAD MUTLEY PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 18/09/2008
Decision: Application Withdrawn

Item No 75

Application Number: 08/01445/ADV **Applicant:** Mr Niymet Aydin
Application Type: Advertisement
Description of Development: Illuminated fascia sign
Site Address 6-8 UNION STREET PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 17/09/2008
Decision: Grant Conditionally

Item No 76

Application Number: 08/01448/ADV **Applicant:** British Heart Foundation
Application Type: Advertisement
Description of Development: non-Illuminated fascia sign
Site Address 1 WESTERN APPROACH CITY CENTRE PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 17/09/2008
Decision: Grant Conditionally

Item No 77

Application Number: 08/01451/FUL **Applicant:** Mrs Lesley Mainwaring
Application Type: Full Application
Description of Development: Single-storey side extension, two side dormers, formation of rooms in roofspace and rear first-floor balcony
Site Address 76 RADFORD PARK ROAD PLYMSTOCK PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 26/09/2008
Decision: Refuse

Item No 78

Application Number: 08/01452/FUL **Applicant:** Westwise Manufacturing Ltd
Application Type: Full Application
Description of Development: Variation of condition 2 of planning permission 05/01564/FUL to allow non ancillary use of previously permitted extension within use classes A2 and B1 (a and b)
Site Address HAWTHORN HOUSE, 25 DARKLAKE VIEW ESTOVER PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 24/09/2008
Decision: Application Withdrawn

Item No 79

Application Number: 08/01453/PRU **Applicant:** Mr Andrew Wheeler
Application Type: LDC Proposed Use
Description of Development: Use as booking office for private hire company working 24 hours a day
Site Address UNIT 5 WALKHAM BUSINESS PARK, BURREINGTON WAY PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 24/09/2008
Decision: Application Withdrawn

Item No 80

Application Number: 08/01456/FUL **Applicant:** Mr Norsworthy & Mrs Badger
Application Type: Full Application
Description of Development: Two-storey side extension in association with partial demolition of existing garage
Site Address 15 CONWAY GARDENS PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 19/09/2008
Decision: Grant Conditionally

Item No 81

Application Number: 08/01457/FUL **Applicant:** M & R Building Services SW Ltd
Application Type: Full Application
Description of Development: Erection of double private motor garage
Site Address 86 MILEHOUSE ROAD PLYMOUTH
Case Officer: Rebecca Dewey
Decision Date: 18/09/2008
Decision: Grant Conditionally

Item No 82

Application Number: 08/01462/FUL **Applicant:** Mrs Susan Colwill
Application Type: Full Application
Description of Development: TAXI BOOKING OFFICE
Site Address JUST CLEAN, VICTORIA ROAD ST BUDEAUX PLYMOUTH
Case Officer:
Decision Date: 10/09/2008
Decision: Application Returned

Item No 83

Application Number: 08/01468/FUL **Applicant:** Mr I Padley
Application Type: Full Application
Description of Development: Rear conservatory
Site Address 125 TRURO DRIVE BADGERWOOD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 16/09/2008
Decision: Grant Conditionally

Item No 84

Application Number: 08/01473/FUL **Applicant:** Mr & Mrs Woods
Application Type: Full Application
Description of Development: Front extension
Site Address 96 BEAUMARIS ROAD PLYMOUTH
Case Officer: Rebecca Dewey
Decision Date: 17/09/2008
Decision: Grant Conditionally

Item No 85

Application Number: 08/01475/FUL **Applicant:** Mr & Mrs M Cooper
Application Type: Full Application
Description of Development: Formation of rooms in roofspace, including rear dormer
Site Address 1 CANEFIELDS AVENUE PLYMOUTH
Case Officer: Rebecca Dewey
Decision Date: 25/09/2008
Decision: Grant Conditionally

Item No 86

Application Number: 08/01478/FUL **Applicant:** Mr R Bond
Application Type: Full Application
Description of Development: Loft conversion including new rooflights
Site Address FIRST FLOOR FLAT 14 GREEN PARK AVENUE
PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 19/09/2008
Decision: Grant Conditionally

Item No 87

Application Number: 08/01481/FUL **Applicant:** Mr and Mrs Way
Application Type: Full Application
Description of Development: Rear dormer window and loft conversion
Site Address 34 FURNEAUX ROAD MILEHOUSE PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 17/09/2008
Decision: Grant Conditionally

Item No 88

Application Number: 08/01484/FUL **Applicant:** Mr & Mrs G John
Application Type: Full Application
Description of Development: First-floor side extension
Site Address 56 THE MEAD PLYMPTON PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 22/09/2008
Decision: Grant Conditionally

Item No 89

Application Number: 08/01485/FUL **Applicant:** Mr & Mrs B Weston
Application Type: Full Application
Description of Development: Front porch and single storey rear extension
Site Address 4 GOSWELA GARDENS PLYMSTOCK PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 25/09/2008
Decision: Grant Conditionally

Item No 90

Application Number: 08/01486/FUL **Applicant:** Mr & Mrs Richards
Application Type: Full Application
Description of Development: Loft conversion including rear dormer and rooflights to front
Site Address 13 FULLERTON ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 25/09/2008
Decision: Grant Conditionally

Item No 91

Application Number: 08/01498/FUL **Applicant:** Mr George James
Application Type: Full Application
Description of Development: TEMPORARY WOODEN CABINS
Site Address LAND TO REAR OF PUBLIC CONVENIENCES, THE BARBICAN BARBICAN PLYMOUTH
Case Officer:
Decision Date: 24/09/2008
Decision: Application Returned

Item No 92

Application Number: 08/01503/FUL **Applicant:** Mrs C Featherstone
Application Type: Full Application
Description of Development: Replacement roof to gable end design and formation of rooms in new roofspace involving a rear former and front rooflights
Site Address 20 ENDSLEIGH ROAD ORESTON PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 29/09/2008
Decision: Grant Conditionally

Item No 93

Application Number: 08/01514/FUL **Applicant:** Mr Lee Palmer
Application Type: Full Application
Description of Development: Single-storey rear extension and enlargement of private motor garage with mono-pitched roof with rooms in roofspace of extended dwelling including raising of ridge, side dormer and rooflights
Site Address 161 GREEN PARK ROAD PLYMSTOCK PLYMOUTH
Case Officer: Janine Pomphrey
Decision Date: 02/10/2008
Decision: Refuse

Item No 94

Application Number: 08/01516/FUL **Applicant:** Mr S Bradley
Application Type: Full Application
Description of Development: Change of use, conversion and alteration of dwellinghouse, including external staircase, to form four self-contained flats, with three parking spaces to rear (existing boundary wall to be demolished)
Site Address 56 EXMOUTH ROAD DEVONPORT PLYMOUTH
Case Officer: Janine Pomphrey
Decision Date: 02/10/2008
Decision: Refuse

Item No 95

Application Number: 08/01525/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Single-storey side extension (existing side extension to be removed)
Site Address 180 KINGS TAMERTON ROAD KINGS TAMERTON PLYMOUTH
Case Officer: Andrew Kruszynski
Decision Date: 02/10/2008
Decision: Grant Conditionally

Item No 96

Application Number: 08/01530/FUL **Applicant:** Mrs Monique Manfield
Application Type: Full Application
Description of Development: Single-storey extension to rear of existing garage, and conversion of garage to utility room and store
Site Address 2 PADDOCK CLOSE PLYMOUTH
Case Officer: Rebecca Dewey
Decision Date: 02/10/2008
Decision: Grant Conditionally

Item No 97

Application Number: 08/01533/FUL **Applicant:** Mr Simon Dyer
Application Type: Full Application
Description of Development: Single-storey side extension joining existing kitchen and garage
Site Address 104 LYNWOOD AVENUE WOODFORD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 26/09/2008
Decision: Grant Conditionally

Item No 98

Application Number: 08/01544/FUL **Applicant:** Spencer Bailey
Application Type: Full Application
Description of Development: Alterations to dwelling, single-storey side and rear extension (including private motor garage), and formation of rooms in extended roofspace with dormers and roof lights (existing garage to be removed)
Site Address 163 ELBURTON ROAD ELBURTON PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 02/10/2008
Decision: Grant Conditionally

Item No 99

Application Number: 08/01547/FUL **Applicant:** Mr Ian Fry
Application Type: Full Application
Description of Development: Single-storey rear extension
Site Address 81 BOWDEN PARK ROAD CROWNHILL PLYMOUTH
Case Officer: Andrew Kruszynski
Decision Date: 02/10/2008
Decision: Grant Conditionally

Item No 100

Application Number: 08/01548/FUL **Applicant:** Dr Peter Jagodzinski
Application Type: Full Application
Description of Development: CHANGE OF USE
Site Address 1 HAYE ROAD SOUTH PLYMSTOCK PLYMOUTH
Case Officer:
Decision Date: 24/09/2008
Decision: Application Returned

Item No 101

Application Number: 08/01563/FUL **Applicant:** Barratt Homes Ltd (Exeter Divisi
Application Type: Full Application
Description of Development: Retrospective application for incorporating white upvc, windows in erection of 98 dwellings at 'Panorama' Brentor Road, Plymouth - Non compliance with Planning Condition no 17 of conditional planning permission no 06/01297/FUL
Site Address JUNCTION GARDENS, OFF BRENTOR ROAD ST JUDES PLYMOUTH
Case Officer:
Decision Date: 24/09/2008
Decision: Application Returned

Item No 102

Application Number: 08/01568/CAC **Applicant:** Mr C Lane
Application Type: Conservation Area
Description of Development: Extension
Site Address 211 TAMERTON FOLIOT ROAD PLYMOUTH
Case Officer:
Decision Date: 11/09/2008
Decision: CAC Not Required

Item No 103

Application Number: 08/01589/FUL **Applicant:** Mr Michael Parmenter
Application Type: Full Application
Description of Development: INSTALLATION OF SKY DISH
Site Address 2A CORNWALL STREET DEVONPORT PLYMOUTH
Case Officer:
Decision Date: 29/09/2008
Decision: Application Returned

Item No 104

Application Number: 08/01636/PRD **Applicant:** Mr Henry Thomas
Application Type: LDC Proposed Develop
Description of Development: Loft conversion including rear dormer
Site Address 12 COMPASS DRIVE PLYMPTON PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 06/10/2008
Decision: Application Withdrawn

Item No 105

Application Number: 08/01638/TPO **Applicant:** Mr Wyatt
Application Type: Tree Preservation
Description of Development: 4 Sycamore - fell, and 1 Beech - reduce by 2m
Site Address 23 BURLEIGH MANOR PEVERELL PLYMOUTH
Case Officer: Jane Turner
Decision Date: 30/09/2008
Decision: Grant Conditionally

Item No 106

Application Number: 08/01667/TPO **Applicant:** The House Manager
Application Type: Tree Preservation
Description of Development: Oak - Crown raise to 3m above ground & crown clean
Site Address WESLEY COURT, 1 MILLBAY ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 30/09/2008
Decision: Grant Conditionally

Item No 107

Application Number: 08/01720/FUL **Applicant:** Mr B Morris
Application Type: Full Application
Description of Development: ROOF ALTERATIONS AND SINGLE STOREY EXTENSION
Site Address WARLEIGH LODGE, HORSHAM LANE TAMERTON FOLIOT PLYMOUTH
Case Officer:
Decision Date: 17/09/2008
Decision: Application Returned

Item No 108

Application Number: 08/01811/FUL **Applicant:** Mr & Mrs Rounfull
Application Type: Full Application
Description of Development: PROPOSED WINDOW TO SECOND FLOOR FLAT
Site Address 12 THE QUARTERDECK, STRAND STREET PLYMOUTH
Case Officer:
Decision Date: 03/10/2008
Decision: Application Returned

Item No 109

Application Number: 08/01819/CAC **Applicant:** MR & MRS EDDY
Application Type: Conservation Area
Description of Development: PROPOSED WINDOW TO SECOND FLOOR FLAT
Site Address 16 THE QUARTERDECK, STRAND STREET PLYMOUTH
Case Officer:
Decision Date: 03/10/2008
Decision: Application Returned

This page is intentionally left blank

Application Number **07/00865/FUL**
Appeal Site **42 AMHERST ROAD PLYMOUTH**
Appeal Proposal Alterations and installation of screen walls/fencing and a balustrade, to form 1st floor rear
Case Officer Janine Pomphrey

Appeal Category REF
Appeal Type Informal Hearing
Appeal Decision Dismissed
Appeal Decision Date 04/09/2008
Conditions
Award of Costs

Awarded To

Appeal Synopsis

The Inspector shared the Council's concerns that the proposal, by virtue of its height, prominence and means of screening, would harm the character and appearance of the area contrary to policies CS02 and CS34 of the Council's LDF Core Strategy 2006 - 2021. The Inspector considered all matters referred by the appellants, including the existence of various other balconies in the area, however he noted that: 'each proposal is assessed on its merits and I do not consider that I would be justified in permitting significant harm to be caused to the amenities of an area solely on the basis of what has gone before'. In addition, the Inspector agreed that the proposed development would cause harm to the living conditions of the occupants of the neighbouring residential property (no.41 Amherst Road), contrary to policy CS34 of the Council's Core Strategy and Planning Guidance Notes 1 and 2. Specifically the proximity of the balcony to the adjacent bay window is the fundamental problem; the privacy issue cannot be resolved without creating a loss of light and outlook, and vice versa. Therefore the appeal was dismissed.

Application Number **08/00197/FUL**
Appeal Site **LAND ADJACENT TO GLENSIDE, LANCASTER GARDENS WHITLEIGH PLYMOUTH**
Appeal Proposal Erection of detached bungalow
Case Officer Stuart Anderson

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 25/09/2008
Conditions
Award of Costs

Awarded To

Appeal Synopsis

Inspector agreed with LPA's views that the access road to the appeal site is not of an adequate standard to safely accommodate the additional traffic likely to be generated by the proposed development. The proposal therefore conflicts with policies CS28 and CS34 of the Core Strategy.

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.