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PLANNING COMMITTEE

DATE: THURSDAY 10 DECEMBER, 2009
TIME: 2.30 P.M.
PLACE: COUNCIL HOUSE, ARMADA WAY, PLYMOUTH

Members –

Councillor Lock, Chair.
Councillor Mrs. Stephens, Vice-Chair.
Councillors Mrs. Bowyer, Delbridge, Fox, Nicholson, Roberts, Stevens,
Thompson, Tuohy, Vincent and Wheeler.

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 - 10)

The Committee will be asked to confirm the minutes of the meeting held on 12 November, 2009.

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 11 - 12)

The Assistant Director of Development (Planning Services) 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 FORMER CARDINAL SERVICE STATION, WOLSELEY ROAD, SEGRAVE ROAD, PLYMOUTH 09/01375/FUL (Pages 13 - 34)

Applicant:	Brook Street Properties Ltd.
Ward:	Ham
Recommendation:	Grant conditionally subject to S106 Obligation, Delegated authority to refuse in event of S106 not signed by 23 December, 2009

6.2 CAR PARK, WOODSIDE, PLYMOUTH 09/01443/FUL (Pages 35 - 46)

Applicant: Mr. Essy Kamie
Ward: Drake
Recommendation: Grant conditionally subject to S106 Obligation, Delegated authority to refuse in event of S106 not signed by 23 December, 2009

6.3 FORMER TOTHILL SIDINGS, LAND SOUTH OF KNIGHTON ROAD, PLYMOUTH 09/01409/OUT (Pages 47 - 58)

Applicant: Reliant Building Contractors Ltd.
Ward: Sutton and Mount Gould
Recommendation: Refuse

6.4 29-30 REGENT STREET, GREENBANK, PLYMOUTH 09/01070/FUL (Pages 59 - 66)

Applicant: Mr. and Mrs. Ian Crabb
Ward: Drake
Recommendation: Grant Conditionally

6.5 1 ST. LAWRENCE ROAD AND 14 HOUNDISCOMBE ROAD, PLYMOUTH 09/01302/FUL (Pages 67 - 76)

Applicant: Mr. Dave Hendy
Ward: Drake
Recommendation: Grant conditionally subject to S106 Obligation, Delegated authority to refuse if not completed by 1 February, 2010

7. PLANNING APPLICATION DECISIONS ISSUED (Pages 77 - 112)

The Assistant Director of Development (Planning Services) acting under powers delegated to him by the Council will submit a schedule outlining all decisions issued from 3 November to 30 November, 2009, 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 113 - 114)

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 12 November, 2009

PRESENT:

Councillor Lock, in the Chair.

Councillor Mrs. Stephens, Vice-Chair.

Councillors Ball (substitute for Councillor Fox), Delbridge, Mrs. Foster (substitute for Councillor Mrs. Bowyer), Mrs. Nicholson (substitute for Councillor Martin Leaves), Nicholson, Roberts, Stevens, Tuohy, Vincent and Wheeler.

Apologies for absence: Councillors Mrs. Bowyer, Fox and Martin Leaves.

The meeting started at 2.30 p.m. and finished at 6.25 p.m.

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

52. DECLARATIONS OF INTEREST

The following declarations of interest were made in accordance with the Code of Conduct in relation to items under discussion at this meeting –

Name	Minute No. and Subject	Reason	Interest
Councillor Lock	56.3 – Twin Oaks, Ridge Road, Plympton, Plymouth 09/00562/FUL	Engaged with members of the public and spoken to the press	Prejudicial
	56.4 – Land at Ridge Road, Hardwick, Plymouth 09/00983/FUL	Engaged with members of the public and spoken to the press	Prejudicial
	56.5 – Plympton Cattle Market, Market Road, Plymouth 09/01432/FUL	Worked with the developer and spoken in public	Prejudicial
	56.6 – Phase 6 Site, Tamar Science Park, South of Research Way, Plymouth 09/01379/REM	Held discussions with the applicant	Prejudicial
	56.9 – Embankment Lane, Plymouth 09/01223/FUL	Trustee of Plymouth Charities Trust (owners of Alms Houses at Heles Terrace)	Personal
Councillor Mrs. Stephens	56.9 – Embankment Lane, Plymouth 09/01223/FUL	Trustee of Plymouth Charities Trust (owners of Alms Houses at Heles Terrace)	Personal
Councillor Ball	56.10 – Leaves Yard, Windsor Road, Higher Compton, Plymouth 08/01700/OUT	Ward Councillor	Personal

Name	Minute No. and Subject	Reason	Interest
Councillor Mrs. Foster	56.10 – Leaves Yard, Windsor Road, Higher Compton, Plymouth 08/01700/OUT	Applicant is a ward councillor colleague and personal friend	Personal
Councillor Wheeler	56.12 – Former Baylys Yard, Oreston, Plymouth 09/01060/OUT	Member of the Cattewater Harbour Commission	Prejudicial

53. **MINUTES**

Resolved that the minutes of the meeting held on 15 October, 2009, be confirmed as a correct record, subject to the voting schedule being amended to reflect the fact that –

- (i) with regard to 6.6 – Land at Ridge Road - the vote against the officer's recommendation to Grant Conditionally was unanimous;
- (ii) with regard to 6.7 – Twin Oaks, Ridge Road - the vote against the officer's recommendation to Grant Conditionally was unanimous.

54. **CHAIR'S URGENT BUSINESS**

The Chair was pleased to report that the Committee's Code of Good Practice was now in effect and, for the benefit of public speakers, he highlighted the significant differences as follows –

- Speakers now had 5 minutes instead of 3
- Speakers were no longer restricted to only being able to speak once on an application

(In accordance with Section 100(B)(4)(b) of the Local Government Act, 1972, the Chair brought forward the above item of business because of the need to inform members).

55. **QUESTIONS FROM MEMBERS OF THE PUBLIC**

There were no questions from members of the public.

56. **PLANNING APPLICATIONS FOR CONSIDERATION**

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

Addendum reports were submitted in respect of minute numbers 56.2, 56.3, 56.4, 56.5, 56.7, 56.8, 56.9, 56.11 and 56.13.

56.1 184 HEMERDON HEIGHTS, PLYMPTON, PLYMOUTH 09/01224/FUL

(Mrs. J. Pomeroy)

Decision:

Application **GRANTED** conditionally.

56.2 29 AYCLIFFE GARDENS, PLYMOUTH 09/00921/FUL

(Mr. and Mrs. G.P. and S.A. Johns)

Decision:

Application **WITHDRAWN** (determined at last meeting and included on agenda in error).

56.3 TWIN OAKS, RIDGE ROAD, PLYMPTON, PLYMOUTH 09/00562/FUL
(Mr. J. Keating)

The officer referred to the addendum report and advised that a further letter of representation had been received from an MP.

Decision:

Application **REFUSED** for the following reasons –

(1) The site is in a relatively isolated location and the Local Planning Authority considers that the proposal would not accord with sustainable development principles as it is remote from adequate services, employment, education, public transport, etc, and the gypsy sites would therefore increase the need for journeys to be made by private vehicles, which is not sustainable. It is therefore considered to be contrary to the aims of policies, CS16 and CS28 of the Core Strategy of Plymouth's Local Development Framework 2007 and to Planning Policy Guidance Note 13 (Transport).

(2) The Local Planning Authority considers that the site is not well located on the highway network and the proposals fail to provide safe and convenient vehicular and pedestrian access to the site as well as safe and convenient access to schools and local facilities. For these reasons the Local Planning Authority considers that the proposed gypsy site is not adequately integrated into the local community and is therefore contrary to policy CS17 of the Core Strategy of Plymouth's Local Development Framework 2007.

(3) The Local Planning Authority considers that the proposal would result in isolated development on a strategically important greenspace area beyond the limits of any existing urban/suburban area. It would be detrimental to the character and appearance of this part of the greenspace and set an unwelcome precedent for further sporadic development. The proposal is therefore considered to be contrary to policy CS18 of the Core Strategy of Plymouth's Local Development Framework 2007.

(4) The site falls within the area identified for designation as a countryside park in the Area Action Plan for North Plymstock. The Local Planning Authority considers that the proposal would be detrimental to the character and function of this area of greenspace and therefore be contrary to the aims of proposal NP11 of the Area Action Plan for North Plymstock and policy CS18 of the Core Strategy of Plymouth's Local Development Framework 2007.

(5) There is a potential for contamination to be present at the site as a preliminary risk assessment including an adequate desk study, conceptual model and initial assessment of risk has not been submitted with the application. The Local Planning Authority considers that this risk is unacceptable because there is no evidence to indicate otherwise. The proposals are therefore contrary to policy CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

(Councillor Lock, having declared a prejudicial interest in respect of the above item and the following three items, withdrew from the meeting).

(Councillor Mrs. Stephens took the Chair).

(Councillor Delbridge, having been proposed by Councillor Mrs. Stephens and seconded by Councillor Ball, took the Vice-Chair).

(At the invitation of the Chair, the Committee heard from Councillor Beer, Ward Member, speaking against the application).

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

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

56.4 LAND AT RIDGE ROAD, HARDWICK, PLYMOUTH 09/00983/FUL

(Mr. Alfred and Peter Reilly)

Decision:

Application **REFUSED** for the following reasons -

(1) The site is in a relatively isolated location and the Local Planning Authority considers that the proposal would not accord with sustainable development principles as it is remote from adequate services, employment, education, public transport, etc, and the gypsy sites would therefore increase the need for journeys to be made by private vehicles, which is not sustainable. It is therefore considered to be contrary to the aims of policies, CS16 and CS28 of the Core Strategy of Plymouth's Local Development Framework 2007 and to Planning Policy Guidance Note 13 (Transport).

(2) The Local Planning Authority considers that the site is not well located on the highway network and the proposals fail to provide safe and convenient vehicular and pedestrian access to the site as well as safe and convenient access to schools and local facilities. For these reasons the Local Planning Authority considers that the proposed gypsy site is not adequately integrated into the local community and is therefore contrary to policy CS17 of the Core Strategy of Plymouth's Local Development Framework 2007.

(3) The Local Planning Authority considers that the proposal would result in isolated development on a strategically important greenspace area beyond the limits of any existing urban/suburban area. It would be detrimental to the character and appearance of this part of the greenspace and set an unwelcome precedent for further sporadic development. The proposal is therefore considered to be contrary to policy CS18 of the Core Strategy of Plymouth's Local Development Framework 2007.

(4) The site falls within the area identified for designation as a countryside park in the Area Action Plan for North Plymstock. The Local Planning Authority considers that the proposal would be detrimental to the character and function of this area of greenspace and therefore be contrary to the aims of proposal NP11 of the Area Action Plan for North Plymstock and policy CS18 of the Core Strategy of Plymouth's Local Development Framework 2007.

(5) There is a potential for contamination to be present at the site as a preliminary risk assessment including an adequate desk study, conceptual model and initial assessment of risk has not been submitted with the application. The Local Planning Authority considers that this risk is unacceptable because there is no evidence to indicate otherwise. The proposals are therefore contrary to policy CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

(Councillor Lock, having declared a prejudicial interest in respect of the above item, withdrew from the meeting).

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

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

56.5 PLYMPTON CATTLE MARKET, MARKET ROAD, PLYMOUTH 09/01432/FUL

(BDW Trading Ltd.)

Decision:

Application **GRANTED** conditionally, as amended by the addendum report, subject to S106 Obligation, delegated authority to refuse by 23 December, 2009, should S106 not be completed by that date.

(Councillor Lock, having declared a prejudicial interest in respect of the above item, withdrew from the meeting).

(At the invitation of the Chair, the Committee heard from Councillor Lock, Ward Member, speaking in support of the application).

(At the invitation of the Chair, the Committee heard from Councillor Beer, Ward Member, speaking in support of the application).

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

56.6 PHASE 6 SITE, TAMAR SCIENCE PARK, SOUTH OF RESEARCH WAY, PLYMOUTH 09/01379/REM

(Resound Health Ltd.)

Decision:

Application **GRANTED** conditionally.

(Councillor Lock, having declared a prejudicial interest in respect of the above item, withdrew from the meeting).

56.7 LEAVES YARD, WINDSOR ROAD, HIGHER COMPTON, PLYMOUTH 08/01700/OUT

(Messrs K.A. and M. Leaves)

Decision:

Application **DEFERRED** to allow finalisation of S016 Obligation, delegated authority to refuse by 10 December, 2009, should S106 not be completed by that date.

(Councillor Lock returned to the Chair).

(Councillors Ball and Mrs. Foster declared personal interests in respect of the above item).

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

(This item was moved up the agenda in order to facilitate better management of the meeting).

56.8 FORMER CARDINAL SERVICE STATION, WOLSELEY ROAD, SEGRAVE ROAD, PLYMOUTH 09/01375/FUL

(Brook Street Properties Ltd.)

Decision:

Application **DEFERRED** for further consideration of the car park management proposals.

(Councillor Mrs. Stephens returned to the Vice-Chair).

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

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

(This item was moved up the agenda in order to facilitate better management of the meeting).

56.9 LAND BOUNDED BY PLYMBRIDGE LANE, DERRIFORD ROAD AND HOWESON LANE, DERRIFORD, PLYMOUTH 09/01400/FUL

(Pillar Land Securities)

Decision:

Application **REFUSED** for the following reasons –

HARM TO VISUAL AMENITY

(1) The proposed development by reason of its height, scale and massing

represents overdevelopment of the site which would be out of keeping with its surroundings and harmful to the visual amenity of the area contrary to policies CS02 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

HARM TO RESIDENTIAL AMENITY

(2) The proposed number of students of 123 that would occupy the proposed development on a site of 0.17 hectares close to dwellings would be out of character with the area and would be likely to give rise to unacceptable noise and disturbance to nearby properties harmful to the residential amenity of the area contrary to policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LACK OF ON-SITE PARKING

(3) Notwithstanding the applicant's offer to provide a car club the under-provision of on-site parking is likely to cause additional on-street parking on the surrounding streets that would be likely to cause increased danger on the highway and conditions prejudicial to the free flow of traffic contrary to policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

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

56.10 EMBANKMENT LANE, PLYMOUTH 09/01223/FUL

(Plymouth City Council)

Decision:

Application **GRANTED** conditionally, as amended by the addendum report.

(Councillors Lock and Mrs. Stephens declared personal interests in respect of the above item).

56.11 CHRISTIAN MILL, TAMERTON FOLIOT ROAD, PLYMOUTH 09/01227/FUL

(Hydon Developments)

Decision:

Application **GRANTED** conditionally, as amended by the addendum report, subject to S106 Obligation, delegated authority to refuse by 23 December, 2009, should S106 not be completed by that date.

56.12 FORMER BAYLYS YARD, BAYLYS ROAD, ORESTON, PLYMOUTH 09/01060/OUT

(Geosa Ltd.)

Decision:

Application **REFUSED**.

(Councillor Wheeler, having declared a prejudicial interest in respect of the above item, withdrew from the meeting).

(At the invitation of the Chair, the Committee heard from Councillor Michael Leaves, Ward Member, speaking against the application).

(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 Stevens' proposal to defer for a site visit, having been seconded by Councillor Vincent, was put to the vote and declared lost).

56.13 29-30 REGENT STREET, GREENBANK, PLYMOUTH 09/01070/FUL

(Mr. and Mrs. Ian Crabb)

Decision:

Application **DEFERRED** for publicity and consideration of the amended plans.

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

57. **PLANNING APPLICATION DECISIONS ISSUED**

The Committee received a report of the Assistant Director of Development (Planning Services) on decisions issued for the period 5 October to 2 November, 2009, including –

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

Resolved that the report be noted.

58. **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 the report be noted.

59. **EXEMPT BUSINESS**

There were no items of exempt business.

VOTING SCHEDULE (Pages 1 - 2)

PLEASE NOTE

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

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PLANNING COMMITTEE

DATE OF MEETING – 12 November, 2009

SCHEDULE OF MEETING

Minute No.	Voting For	Voting Against	Abstained	Excluded from voting due to Interests Declared	Absent
6.1 184 Hemerdon Heights, Plympton, Plymouth 09/01224/FUL	Unanimous				
6.2 29 Aycliffe Gardens, Plymouth 09/00921/FUL	Withdrawn – Application included on agenda in error.				
6.3 Twin Oaks, Ridge Road, Plympton, Plymouth 09/00562/FUL		Councillors Ball, Delbridge, Mrs. Foster, Mrs. Nicholson, Roberts, Mrs. Stephens, Stevens, Tuohy, Vincent and Wheeler		Councillor Lock	
6.4 Land at Ridge Road, Hardwick, Plymouth 09/00983/FUL		Councillors Ball, Delbridge, Mrs. Foster, Mrs. Nicholson, Nicholson, Roberts, Mrs. Stephens, Stevens, Tuohy, Vincent and Wheeler		Councillor Lock	
6.5 Plympton Cattle Market, Market Road, Plymouth 09/01432/FUL	Councillors Ball, Delbridge, Mrs. Foster, Mrs. Nicholson, Nicholson, Roberts, Mrs. Stephens, Stevens, Tuohy, Vincent and Wheeler			Councillor Lock	
6.6 Phase 6 Site, Tamar Science Park, South of Research Way, Plymouth 09/01379/REM	Councillors Ball, Delbridge, Mrs. Foster, Mrs. Nicholson, Roberts, Mrs. Stephens, Stevens, Tuohy, Vincent and Wheeler			Councillor Lock	Councillor Nicholson
6.7 Land Bounded by Plymbridge Lane, Derriford Road and Howeson Lane, Derriford, Plymouth	Councillors Lock, Vincent and Wheeler.	Councillors Delbridge, Mrs. Foster, Mrs. Nicholson, Roberts,	Councillors Ball and Mrs. Stephens		Councillor Nicholson

Minute No.	Voting For	Voting Against	Abstained	Excluded from voting due to Interests Declared	Absent
09/01400/FUL		Stevens and Tuohy			
6.8 Former Cardinal Service Station, Wolseley Road, Segrave Road, Plymouth 09/01375/FUL (New Recommendation)	Councillors Ball, Delbridge, Mrs. Foster, Mrs. Nicholson, Roberts, Stevens and Vincent	Councillors Lock, Mrs. Stephens, Tuohy and Wheeler			Councillor Nicholson
6.9 Embankment Lane, Plymouth 09/01223/FUL	Councillors Ball, Delbridge, Mrs. Foster, Lock, Mrs. Nicholson, Mrs. Stephens, Stevens, Tuohy, Vincent and Wheeler				Councillors Nicholson and Roberts
6.10 Leaves Yard, Windsor Road, Higher Compton, Plymouth 08/01700/OUT	Councillors Ball, Delbridge, Lock, Mrs. Nicholson, Stevens, Tuohy, Vincent and Wheeler		Councillors Mrs. Foster and Mrs. Stephens		Councillors Nicholson and Roberts
6.11 Christian Mill, Tamerton Foliot Road, Plymouth 09/01227/FUL	Councillors Ball, Delbridge, Lock, Mrs. Nicholson, Mrs. Stephens, Stevens, Tuohy, Vincent and Wheeler		Councillor Mrs. Foster		Councillors Nicholson and Roberts
6.12 Former Baylys Yard, Baylys Road, Oreston, Plymouth 09/01060/OUT (Proposal for Site Visit)	Councillors Ball, Stevens, Tuohy and Vincent	Councillors Delbridge, Mrs. Foster, Lock, Mrs. Nicholson and Mrs. Stephens		Councillor Wheeler	Councillors Nicholson and Roberts
(Officer's Recommendation)	Councillors Ball, Delbridge, Mrs. Foster, Lock, Mrs. Nicholson and Mrs. Stephens		Councillors Tuohy, Stevens and Vincent	Councillor Wheeler	Councillors Nicholson and Roberts
6.13 29-30 Regent Street, Greenbank, Plymouth 09/01070/FUL	Councillors Ball, Delbridge, Lock, Mrs. Nicholson, Mrs. Stephens, Stevens, Tuohy, Vincent and Wheeler				Councillors Mrs. Foster, Nicholson and Roberts

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
- Objector
- Supporter

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.

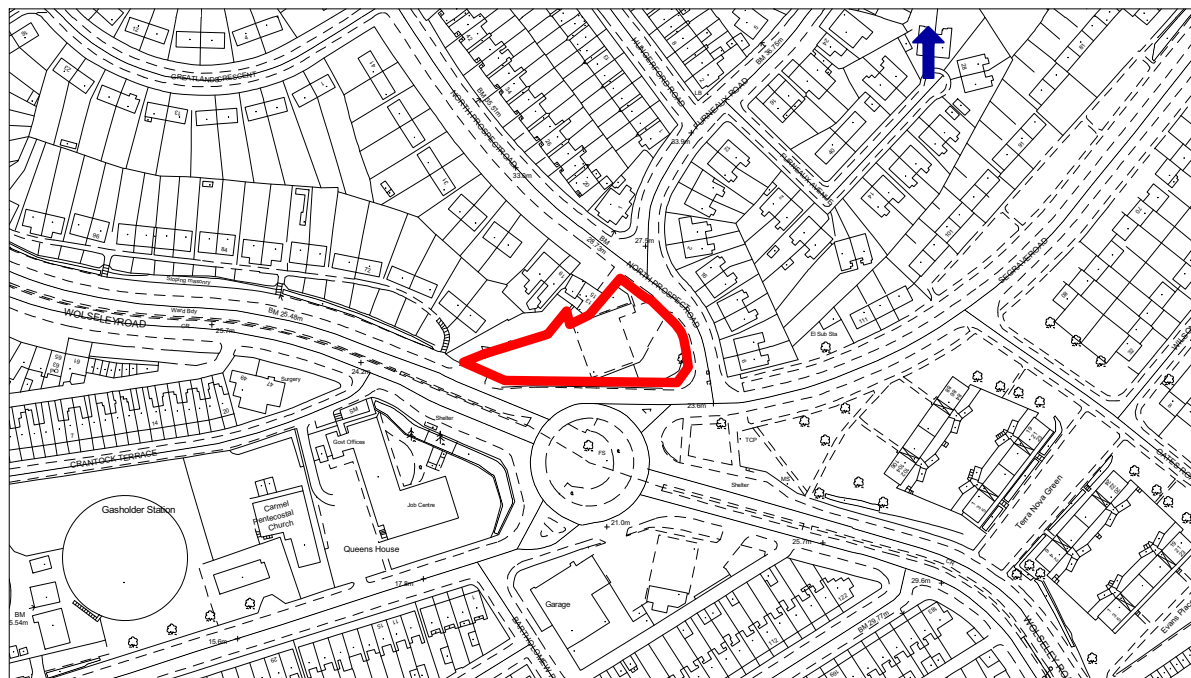
Decisions contrary to Officer recommendation

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:	09/01375/FUL
Applicant:	Brook St. Properties Ltd.
Description of Application:	Redevelopment to provide new doctors surgery; 470sqm of A1/A2 commercial floorspace; 8x1 bed affordable flats/maisonettes; associated car parking and landscaping.
Type of Application:	Full Application
Site Address:	FORMER CARDINAL SERVICE STATION WOLSELEY ROAD SEGRAVE ROAD PLYMOUTH
Ward:	Ham
Valid Date of Application:	28/09/2009
8/13 Week Date:	28/12/2009
Decision Category:	Major Application
Case Officer :	Jeremy Guise
Recommendation:	Grant conditionally subject to S106 Obligation, Delegated authority to refuse in event of S106 not signed by 23 December 2009
Click for Application Documents:	www.plymouth.gov.uk



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Consideration of this planning application was deferred at the 12th November Planning Committee to allow negotiation and clarification of parking management details

OFFICERS REPORT

Site Description

This is a roughly triangular shaped site formerly occupied by an Esso filling station that has been demolished with tanks removed and ground remediated. Levels fall from north to south across the site mostly managed by a 2m high retaining wall which closely follows the shape of the site's northern boundary.

Access is left turn only from Wolseley Road (A3064) eastbound, with exit onto North Prospect Road, from where it can either turn north into North Prospect; or south, filtering via a small section of Seagrave Road, back onto the A3064 at the roundabout.

The area immediately to the south is dominated by a roundabout and Wolosley Road, which is a dual carriageway with vehicle barrier in the centre. It provides significant separation between the site and other commercial units and Victorian residential streets of Ford, further south. The Wolseley Road local shopping centre, containing the existing doctor's surgery is located to the south west.

Immediately to the north, on higher ground, facing North Prospect Road is 'Francies Fish and Chip' shop. The wider area is residential in character. It is a classic inter war garden suburb consisting of pairs of semi detached local authority built houses. These are set in large plots with wide tree lined streets opening onto green swathes and civic spaces. Once the epitome of best town planning practise the area has been neglected and is now in the top 3% nationally of deprived communities.

Proposal Description

Permission is sought for a mixed use redevelopment to provide a new doctors' surgery; 470sqm of A1/A2 commercial floor space; 8x1 bed affordable flats/ maisonettes associated car parking and landscaping.

The proposal shows a large, three storey (12-14m in height), building occupying the southern and south eastern parts of the site. Within this building there is a very clear delineation of uses. The doctors' surgery occupies all the south eastern corner of the site and makes a feature of the 40 degree turn where North Prospect and Seagrave Road join. Two proportional wings radiate parallel with their respective road frontages and are 'hinged' by a curved corner feature that way marks the entrance. Internally this creates a 'wedge' shaped shape with service core/ waiting areas in the centre and treatment and consulting rooms in the two wings.

Physically attached to the surgery at ground and first floor levels, but capable of entirely independent occupation, is the commercial space with residential

over. At this stage in the development the end users of the commercial space are not known, but it is suggested as likely to be a pharmacy and convenience store. Above the commercial space is the residential accommodation. This is arranged as a flat and seven Maisonettes (here called duplex units) deck accessed from the rear with small amenity areas giving a modicum of privacy and defensible space. Internally the units are well sized with a conventional layout. Externally this part of the roof is dominated by three arched features and is distinguished from the surgery by a drop in a drop in levels which punctuates the building in the centre.

Parking and servicing is shown at the rear 24 spaces (22 conventional and 2 disability spaces) together with 21 cycle spaces.

Relevant Planning History

The site has an extensive planning history, mostly associated with its previous use as a filling station

Consultation Responses

Environment Agency:- Flood risk, This proposal falls within the scope of the Environment Agency's Flood Risk Standing Advice.

Contaminated land – We are happy to accept the Risk Assessment as long as the whole site area is going to be hard covered. However, we recommend that any development approved by this permission should contain a condition relating to contaminated land (suggested wording supplied)

Informative are recommended relating to: contaminated land; waste water treatment; development and waste.

Highway Authority

Traffic Impact - Whilst it would not have generated a considerable number of trips by purpose, the former Petrol Filling Station (PFS) which occupied the site would have generated a significant number of pass-by trips. Information included within the Transport Statement (TS) submitted indicates a daily total in excess of 1,500 trips by applying trip rates derived from the TRIC's database.

By comparison a further review of similar sites to that being proposed and included in TRIC's reveals that the combined trip generation of the retail unit and GP surgery would be in the region of 1,450 movements (2 way), which is some 50 trips less than the PFS. The trip generation figure given associated with the GP surgery is a little on the high-side in view of the fact that the surgery proposed will be replacing an existing facility in the area which some people may already choose to access either on-foot or by other sustainable transport modes. Consequently it is accepted that the proposed development will result in a reduction, albeit slight, in trip movements when compared to the previous land use.

Car Parking - As there are 3 different land uses on the site:-

Retail Unit - A total of 15 spaces have been proposed to serve this use upon the site which is consistent with the maximum number of spaces that could be permitted under the maximum standards outlined in the Parking Strategy. However the retail unit is located within a very short distance (less than 100m walking distance) of the Wolseley Road Local Centre and the applicant's traffic consultant has already highlighted in the TS the fact that this site is very well served in respect of access by sustainable modes of travel. It is questionable whether or not there is an over-provision of car parking serving the retail unit, particularly in view of the short length of time that customers are likely to be in the retail unit (the TS suggests less than 5 minutes).

GP Surgery - The level of car parking serving the surgery has not been based upon the application of any identified car parking standards with the only justification provided in the TS referring to the fact that the 9 spaces now proposed is 3 more than the number that serves the existing surgery located on Wolseley Road.

It is not clear whether or not the relocated surgery will result in a considerable increase in floor area when compared to the existing and based upon on the number of consulting/treatment rooms alone (of which there appear to be around 9) a total of 18 off-street parking spaces would be required. This total excludes the provision of further spaces for practioners or support staff (numbers for which are currently unknown).

Residential - On the basis that each unit will only have 1 bedroom, no off-street car parking has been provided for the 8 residential flats proposed. However upon viewing the layout plans it would appear that each unit will also have a study which could easily be used as a second bedroom. Therefore each unit could be considered as having 2 bedrooms and as there is no Controlled Parking Zone in operation within the area to regulate the amount of on-street kerbside car parking that takes place, it is essential that each residential unit has access to at least 1 off-street car parking space. On the basis of the above-mentioned comments it is recommended that the number of spaces serving the retail use be reduced from 15 to 10, with spaces 11-15 being re-allocated to the GP surgery. As the residential and GP surgery would generate demand for car parking at different times of the day, it is recommended that a Car Parking Management Strategy be implemented which would allow the 14 spaces serving the GP surgery to be 'shared' with the residential so that they can be used by occupiers of the flats when not in use by the surgery. The control of the use of these spaces could be secured relatively simply through the allocation of permits to the residential units. Should the applicant be unwilling to agree to such measures then I will have no alternative but to recommend this application for refusal on the basis of inadequate provision of parking for the residential units.

Cycle Parking - A total of 21 cycle parking spaces have been proposed which, although slightly on the high side, is considered acceptable with 9 secure and covered spaces allocated to the residential and a further 6 serving the GP surgery. Whilst Sheffield type cycle hoops are acceptable for the visitor/customer spaces serving the retail unit, some consideration should be

given to providing a cover for these spaces.

Layout - In order to prevent delivery vehicles from parking on the roundabout along the site frontage (which would give rise to highway safety concerns), a dedicated loading/unloading area has been provided to the rear of the retail area. Unfortunately vehicles parked in the loading bay would restrict access to a number of the car parking spaces (13 and 14 in particular) and therefore in order to overcome this, the applicant has suggested that all deliveries would be made 'out of hours'. It is not clear how this could be policed and whether any such planning condition would be enforceable.

Parking spaces located adjacent to boundary walls/structures should be a minimum of 2.6- 2.8m in width in order to allow for the opening and closing of car doors. The comment would apply to spaces 10 and 15.

In order to locate them closer to the retail unit and prevent bin lorries from having to load whilst parked across the site access onto Wolseley Road, It is recommend that the retail bin storage area be relocated to the quadrangle area situated between spaces 15 and 16 (this would result in the loss of a very small area of planting). The drawing also refers to some cycle parking next to the retail bin storage area. This cycle parking is not required and should therefore be removed from the scheme. It is recommend that both of the vehicular access points into the site be designed and constructed as footway crossovers so that pedestrians have the right of way over vehicles. The existing double yellow lines around the junction of Wolseley Road/Seagrave Road/North Prospect Road should be extended around to the western site access off North Prospect Road.

In the event that planning permission is granted it is recommended that conditions relating to:- street details; contractors' access; details of new junction; car parking provision; cycle provision x2; cycle storage; use of loading areas; code of practice during construction; use of loading areas; waiting restrictions; car parking management strategy and delivery time restriction

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:- delivery hours, land quality, submission of remediation scheme, implementation of approved remediation scheme, reporting of unexpected contamination

The reports submitted with the application assume that the site consists of entirely of hard landscaping, however, the plans indicate some possible areas of soft landscaping, remedial measures will be necessary in these areas to ensure that potential pollutant linkages are broken.

Pollutant linkages are identified within the report, namely, indoor inhalation of hydrocarbon vapours and possible tainted mains water supply, however, remedial measures have not been proposed, details of all remedial measures must be submitted and approved in writing prior to commencement. The

approved remedial measures must be validated and approved in writing after completion.

Plymouth City Airport – Has no objection to the proposal

Police Architectural Liaison Officer – Has no objection to this proposal

Health and Safety Executive – no comment received

Representations

Neighbours have been notified of the application and two site notices posted. This has resulted in the receipt of eight (8) letters of representation (LOR's) including one from NHS Plymouth and one from the Plymouth Tree Partnership.

NHS Plymouth point out that there is currently no financial support from the PCT for a new surgery on this site.

None of the other four letters raise objection, in principle, to the proposal but all raise concerns / objections to the adequacy of the number of parking spaces provided claiming/questioning whether 24 spaces is adequate in relation to the number of people working at the site; nurses, receptionists and staff who will work at the supermarket.

- The redevelopment takes up far too much of the area leaving inadequate parking spaces doctors, nurses and retail staff will take up most of the parking spaces leaving inadequate numbers for staff. TRICS data shows that it is possible that 1,456 vehicle movements daily. This will make parking for residents very difficult. More thought should be put in before proceeding with this proposal.
- Questions need answering. Parking spaces Nos. 11-21 abut the exterior wall of the Francines chip shop will there be any excavations to the base of the property Seek an engineer's inspection report
- The waste / sewage from Nos. 15-15A 17 goes directly across the centre of the development. Seek reassurance that there will be no interruption to the fish and chip shop. There is a family of 4 living at number 15a, so any interruption to the waste /sewage system will be very inconvenient
- Seek plans which show the properties in the surrounding area - to give everyone a better aspect of the impact of the development.
- Seek height aspect of the build
- Where will the site workers park, on site or on the road?
- Will there be any restrictions on site when Plymouth Argyle is playing?

- Planning permission should be refused. insufficient space has been allowed for the planting of trees. A TPO protected horse chestnut tree occupied the site until 2007, when it was felled on account of disease. There is a legal duty to replant it with another tree of appropriate size and species.

- There are 7 convenience stores and off licenses that already exist within 350m of the site, points out that Tesco would be a likely favored partner and that it has an aggressive marketing stance and presence in the local economy; that the number of licensed premises in the area is at saturation point ; the figure for one delivery vehicle a day is misleading – its likely to be many more; that parking is inadequate with many elderly and ill arriving at a surety by car and that inadequate space has been left for landscaping

- The proposal does not comply with policy CS08 pointing out that it is not located in a local centre and the proposal does not contain evidence in the form of a retail assessment to justify the proposed development.

Analysis

Introduction

The application was reported to the last meeting on 12 November 2009. Members deferred the application in order for the applicant to provide more information on parking and access matters. The report is based on the previous one with the additions identified in bold print.

The key issues in this case are:-

- The principle of mixed use redevelopment of this site including the provision of a new doctors' surgery; 470sqm commercial space (Use class A1 & A2) and 8 flats/ maisonette (Policies CS01; CS05; CS07; CS08; CS15; CS16; CS19; CS22; CS31 of the Core Strategy).
- The design of the proposed development including the layout; height massing and appearance of the proposed building (Policies CS02; & CS34 of the Core Strategy)
- The quality of the residential environment provided by the proposed flats / maisonettes (Policies CS15; CS32 and CS34 of the Core Strategy).
- Impact of the proposal upon amenities of neighbouring property (policies CS34 of the Core Strategy)
- Impact of the proposed development upon the surrounding road, network, access and parking (Policy CS28 of the Core Strategy)
- Community Benefits arising from the development & Sustainability (Policies CS20 and CS33 of the Core Strategy)

The principle of mixed use redevelopment of this site including the provision of a new doctors' surgery; commercial units

The site is a vacant plot following the removal of the filling station (a sui generis use, with ancillary retail sales). Redevelopment for mixed use containing a doctors' surgery, retail and residential uses is welcome, in principle.

The doctors' surgery, at 1,017sqm, is the largest single element of the proposal. As an accessible site, on a major arterial route way into the city, with bus stops in the vicinity it meets the location criteria set out in Policy CS31 (Health Care provision)

'Proposals for new health care facilities should be well related to public transport infrastructure, and should provide high standards of accessibility to all sectors of the community.'

and is acceptable, in principle, despite not having the financial support from the PCT.

There is no evidence to link Tesco's with the current application. The size of the proposed retail space. 470sqm, if the single unit occupies the whole allocation, with no realistic possibility of extension owing to the constraints of the site means that, at most, it will be a convenience store. The alleged failure of the applicants to provide evidence of how this proposal complies with the sequential test, its impact upon local shopping centers or justify the development of a food store in this location points to series of tests that are based on a false preemies that it is a much larger food store). It is well under the 2,500sqm size threshold at which Planning Policy Statement 6 (PPS6) requires an impact assessment by a considerable margin and, despite concerns from competitors, is unlikely to have much impact beyond the immediate locality and immediate passing trade. The proposed retail element helps maintain and develop the range of shops to meet the needs of the local community. Neither policy CS08 or the Government's PPS 6 guidance are intended to stifle the development of choice in the provision of convenience stores within a locality or protect a prevailing set of market relations from competition.

The eight residential units make a small contribution towards diversifying the housing type in the area, which is currently dominated by local authority built semi detached houses laid out in an attractive garden suburb arrangement to the north and tight Victorian terraces, beyond the commercial uses, to the south.

The developer proposes to supply 8 affordable housing units within this mixed use development. Affordable Housing provision at this location is over and above that achieved through planning gain. There is a need for the delivery of affordable housing in the city greater than the total annual housing provision. The policy context is set out paras.10.17-10.24 of the Core Strategy which supports policy CS15. With such high levels of Affordable Housing need – consistent delivery of Affordable Housing units can cumulatively make a big difference to catering for the City's overall need, particularly when units are provided over and above requirements of Policy CS15, as in this case.

The proposal is also linked to the North Prospect Regeneration Project, which is a key strategic priority for the Council, as it will provide accommodation for existing residents in North Prospect who will have to move out of their existing homes.

The design of the proposed development including the layout; height massing and appearance of the proposed building

The site occupies a prominent gateway location on the inbound route into Plymouth, hence its previous attraction to a petrol company, and dominates the local vistas at the bottom of North Prospect Road, Seagrave Road and Furneaux Road. The buildings that occupy it will be conspicuous and act as a local landmark for this area of the city.

Overall, this application manages to resolve the major design issues in a sensible and robust way that takes into account the constraints of the site. The layout provides for frontage development that both makes a positive contribution towards the street scene and maximises the separation distance from the rear of buildings fronting North Prospect Road. The northern part of the site is sandwiched between the proposed new building and retaining wall. The use of this shaded area for access, parking and servicing with an ingress and egress arrangement is sensible.

The height and massing of the proposed building balances other commercial uses on the southern side of Wolseley Road - service station, funeral parlour, job centre, offices; and, owing to the levels difference, has a satisfactory relationship with the domestic scale buildings to the north.

Externally, the building is shown as a series of rendered modular units topped with an eclectic mix of curved and mono pitch roof features. This gives it a vaguely Mediterranean appearance that is quite pleasant.

Some concerns remain that the design lacks cohesion, that it has too many fragmented features, a miscellaneous assortment of window shapes and that the end elevations, pinched west elevation and north east elevation, provide weak terminations to the side vistas of the building. There is an also residual concern that the internal spaces have not been completely optimised. This is evidenced by the proposed windowless patient waiting areas in the centre of the surgery and a narrow entrance hall which provides access from the street to the residential accommodation.

These weaknesses have been discussed with the architect, who has nevertheless made the application as submitted. In the case of the patient waiting area, an explanation has been suggested that a client requirement to provide secure environment for the consulting and treatment rooms has dictated the arrangement. These weaknesses are considered to represent missed opportunities, not weaknesses sufficient to justify refusal of planning permission.

The proposed development is over the 1,000sqm gross floor space threshold required by Policy CS20 (Sustainable Resource Use) for the provision of onsite renewable energy equipment to off set at least 10% of predicted carbon emissions for the period up to 2010. Details have not been provided as to how this is to be achieved, but the applicant's agent has confirmed, in writing, his

client's intention to comply. It is recommended that this is secured by condition.

The quality of the residential environment provided by the proposed flats / maisonettes

The quality of residential development proposed is acceptable. The flats and maisonettes are all dual aspect with reasonable sized rooms and a conventional layout. Amenity space is north facing and shaded by the building, but, this is the least bad option as the southern aspect is heavily compromised by its proximity to the dual carriageway.

Each of the proposed flats has a study, 2.5m.x2.1m. As an additional space within a single bedroom flat this room is an attractive feature, but the possibility that it could be used as an additional bedroom needs to be taken into account, particularly with regard to parking arrangements. It would be intrusive to try and enforce a condition specifically preventing its use as a second bedroom- therefore the possibility needs to be considered as part of the application.

Policy CS15 – requires that 20% of all new dwellings for Plymouth shall be constructed to Lifetime Homes standards. Lifetime homes allows for the 'future proofing' of all new dwellings and should be considered/desirable in all cases. In this case, to comply with policy CS15, this scheme should (as a minimum) include 20% to Joseph Rowntree Lifetime Homes standards. A condition to secure provision is considered appropriate.

Impact of the proposal upon amenities of neighbouring property

Policy CS34 protects the amenity of the area, including residential amenity, in terms of: satisfactory daylight, sunlight outlook, privacy and soft landscaping
Impact of the proposed development upon the surrounding road, network, access and parking.

The site is located on lower ground than the North Prospect estate to the north and the footprint of the building occupies the southern part of the site, furthest from the rear of neighbouring building. At 12-14m in height, given the difference in levels and the separation distance the proposed building will not cause undue shadowing to the rear of neighbouring property.

The separation distance between the rear of the closest neighbour, Nos. 13-15 North Prospect Road (Francine's) is 10m. In an urban context, where a degree of overlooking at a distance is a feature of urban living, this separation distance is considered to be acceptable.

Impact on the surrounding road network, access and parking

This section is based on the local highway authority (LHA) comments the addendum report to the committee meeting on 12 November 2009 and actions since then.

Traffic impact

The proposed uses are likely to generate slightly fewer traffic movements than the previous use as a petrol filling station (PFS), 1,450 compared with 1,500. The proposed number of trips is likely to be an over-estimate if the surgery is replacing the existing facility in the area. There will be no increase in trips or adverse impact on the capacity of the highway network compared with the current lawful position.

Parking

The parking arrangements were debated at the last committee meeting resulting in deferral of the application for further information. The applicant has supplied this.

There were originally 24 spaces with 15 for the shop, nine for the surgery and none for the dwellings. The applicant has reduced the number to 23 and submitted a parking management strategy. The key details are:

- 10 spaces for the shop;
- An additional four spaces shared with the surgery during surgery opening hours;
- These shared spaces to be subject to a parking restriction time;
- The four spaces shared by the shop and surgery shall be reviewed within 6-12 months after occupation of all of the development;
- Nine spaces for the surgery including one disabled space;
- Eight of the surgery spaces to be shared with the dwellings;
- The residential use of the spaces would be from 6.30pm to 8.00am on weekdays and no restrictions at weekends and on public holidays;
- The residential parking would be subject to a parking permit scheme to be issued by the management company with a maintenance element included in the service charge; and
- The time restrictions to be subject to a six month review.

Parking spaces close to structures have been widened to meet the LHA requirements.

There is adequate cycle parking provision and 15 spaces should be secure and covered and allocated to the dwellings and surgery.

These amended details are satisfactory and condition 26 has been amended to account for officer approval of the parking management strategy.

Layout and accesses

An on-site loading/unloading area is provided and its original siting restricted access to some of the spaces. The applicant states that all deliveries would be made "out of hours" to reduce the inconvenience. It is difficult to control this by condition as any such condition would be difficult to enforce and could conflict with condition 12 that restricts delivery times. The applicant believes that the revised position of the

loading bay will enable cars to be manoeuvred in and out of the spaces. The applicant has agreed to changes to the cycle parking and bin store arrangements in line with advice from the LHA and architectural liaison officer. The access points will be designed and constructed as footway cross-overs so that pedestrians have right of way over vehicles and the footways have been extended into the site to improve pedestrian safety. The parking restrictions should be extended around the eastern access off North Prospect Road.

The members also discussed the access arrangements. There are still two accesses with one from Wolseley Road and the other off North Prospect Road. They are in similar positions to the existing locations but the North Prospect Road access will be moved further away from the mini-roundabout junction with Segrave Road. Both will be two way reflecting the existing arrangements. The LHA is satisfied that the proposed arrangements are acceptable. The construction details will be submitted for approval in compliance with condition 19

Equalities and diversities issues

The surgery and commercial units will be accessible to people with disabilities. The surgery will provide improved healthcare facilities within the area and the commercial space, if it becomes a convenience store,

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

Tariff contribution obligations are currently set out in the Council's '*Planning Obligations and Affordable Housing Supplementary Planning Document*'-

- Doctors' surgeries are currently exempt from tariff requirements
- The proposed 470sqm of A1/A2 commercial floor space is below the 500sqm threshold for the tariff (para. 3.5 measures support the growth requirement.
- Affordable housing* is partially exempt with contributions only eligible on the strategic transport contribution (para. 2.3 of the Planning Obligations & Affordable Housing Supplementary Planning Document). The figure is £2,871.00 per one bed unit. Total £2,871.00 x 8 = £22,968.00.
In view of the difficult economic climate the Council has introduced 'measures to Stimulate Market Recovery - Phased Implementation of SPD provisions. The applicant has agreed to the safe guards against the abuse and therefore qualifies for a 50% reduction in the tariff to **£11,484.00**.
- **Contribution of £200.00 towards planting of a tree in the vicinity to replace the TPO protected horse chestnut on the site that was lost to disease in 2007.**

- **The 5% management fee is £584.00.**

Delegated authority is sought to refuse if the Section106 agreement is not completed by 23 December 2009.

Conclusions

This prominent plot has been vacant for a number of years since the petrol filling station shut. The proposed mixed use development which includes a doctors' surgery, retail and residential, is welcomed. Whilst there remain a few reservations about some of the design details, this proposal delivers a scheme of appropriate layout, scale and height. Subject to the safeguards set out in the conditional regime, including these relating too access, parking **and the proposed vehicle parking management strategy**, it is considered to be acceptable.

Recommendation

In respect of the application dated **28/09/2009** and the submitted drawings, **3102PL_01; 3102PL_02B; 3102PL_03 & 3102PL_04; and accompanying Design and Acces Statement, Transport Assessment, Environmental Assessment Report and the approved Vehicle Parking Management Strategy Proposals Revision C received on 25 November 2009.** , it is recommended to: **Grant conditionally subject to S106 Obligation, Delegated authority to refuse in event of S106 not signed by 23 December 2009**

Conditions

TIME LIMIT TWO YEAR CONSENT

(1) The development hereby permitted shall be begun before the expiration of two years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004, and due to concessions in Planning Obligation contributions/requirements under Plymouth's temporary Market Recovery measures.

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 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.

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 plant species and type .

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.

DETAILS OF BOUNDARY TREATMENT

(7) 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 development is first 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.

REFUSE DETAILS

(8) 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.

LIGHTING SCHEME

(9) 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.

CODE OF PRACTICE DURING CONSTRUCTION

(10) 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.

LIFETIME HOMES

(11) None of the residential units hereby approved shall be occupied until 2 units (at least 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.

RESTRICTION ON DELIVERY TIMES

(12) Delivery times to the retail units should be restricted to between 7:30am to 6pm Monday to Saturday.

Reason to prevent the disturbance to residents within the development from delivery noise during the quiet hours of the day

SITE CHARACTERISATION

(13) An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a desk study characterising the site and identifying potential risks from contamination
- (ii) a survey of the extent, scale and nature of contamination;
- (iii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archeological sites and ancient monuments;
- (iv) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

REASON:- To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

LAND QUALITY

(14) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 15 to 17 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 18 has been complied with in relation to that contamination.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

SUBMISSION OF REMEDIATION SCHEME

(15) A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

IMPLEMENTATION OF APPROVED REMEDIATION SCHEME

(16) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

REPORTING UNEXPECTED CONTAMINATION

(16a) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with current guidance, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 16, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 14.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

STREET DETAILS

(17) Development shall not begin until details of the design, layout, levels, gradients, materials and method of construction and drainage of all roads and footways forming part of the development have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved details.

Reason:

To provide a road and footpath pattern that secures a safe and convenient environment and to a satisfactory standard in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

ACCESS (CONTRACTORS)

(18) Before any other works are commenced, an adequate road access for contractors with a proper standard of visibility shall be formed to the satisfaction of the Local Planning Authority and connected to the adjacent highway in a position and a manner to be agreed with the Local Planning Authority.

Reason:

To ensure an adequate road access at an early stage in the development 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.

DETAILS OF NEW JUNCTION

(19) Development shall not begin until details of the junction between the proposed service road and the highway have been approved in writing by the Local Planning Authority; and the building shall not be occupied until that junction has been constructed in accordance with the approved details.

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.

CAR PARKING PROVISION

(20) The development shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for a maximum of 24 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.

CYCLE PROVISION

(21) No flat 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 nine (9) 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.

CYCLE PROVISION

(22) 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 twelve (12) 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.

CYCLE STORAGE

(23) 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.

USE OF LOADING AREAS

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

Reason:

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

amenity; b. prejudice to public safety and convenience, and c. interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

WAITING RESTRICTIONS

(25) Within 12 months of the occupation of any part of the development hereby proposed the applicant shall have sought to implement waiting restrictions along the eastern boundary of the site on North Prospect Road in accordance with details to be submitted to and approved in writing by the Local Planning 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 (North Prospect Road).

CAR PARKING MANAGEMENT STRATEGY

(26) The allocation of the car parking spaces and their management shall be in accordance with the approved Vehicle Parking Management Strategy Proposals - Revision C submitted by the applicant on 25 November 2009. No changes shall be made to the approved Vehicle Parking Management Strategy Proposals Revision C without the prior written permission of the local planning authority.

REASON:

To enable vehicles associated with the shop/s, doctor's surgery and residential units 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 to comply with policy CS28 of the adopted Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PLANT AND EQUIPMENT

(27) Details of any compressors, refrigeration equipment, fume extraction and/or ventilation systems and other plant associated with the shop/s or surgery shall be submitted to and approved in writing by the local planning authority before any such plant and equipment is installed. The plant and equipment shall be installed in accordance with the approved details.

Reason:

To protect the residential amenities of the dwellings above the shop/s to comply with policies CS22 and CS34 of the adopted Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

ADVERTISING CONSENT REQUIRED

(1) The developers, future owners and tenants are reminded that this permission relates only to planning and does not give any consent, tacit or otherwise, for the display of advertisements. A separate advertisement consent may be required prior to the display of advertisement signage.

INFORMATIVE: CODE OF PRACTICE DURING CONSTRUCTION

(2)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.

CONTAMINATED LAND

(3) Any contaminated land located and removed from the site will need to be taken to an authorised disposal site. No form of treatment of land can take place on the site without authorisation from the Environment Agency.

WASTE WATER TREATMENT

(4) South West Water (SWW) need to be contacted with regards to the capacity of the local sewage treatment works.

POLLUTION PREVENTION GUIDANCE

(5) Pollution Prevention Guidance PPG8 Working at construction sites needs to be adhered to. Please see the following link: <http://publications.environment-agency.gov.uk/pdf/PMHO0203AUDJ-e-e.pdf?lang=e>

WASTE

(6) If any inert waste is to be brought on to site with the view to raising levels , this must be done in accordance with the Environmental Permitting Regulations 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 principle of mixed use redevelopment of this site including the provision of a new doctors' surgery; 470sqm commercial space (Use class A1 & A2) and 8 flats/ maisonette (Policies CS01; CS05; CS07; CS08; CS15; CS16; CS19; CS22;CS31 of the Core Strategy);

The design of the proposed development including the layout; height massing and appearance of the proposed building (Policies CS02; & CS34 of the Core Strategy)

The quality of the residential environment provided by the proposed flats / maisonettes (Policies CS15; CS32 and CS34 of the Core Strategy);

Impact of the proposal upon amenities of neighbouring property (policies CS34 of the Core Strategy);

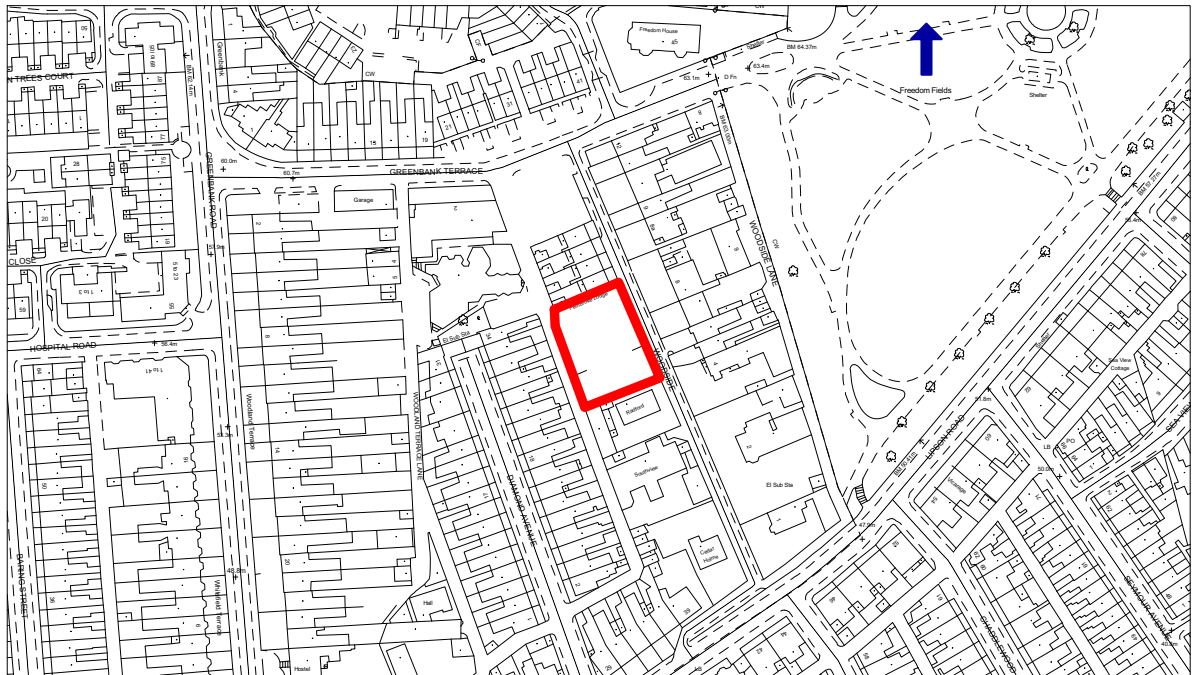
Impact of the proposed development upon the surrounding road, network, access and parking (Policy CS28 of the Core Strategy); and Community Benefits arising from the development & Sustainability (Policies CS20 and CS33 of the Core Strategy);

, 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:

- PPG13 - Transport
- PPS3 - Housing
- PPS1 - Delivering Sustainable Development
- PPS23 - Planning & Pollution Control
- CS32 - Designing out Crime
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS07 - Plymouth Retail Hierarchy
- CS08 - Retail Development Considerations
- CS03 - Historic Environment
- CS01 - Sustainable Linked Communities
- CS02 - Design
- CS31 - Healthcare Provision

ITEM: 02

Application Number:	09/01443/FUL
Applicant:	Mr Essy Kamie
Description of Application:	Development of site by erection of ten 2 bed apartments with associated car parking, refuse and cycle storage
Type of Application:	Full Application
Site Address:	CARPARK, WOODSIDE PLYMOUTH
Ward:	Drake
Valid Date of Application:	05/10/2009
8/13 Week Date:	04/01/2010
Decision Category:	Major Application
Case Officer :	Robert Heard
Recommendation:	Grant conditionally subject to S106 Obligation, Delegated authority to refuse in event of S106 not signed by 23 December 2009
Click for Application Documents:	www.plymouth.gov.uk



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OFFICERS REPORT

Site Description

The site is currently an unused private car park with a site area of approximately 0.1 hectares. It contains 38 delineated parking spaces, 3 of which are for disabled badge holders. The site slopes down gently from north to south and vehicular access is currently via a fairly wide back lane running parallel with Woodside.

The site is bounded on three sides by a stone wall and on the south side by a block wall. Surrounding development is mainly residential, containing a mix of dwellings and apartments. To the east of the site the properties are 3/4 storey terraced units, many of which have been previously converted into flats. To the north and adjoining the site there are 4 Edwardian town houses and adjacent to the south a detached bungalow. The west boundary of the site faces the rear of properties on Diamond Avenue, which are 2 storey Victorian terraced houses.

Proposal Description

This application proposes to develop the site by providing 10 two bed apartments with associated car parking, refuse and cycle storage. The proposal is arranged showing a frontage onto Woodside, in the form of a terrace of 5 units, 2 storey and similar in scale and appearance to the adjacent terrace of Edwardian properties. Each unit contains 2 apartments (ground and first floor) that share a communal entrance. Each of the ground floor apartments has access to a small private external amenity area to the rear and the 1st floor apartments have small rear balconies accessed from the second bedroom.

Current vehicular access to the site is via the adopted lane that runs parallel with Woodside. The application proposes to move the existing access point south, widen it to 5.5 metres and to reduce the height of the boundary wall to 600mm on a 10 metre section to the south of the new access. This is considered necessary to improve visibility. 14 car parking spaces are proposed, located on the western side of the site to the rear of the proposed apartments. New Pedestrian access to the site is proposed from Woodside, via a new opening in the existing boundary wall.

Relevant Planning History

07/02210/OUT - Outline application to develop land for residential purposes. (10 two bed units) at former DoH Carpark, Woodside. PERMITTED.

07/01324/OUT - Outline application to develop site for residential purposes (including access details). WITHDRAWN.

Consultation Responses

Highway Authority

Support subject to conditions.

Public Protection Service

Support subject to conditions.

Representations

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

- The proposed development is unsympathetic and nearly 3 times higher than the development to the south of the site.
- The proposed development would drastically reduce the amount of daylight and sunlight and overlook the ground floor flat at 6 Woodside, which is opposite the site.
- Public transport in the area is horrendous.
- The development contains insufficient parking.
- The scale and character of the proposed development does not pay adequate respect to the scale and character of existing development in the area.
- The proposed development is too dense.
- The road (Woodside) is not capable of supporting further vehicular traffic.
- The car park should be left for student parking.

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 raises a number of key topics; the principle of development, highways, access and parking issues, design and layout considerations and residential amenity issues.

Principle of Development

The site is located within an established residential area and is not constrained by any restrictive planning policies. The site does not lie within a Conservation Area and there are no protected trees on the site. Outline planning permission was granted in 2008 for development of the site for

residential purposes (by the erection of ten 2 bed flats) and with regards to this application, the principle of the site being developed for housing is considered acceptable.

With regards to planning policy, paragraph 10.25 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) states that *'In order to optimise the use of available sites and to reduce the pressure on Greenfield sites, the Government has set minimum density targets of between 30 and 50 dwellings per hectare. The priority will be on the re-use of previously developed sites'* and goes on to state that *'City Centre or urban sites can achieve quality development with densities significantly above the upper target level, as such sites would normally consist of flats and apartments'*. The proposal is considered to achieve these requirements and the development would ensure that a previously used but now redundant site is developed for a use that is compatible with the surrounding development, which is mainly residential. Proposed density levels at the site are consistent with minimum density levels as set out by both local and national planning guidance.

Highways, Access and Parking

Current vehicular access to the site is via the adopted lane that runs parallel with Woodside. The application proposes to move the existing access point south, widen it to 5.5 metres and to reduce the height of the boundary wall to 600mm on a 10 metre section to the south of the new access. This is considered necessary to improve visibility and highway safety at the site. The application proposes 14 off street car parking spaces and provision for cycle storage. The Highways Officer is supportive of the application and states that *'a proposed residential development is likely to generate less vehicular movements (compared to the previous use as a car park)'*.

Regarding the level of car parking the Highways Officer comments that *'The proposed parking provision accords with current maximum standards'* and support is also stated for the covered cycle storage proposed.

In terms of sustainability, the site is within walking distance of many local amenities and also the City Centre. It is well linked to a number of public transport routes and is thus considered to be a very sustainable location. Covered cycle storage is also proposed and the application is thus considered compliant with Policy CS28 (Local Transport Considerations) of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

Design and Layout Considerations

The area surrounding the site is mixed in character; immediately to the north there is a terrace of attractive 2 storey Edwardian properties, opposite the site to the east the development also comprises of a period terrace but this is 3 storeys and the majority have been sub-divided into smaller flatted units. To the south of the site the character of existing development differs significantly and there are 2 large detached bungalows, although due to the topography in the area these are situated on significantly lower land than the application

site. To the west of the site is the rear of the period terraced residential development located on Diamond Avenue.

The application proposes a terrace of five 2 storey units (each containing 2 apartments) that are similar in scale and proportion to the existing development that is nearest to the site, being the Edwardian terrace to the north. The proposed development references the fenestration details of the Edwardian terrace by providing a 2 storey projecting bay feature at the front, similar to the bay features on the existing development, but being entirely glazed to give a contemporary appearance that is not a slavish copy of the existing development. The extensive use of normal and opaque glazing helps to give the development a modern appearance and distinguish it clearly from the existing period development in the area. However, the traditional form of the proposal and proportioning of openings and features such as the entrance and bay windows ensures that the character, identity and context of the surrounding and closest existing townscape is respected.

With regards to materials, the proposed development is mainly finished in render and this is consistent with the existing development in the area. Slate is proposed for the roof and this is also the prevailing local roofing material. Large areas of glazing are proposed on the front elevation to help present a contemporary appearance and timber cladding is proposed for parts of the rear elevation which helps to break up the render and add visual interest and variation to this elevation. The overall design of the proposed development and use of a varied materials palette is considered positive, ensuring an acceptable balance between the introduction of contemporary features and materials whilst ensuring compatibility with the existing townscape and local context.

The proposed development has been arranged on the site to provide a frontage to Woodside and this is consistent with the existing pattern of development in the area. Vehicular access is from the lane to the rear and is similar to the existing access situation. The proposed parking area is to the rear of the proposed terrace but will be well overlooked by the proposed apartments whilst being safely located behind the existing stone boundary wall at the rear of the site. The proposed refuse and cycle storage areas are communal and easily accessible to future occupants. Each unit has either a small private amenity area or external balcony and the site is enclosed by an existing attractive stone wall which is proposed to be retained and will be a positive feature of the proposed development. The Architectural Liaison Officer has been significantly involved in pre-application discussions and is satisfied that the application is compliant with the principles of Secured by Design. The proposed layout is thus considered acceptable. In summary, it is considered that the application will provide a positive addition to the streetscene and help to improve local visual amenity. It is therefore compliant with Policy CS02 (Design) of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

Residential Amenity

It is important that the residential amenities of nearby property occupiers are not significantly affected. The proposed development has been located and oriented on the site to ensure its impact on the amenities of neighbours is not significant. The dwellings closest to the site are the terrace of 4 Edwardian properties to the north and the detached bungalow known as 'Radford' to the south.

The proposed development will be located adjacent to the existing Edwardian terrace known as 'Pembroke Lodge', with a gap of 1.6 metres separating the side elevation of the proposed development from the side elevation of the nearest existing dwelling. There are no windows proposed in the side elevation of the proposed development and there is only a very small window in the side elevation of the existing dwelling to the north, and this is a non habitable room. Both the existing Edwardian Terrace and proposed development are oriented to face east and their main (front and rear) elevations therefore contain windows to their habitable rooms and living spaces. Consequently there is no conflict created between the existing dwellings and proposed development, they will sit comfortably alongside each other without any negative impacts or unacceptable relationships being created.

To the south of the site, and located on significantly lower land, exists a detached bungalow known as 'Radford'. The separation distance between the proposed development and existing bungalow will be 7.3 metres and this ensures an acceptable gap will exist in the streetscene between these 2 different forms of development. It also ensures that the proposed development will not appear dominating when viewed adjacent to the existing. Again, the side elevation of the proposed development does not contain any windows and thus no overlooking of Radford or its private curtilage will be created. As the proposed development will be to the north of Radford it will not be affected by loss of sunlight or daylight.

Existing properties on the other side of Woodside (and therefore across the road) are set back behind fairly generous proportioned front gardens and curtilage spaces. They are therefore not close enough to the application site to be affected by the proposed development.

In summary, it is considered that the proposed development will not cause any significant loss of sunlight/daylight or privacy to any of the nearby properties and will not therefore impact negatively on the residential amenities of any of the existing dwellings that are close to the site. The proposed development will not appear dominating and the application is therefore considered compliant with Policy CS34 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

Letters of Representation

The letters of objection received are summarised above in the representations section of this report. The issues raised are discussed in the main Analysis section of the report.

Equalities & Diversities issues

The application proposes 10 new residential units that on completion should be offered for sale on the open market and therefore will be available to people from all backgrounds to purchase. No negative impact to any equality group is anticipated.

Section 106 Obligations

The applicant has committed to provide the contributions generated by the Plymouth Development Tariff and required by Policy CS33 (Community Benefits/Planning Obligations) of the Adopted City of Plymouth Local Development Framework Core Strategy (2007), to mitigate the impacts of the proposal. A draft Section 106 agreement has been produced to secure the following contributions:

- £8, 375 towards Children's Services;
- £1, 550 towards Health;
- £780 towards Libraries;
- £9, 105 towards Green Space/Natural Environment;
- £7, 320 towards Sport and Recreation;
- £385 towards Public Realm;
- £17, 945 towards Transport.

There is an administration fee of £2, 273.

Conclusions

This application proposes ten new 2 bed apartments in an established residential area that is not constrained by any restrictive planning policies. The development provides satisfactory levels of car parking, cycle and refuse storage and is in a form that is respectful of the surrounding townscape, whilst introducing contemporary elements of building design and materials. The residential amenities of nearby property occupiers are not significantly affected and the applicant has agreed to provide the financial contributions generated by the Plymouth Development Tariff. It is therefore recommended for approval, subject to conditions and the satisfactory completion of a Section 106 Legal Agreement, with delegated authority to refuse the application sought if the Section 106 Agreement is not signed by the 23rd December 2009.

Recommendation

In respect of the application dated **05/10/2009** and the submitted drawings, **Site Plan, Site Works, Plans and Elevations, Boundary Wall Details and accompanying Design and Access Statement**, it is recommended to: **Grant conditionally subject to S106 Obligation, Delegated authority to refuse in event of S106 not signed by 23 December 2009**

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.

SITE CHARACTERISATION

(3) An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

SUBMISSION OF REMEDIATION SCHEME

(4) A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

IMPLEMENTATION OF APPROVED REMEDIATION SCHEME

(5) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

REPORTING OF UNEXPECTED CONTAMINATION

(6) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

CYCLE PROVISION

(7) 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 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.

ACCESS CONSTRUCTION BEFORE OCCUPATION

(8) The building shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans.

Reason:

To ensure that an appropriate and safe access is provided in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PRESERVATION OF SIGHT LINES

(9) No structure, erection or other obstruction exceeding one metre in height shall be placed, and no vegetation shall be allowed to grow above that height, within the approved sight lines to the site access at any time.

Reason:

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

CAR PARKING PROVISION

(10) 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), 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.

CODE OF PRACTICE DURING CONSTRUCTION

(11) 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.

FURTHER DETAILS

(12) 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:-

- Details of all proposed gates shown on drawing titled 'Site Works';
- Details of boundary treatment for north, south, east and west boundaries;
- Details of the proposed front and rear amenity areas and how they will be enclosed;

The works shall conform to the approved details and be completed before first occupation of the first unit .

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.

PROVISION OF ON SITE RENEWABLE ENERGY EQUIPMENT

(13) The proposed development is for 10 or more new residences and, as such, generates a requirement to incorporate onsite renewable energy production equipment offsetting at least 10% of predicted carbon emissions for the period up to 2010, rising to 15% for the period 2010-2016. Details of this equipment shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of work on site. This

equipment shall then be installed and made operational prior to first use occupation and henceforth maintained.

Reason:

In order to ensure that the proposed development makes appropriate contribution towards reducing the City's ecological footprint and the causes of climate change.

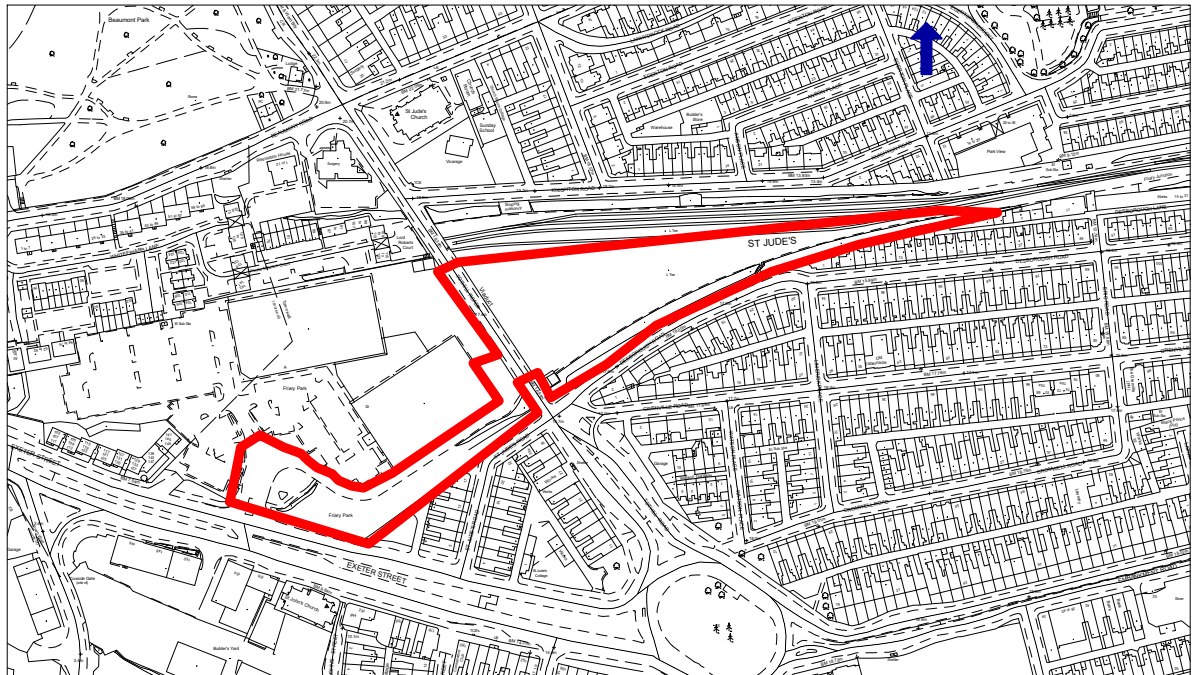
Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be the proposals impact upon the streetscene and visual amenity, residential amenity and the surrounding highway network, 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 and Supplementary Planning 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 Government Policy Statements and Government Circulars, as follows:

- PPS3 - Housing
- CS28 - Local Transport Consideration
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS20 - Resource Use
- CS02 - Design
- CS15 - Housing Provision
- CS16 - Housing Sites

ITEM: 03

Application Number:	09/01409/OUT
Applicant:	Reliant Building Contractors Ltd
Description of Application:	Outline application to develop land by erection of 151 flats and 140 sqm of class A1 (retail) space, provide 157 car parking spaces (vehicular access via Friary Retail Park) and provide open amenity land (details of access, appearance, layout and scale submitted)
Type of Application:	Outline Application
Site Address:	FORMER TOTHILL SIDINGS LAND SOUTH OF KNIGHTON ROAD PLYMOUTH
Ward:	Sutton & Mount Gould
Valid Date of Application:	30/09/2009
8/13 Week Date:	30/12/2009
Decision Category:	Major Application
Case Officer :	Robert Heard
Recommendation:	Refuse
Click for Application Documents:	www.plymouth.gov.uk



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OFFICERS REPORT

Site Description

The site comprises of a triangular shaped parcel of land approximately 1.3 hectares in size, located in a 'cutting' between Desborough Road and Knighton Road in St Judes. It is a former railway sidings but has been disused and vacant for many years, although railway tracks are still located on land close to the northern boundary of the site (the abandoned line runs out towards Laira Bridge and beyond towards Plymstock Quarry). The site is largely covered by concrete hard surfacing and there exists a securely fenced water services compound in the south western corner that contains a concrete block structure likely to be a pumping station.

The site is generally level with the exception of a 5-7 metre cut slope which forms the south eastern boundary between the main site area and Desborough Road at the higher level. The site has a unique setting, being 'sunk' and at a lower level than all of the land and development that surrounds it. The site is bounded to the north by railway sidings with a high embankment leading up to Knighton Road, to the west by Tothill Road Viaduct with Friary Retail Park beyond and to the south by an embankment leading up to Desborough Road. The site narrows significantly to the east where the disused railway line continues.

Surrounding development to the north, east and south is mainly residential, with bulky goods retail development immediately to the west leading into the City Centre along Exeter Street, which is only a 700 metre walk from the site. The surrounding residential development is period in character and mainly in the form of Edwardian and Victorian terraces, many of which have been sub divided into smaller flatted units.

Proposal Description

This application is made in outline but with reserved matters approval sought for the access, appearance, layout and scale with only landscaping details reserved for future consideration.

The application proposes to erect 151 apartments at the site and 140 square metres of retail (use class A1) space with 157 car parking spaces and open amenity land. Vehicular access to the site will be from Friary Retail Park to the west of the site, along an existing service only road and beneath the second viaduct arch beneath Tothill Road. Access to Friary Retail Park is from a signalized junction on Exeter Street. Pedestrian and cycle access is proposed from a controlled access gate at the south eastern corner of the site on Desborough Road.

The proposed layout locates the majority of development close to the northern boundary of the site, whilst retaining a 21 metre gap between the proposed buildings and site boundary for a future transport link that is safeguarded in

the Adopted Sutton Harbour Area Action Plan. Development on this part of the site is in the form of 2 large 6 storey apartment blocks that are flanked on each side by 2 smaller blocks. Further residential development is situated close to the southern boundary of the site and presents a street frontage to Desborough Road. Again, this is in the form of an apartment block but due to the differing land levels at the site it presents a flat roofed 3 storey facade to the road but is 6 storeys when viewed from within the site, being built into the bank on the southern boundary. The proposed A1 (retail) unit is part of a mixed use block and is located on the southern side of the site between the proposed apartment block facing Desborough Road and existing water compound. It has residential above and is also 3 storeys in height when viewed from Desborough Road and 6 storeys when viewed from within the site due to the changing land levels.

The proposed access road runs through the central part of the site, between the proposed apartment developments on the north and south boundaries. The majority of the 157 car parking spaces are provided within the lower levels of the proposed apartment block on the northern side of the site, as this block contains the majority of the 2 bed units that require dedicated car parking spaces. Indicative landscaping is shown in the central area of the site and this land appears to be communal, although as stated landscaping is a reserved matter and would therefore need to be addressed separately in a reserved matters planning application.

Relevant Planning History

08/00432/FUL – 123 Flats at Tothill Sidings, St Judes, Plymouth.
WITHDRAWN

Consultation Responses

Environment Agency

Object on flood risk grounds. Further details of surface water drainage systems and details of surface water flood risk required.

Highway Authority

Comments awaited and will be presented in an addendum report.

Public Protection Service

No objection subject to conditions.

Highways Agency

No objections.

Representations

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

- The massing and scale of the proposed buildings is too big;
- The scale of the proposed development is totally out of character with the surrounding area;
- The architecture is poor and reminiscent of Eastern European Soviet block 'architecture';
- The proposed development will add to traffic congestion on local roads;
- The proposed development will have a negative impact upon the existing community;
- Deterioration of sunlight to properties on Knighton and Desborough Road;
- The proposal would result in over development of the site;
- Negative impact upon amenities of 1 Desborough Road;
- The proposal will create noise pollution;
- The drawings are inaccurate – the sections and elevations of the proposed apartment block in the northern part of the site differ and do not match up;
- Concern about the impact of development on properties on Knighton Road;
- Negative impact upon amenities of 19 St Judes Road.

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 raises a number of key planning issues; the principle of residential development at the site; design, massing and layout considerations; highways, access and parking and residential amenity impacts. Other issues such as affordable housing and renewable energy provision are also relevant.

Principle of Development

The site is brownfield land that is no longer required for its previous use as a railway sidings and it is therefore a site that has potential for redevelopment. The site is not constrained by any restrictive planning policy (other than the aforementioned safeguarded transport link) and is surrounded in the main by residential development. The principle of residential development at the site is therefore considered acceptable.

Design, Massing and Layout

The layout of the site is described above in the 'Proposal Description' section of this report. Whilst the principle of locating development along the north and south boundaries of the site appears to be the best solution to providing an acceptable layout considering the constraints of the site, certain aspects of the proposed developments arrangement on the site are poor and unacceptable. It is also considered that the amount of development proposed could be excessive, and that the proposal is over intensive and results in a form of development that is cramped.

On detailed matters of design, the wing projecting north from the west end of the proposed apartment building fronting Desborough Road is considered to be a weak feature that would have a negative impact on:

- the amenity of the adjacent blocks running east/west at the north of the site;
- the wider visual amenity of the area and principally views into the site from Tothill Bridge, and;
- the future redevelopment potential of the South West Water compound at the site's south west corner (ideally, this potentially prominent corner site should be included for redevelopment as part of this proposal, but if this is not possible it is important that the redevelopment potential of this site be safeguarded, and the orientation and windows of the wing proposed would prejudice this).

On a positive note, the general arrangement of buildings on the site is considered to be the correct approach and is a pragmatic response to the constraints of the site.

With regards to massing and scale, it has been consistently communicated to the architects and agent during prior pre-application discussions, that it is considered that maximum building heights on the Desborough Road frontage should not exceed the height of the existing period (predominately 2 storey) terraced houses here. The proposed 3 storey Desborough Road frontage is considered excessive and not in keeping with the character and scale of the existing historic development in the area.

The height of the prominent wing extending north from the west end of the building fronting Desborough Road is also considered excessive, and its massing is inelegant. Whilst a localised increase in height here may be supportable, this should not prejudice the future redevelopment of the South West Water compound at the site's south west corner. It is on the latter site that an optimum building height is likely to be justifiable to mark a key townscape corner.

In general it is considered that "end-stop" volumes terminating the north and south wings, including the southwest tower, are unsuccessful in terms of their massing and require more sensitive articulation. These elements need not necessarily be rectilinear. The architect has considered more organic curved forms in previous (pre-application) iterations of the scheme and this form of development could be more appropriate on these parts of the site.

Concerning issues of building design and appearance, with the exception of the two middle wings within the band of development at the north of the site (which show some potential and compositional balance) in general the building design proposed is not considered of an acceptable quality by nature of its;

- compositional imbalance;
- lack of vertical hierarchy; and
- lack of vertical rhythm in response to the existing Desborough Road terrace.

In particular, the proposed building design is likely to have a negative impact on the visual amenity and character of the Desborough Road street scene, and on wider townscape views into the site from Tothill Bridge. PPS1 states that *“Design which fails to take the opportunities available for improving the character and quality of an area should not be accepted”*. (key principle (iv) para 13). It is considered that the proposed development, by virtue of its design and appearance, would have a negative impact upon local visual amenity and the surrounding historic townscape, and that it would provide a bleak and uninspiring development of poor design quality.

There also appears to be inconsistency between the application plans and elevations in terms of the orientation of the profiled roof sections. The elevations and sections do not match up and show a different roof profile. Given the prominence of the proposed buildings and the wide extent to which the roofscape within the site will be overlooked, it is imperative that the drawings accurately reflect the development proposed so that it can be understood and its impact evaluated. This is not entirely possible due to the conflicting information submitted with the application. It is therefore considered that the application is contrary to policies CS02 (Design) and CS34 (Planning Application Considerations) of the Adopted City of Plymouth Local Development Framework (2007).

Highways, Access and Parking

The site is proposed to be accessed from a private service access road on the south east corner of Friary Retail Park, where access into the site itself is proposed through the second viaduct arch beneath the B3238 Tothill Road. Access to the service road from the public highway is gained from the traffic signal controlled junction on the A374 Exeter Street/Friary Retail Park site entrance where it is intended to take vehicular access for the development. The northern boundary of the site contains a 20 metre wide zone that has been reserved for potential future improvements to Plymouth City's transport links in the form of a link road or rapid transit link and this is retained in the application and is not proposed to be developed on, ensuring that it is safeguarded.

The development proposes 157 unallocated car parking spaces within the lower levels of the proposed apartment block on the northern side of the site. Access to the car parking is via the northern arm of the service vehicle turning

head on the western boundary of the site. The entrance leads to a down ramp to the lower ground floor parking area with further ramps up at the eastern end of the block to access further car parking at ground floor level and first floor level.

The use of the Friary Retail Park service road as the main vehicular access to the site will involve the shared use of this road with articulated lorries visiting the retail park. In order to ensure that vehicle conflict does not occur, which would require vehicles to reverse, widening is proposed to parts of the service road so that vehicles can pass safely.

With regards to the sustainability of the site and public transport, the site is located within walking distance of the city centre and therefore a full range of amenities are available to future occupiers without the need to use private vehicular transport. The site also has good access to public transport links and there are many bus services available from either Exeter Street or the City Centre, both of which are in walking distance from the site. The site is not on a dedicated cycle route and therefore cyclists will have to use the main carriageway when accessing the site. However, the application proposes 75 covered and secure cycle parking spaces be provided at the site and this is considered to be a positive element of the proposal.

The Highways Officers comments have not yet been received and will therefore follow in an addendum report.

Residential Amenity

As already explained in this report, the site is unique in comparison to its context in that it is 'sunk' and at a significantly lower level than the areas that surround it. This ensures that the development proposed, which is up to 6 storeys in height, is not dominating to the existing development that is near to the site. When viewed from the surrounding roads it will appear 3 storeys at most and utilises a mono pitch roof to ensure its impact is minimal.

The application proposes to locate the proposed development in 2 main built forms along the north and south boundaries of the site. Therefore the properties that could be affected by this development proposal are those that are located closest to these boundaries, namely the dwellings on Desborough Road and Knighton Road. Due to the safeguarded area on the northern boundary of the site for a future transport link, there will be approximately 42 meters distance between the proposed apartment blocks on the northern side of the site and the existing properties on Knighton Road. This is a sufficient distance to ensure that there will be no negative impact to the amenities of existing property occupiers on Knighton Road from the proposed development (in particular the apartment blocks in the northern part of the site).

The development proposed closest to the southern boundary of the site will have a more intimate relationship with the existing development on Desborough Road and the separation distance between the existing dwellings and proposed apartment block will be 14 metres. Whilst this is far less than the separation distance between the existing development on Knighton Road

and proposed development in the northern part of the site, it is typical of the existing separation distances between properties on either side of a road in the locality. It is considered that the positioning of the proposed apartment block in the southern part of the site ensures that there is no direct conflict between the proposed and existing development, and that problems of overlooking and loss of sunlight are not created. The relationships created are therefore considered acceptable.

Within the site the relationships created between the new buildings proposed are generally acceptable. However, at the western end of the site close to the existing water compound there exists a pinch point of only 10 metres between the proposed development on the northern side of the site and the wing projecting north from the west end of the proposed apartment building at the southern end of the site, fronting Desborough Road. Whilst this relationship could be unacceptable, it is difficult to come to any firm conclusions on this matter due to the aforementioned inconsistency on the plans and drawings submitted with the application. Further information is therefore required before a decision on the acceptability of relationships between proposed buildings within the site can be made.

Affordable Housing and the Plymouth Development Tariff

The provision of 30% of all dwellings as 'affordable' is sought - based on a proportional mix of dwelling types and distribution across the site as required by Policy CS15 of the Adopted City of Plymouth Local Development Framework (2007). No details have been submitted with the planning application to identify which units are being offered as affordable housing and no viability assessment is included with the submission package to evidence that the provision of 30% affordable housing is unviable. The application is therefore contrary to Policy CS15. No draft section 106 Agreement has been submitted with the application and it is unclear if the applicant is agreeable to providing the financial contributions generated by the Plymouth Development Tariff to mitigate the impacts of the proposal. In the absence of this information the proposal is also contrary to Policy CS33 (Community Benefits / Planning Obligations) of the Adopted City of Plymouth Local Development Framework (2007). The application also contains no information on Lifetime Homes.

Renewable Energy Production

The application fails to include details of how onsite renewable energy production equipment to off set at least 10% of predicted carbon emissions for the periods up to 2010 (raising to 15% for the period 2010 – 2016) is to be provided. Considerations associated with delivering this requirement could materially alter the scheme and therefore details as to how onsite renewables will be incorporated must be brought forward before the application is determined. In the absence of such information the proposal is contrary to Policy CS20 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) which seeks to secure sustainable resource use with the development.

Habitats and Biodiversity

Insufficient information has been provided on habitats that might be present at the site and therefore sufficient understanding of the impact of development and how these impacts can be avoided and or mitigated cannot be achieved. The current development could also result in a net loss in biodiversity at the site but without the submission of appropriate survey work it is unclear what biodiversity is present at the site. Further to this, no enhancement or mitigation details have been produced in association with any survey work and it is thus impossible to determine if the application will result in a net gain in biodiversity at the site, as required by policy CS19 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) and PPS9. The development is therefore contrary to Core Strategy Policy CS19 and PPS9.

Letters of Representation

The letters of representation received are summarised above in the representations section of this report. The issues raised are discussed in the main Analysis section of the report.

Equalities & Diversities issues

The development has the potential to affect people of all ages and from all backgrounds as it proposes open market housing that will be made available for sale to the general public. It could also specifically affect those on lower incomes as it generates the need for affordable housing to be provided at the site, although no commitment to this has been provided within the planning application.

If the application were to be accepted and recommended for approval, no negative impacts to any equality group would be anticipated. Pedestrian permeability would be improved as a route through the site would be created and the financial contributions generated by the Plymouth Development Tariff would benefit the whole community.

Section 106 Obligations

No Draft Section 106 legal agreement has been submitted with the application, and it is thus not clear if the applicant is willing to provide the policy requirement of 30% affordable housing or the financial contributions generated by the Plymouth Development Tariff.

Conclusions

This application proposes residential redevelopment of the site, in the form of 151 new apartments and a small amount of new retail (A1) space. The site is not covered by any restrictive planning policy and its redevelopment for a residential use is therefore considered acceptable. However, the scale, design and appearance of the proposed development is of poor quality and not in keeping with the character and scale of the existing historic development in the area. It is considered to have a negative impact upon local

visual amenity and the surrounding historic townscape, providing a bleak and uninspiring development of poor design quality.

There are also unaddressed issues relating to the provision of affordable housing at the site, renewable energy equipment and biodiversity enhancement. The Plymouth Development Tariff has also not been considered. For the reasons outlined and explained in this report, the application is recommended for refusal.

Recommendation

In respect of the application dated **30/09/2009** and the submitted drawings, **00542.PL.09/00.A, 00542.PL.09/01, 00542.PL.09/05, 00542.PL.09/03, 00542.PL.09/06, 00542.PL.09/09, 00542.PL.09/07, 00542.PL.09/08, 00542.PL.09/01, 00542.PL.09/10, 00542.PL.09/02, 00542.PL.09/04** and **accompanying Design and Access Statement, Transport Assessment and Desk Study Report** , it is recommended to: **Refuse**

Reasons

POOR DESIGN

(1) It is considered that the proposed development, by virtue of its height, massing, design and appearance, is alien to the character and appearance of the surrounding development and harmful to local visual amenity and the surrounding historic townscape. The development proposed is not considered to be of an acceptable quality by nature of its compositional imbalance, lack of vertical hierarchy and rhythm and would thus provide a bleak and uninspiring development of poor design quality. It is thus contrary to Policies CS02, CS15 and CS34 of the adopted City of Plymouth Local Development Framework Core Strategy (2007).

OVER DEVELOPMENT

(2) It is considered that the proposed development, by reason of its scale and massing, would result in over development of the site and provide a cramped and over intensive form of development that could also create unacceptable relationships between the residential units proposed. It is thus considered an incongruous development that is not in keeping with the character and scale of the existing townscape and is therefore contrary to Policies CS02, CS15 and CS34 of the adopted City of Plymouth Local Development Framework Core Strategy (2007).

AFFORDABLE HOUSING REQUIRED

(3) The proposed development is required to provide 30% of the units proposed as affordable housing, based on a proportional mix of dwelling types and distribution across the site, as required by Policy CS15 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007). In the absence of a mechanism to secure the provision of affordable housing the proposal fails to contribute towards the creation of balanced, mixed and sustainable communities and is therefore contrary to Policy CS15 of the Adopted City of Plymouth Local Development Framework Core Strategy

(2007) and Planning Obligations & affordable housing supplementary planning document SPD.

PLYMOUTH DEVELOPMENT TARIFF

(4) The proposed residential development generates the need for contributions under The Plymouth Development Tariff to provide adequate mitigation obligations and other community benefits. In the absence of these requirements being met, the application is contrary to policies CS33 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

ABSENCE OF DETAILS OF RENEWABLE ENERGY PRODUCTION EQUIPMENT

(5) The application fails to include details of how onsite renewable energy production equipment to off-set at least 10% of predicted carbon emissions for the period up to 2010, (raising to 15% for the period 2010-2016) is to be provided. Considerations associated with delivering this requirement could materially alter the scheme and in the absence of such information the proposal is contrary to Policy CS20 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007), which seeks to secure sustainable resource use.

INSUFFICIENT INFORMATION ON WILDLIFE SITE

(6) Insufficient information has been provided on protected species that could be using the site. Without this information it is impossible to determine the development impacts upon these species and whether these impacts can be avoided or mitigated. The development is therefore contrary to Policy CS19 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) and the guidance within ODPM circular 06/2005 'Biodiversity and Geological Conservation - statutory obligations and their impact within the planning system.'

INSUFFICIENT INFORMATION ON HABITATS

(7) Insufficient information has been provided within the application on habitats that might be present at the site. To enable a sufficient understanding of the impact of development and how the impacts will be avoided and/or mitigated the application is contrary to Policy CS19 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

LACK OF ENHANCEMENT & MITIGATION DETAILS

(8) The proposed development could result in a net loss of biodiversity at the site. No enhancement or mitigation details have been produced in association with adequate survey work to determine if the application could result in a net gain in biodiversity as required by CS19 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) and PPS9. The development is therefore contrary to Core Strategy Policy CS19 and PPS9.

FLOOD RISK

(9) The application contains insufficient details of the proposed surface water drainage system (including details of surface water flood risk) and raises concerns regarding surface water flooding. The application is therefore contrary to Policy CS21 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) and PPS25 (Flood Risk).

INACCURATE PLANS

(10) There is inconsistency in the information submitted with the application. The plans showing proposed elevations (00542.PL.09/06) and sections (00542.PL.09/10) of the proposed apartment block close to the northern boundary of the site are contradictory and show a different roof profile to this proposed building. It is therefore difficult to assess the proposed buildings impact upon local visual and residential amenity and the application is therefore contrary to Policy CS34 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007)

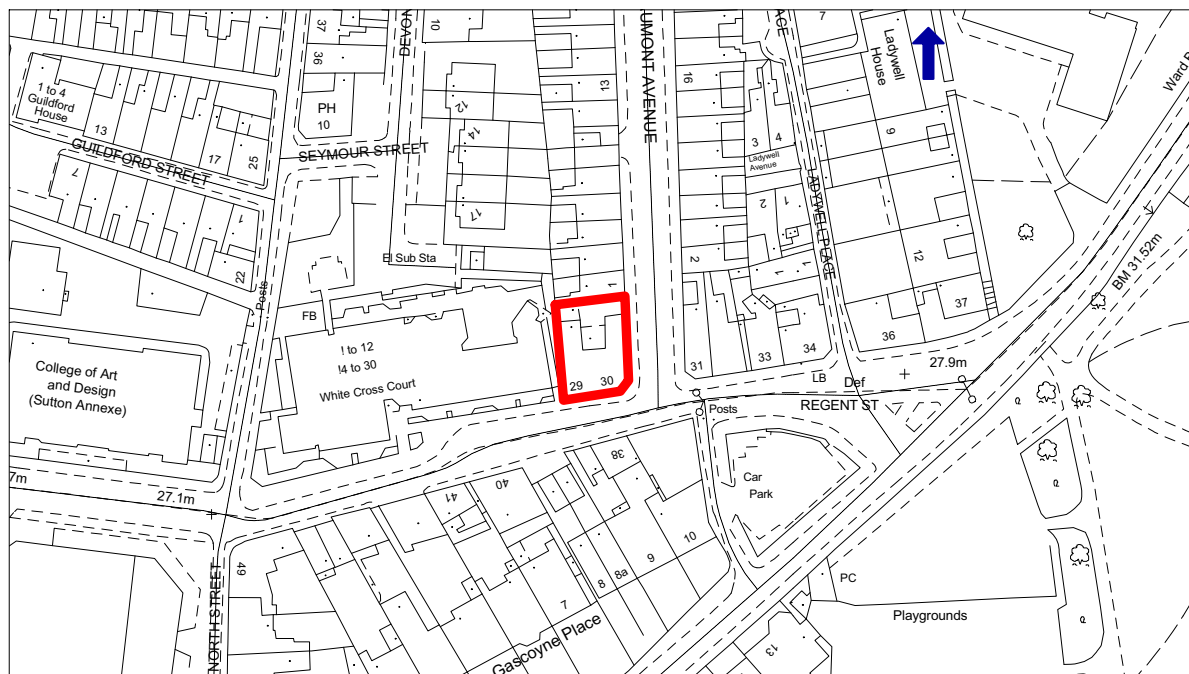
Relevant Policies

The following (1) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning 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 Government Policy Statements and Government Circulars, were taken into account in determining this application:

PPG13 - Transport
PPG25 - Flood Risk
PPS3 - Housing
PPS9 - Biodiversity and geological conservation
PPS1 - Delivering Sustainable Development
CS28 - Local Transport Consideration
CS33 - Community Benefits/Planning Obligation
CS34 - Planning Application Consideration
CS20 - Resource Use
CS21 - Flood Risk
CS02 - Design
CS15 - Housing Provision
CS16 - Housing Sites

ITEM: 04

Application Number:	09/01070/FUL
Applicant:	Mr and Mrs Ian Crabb
Description of Application:	Change of use and conversion of ground floor offices with residential above to form two units of student accommodation (two cluster units)
Type of Application:	Full Application
Site Address:	29-30 REGENT STREET GREENBANK PLYMOUTH
Ward:	Drake
Valid Date of Application:	29/07/2009
8/13 Week Date:	23/09/2009
Decision Category:	Major Application
Case Officer :	Stuart Anderson
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



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OFFICERS REPORT

Site Description

The site of the proposed development is 29-30 Regent Street. The property is currently vacant. It was previously used as offices for a lettings agency on the ground floor. The upper floors appear to have been used as a house in multiple occupancy.

Proposal Description

Change of use and conversion of ground-floor offices with residential above to form two units of student accommodation providing 15 bedrooms in total.

The proposal would involve splitting the existing building into two, thus creating two student houses.

An extension was originally proposed, but this has now been deleted from the plans.

Relevant Planning History

00/00447/FUL - Change of use of first and second floors to maisonette (granted)

Consultation Responses

Transport Officer – no objections in principle, but recommending cycle storage condition, and condition restricting the use of the property to student accommodation

Public Protection Service – recommending refusal, on the basis that no contaminated land study has been submitted

Representations

Seven letters of representation have been received, all of which show objection to the proposal. The objections are on the grounds of:

1. Parking problems,
2. Noise and disturbance,
3. Increased amount of rubbish,
4. Poor standard of accommodation,
5. Overdevelopment,
6. Disruption while building works are being carried out,
7. No indication of fire doors or sprinkler system, or emergency lighting or alarm system, or soundproofing,
8. The proposed second floor rear extension should not be built, as the existing building is not strong enough to support the extra weight of the blocks and roof structure.

Points 1-6 are discussed further in the following report. Point 7 is a building regulation matter. Point 8 relates to the extension, which has now been deleted.

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.

Update -

This application was brought to the previous committee meeting when it was resolved to defer determination to allow for consideration of revised plans.

The relevant policies are CS15, CS28, CS33, and CS34 of the Core Strategy, and Supplementary Planning Document 1. The relevant issues are discussed below.

THE PRINCIPLE OF THE PROPOSED DEVELOPMENT

It is necessary to consider whether the proposed development is compatible with its surroundings. Student property and subdivided properties are common in this area.

A change of use to provide student accommodation is considered to be acceptable in principle.

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 existing 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

The application site is located within 5 minutes walk of the main university campus and its change of use to provide specialist student accommodation would clearly help meet the demand identified in the university's accommodation strategy.

Tensions between residents and students are not always easy to reconcile; but a key 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). It is considered that the principle of student accommodation here is acceptable in terms of these policies, for the reasons given above.

STANDARD OF ACCOMMODATION.

The proposal seeks to provide student rooms in each of the two newly created student cluster units. One communal lounge and kitchen are to be provided within each new student cluster unit. On the face of it, it seems that there is insufficient space within the building to satisfactorily provide the number of student bed spaces proposed. In particular, on the ground floor of one of the proposed cluster units, two student rooms are proposed which would measure only 2 metres in width. However, information provided by the City Council's Housing Department shows that the smallest rooms in the property exceed the minimum allowable size for a single student bedroom, which is 6.5 square metres, and therefore a bed can be accommodated, plus the rooms would have reasonable outlook and natural lighting. The proposal is therefore considered to be satisfactory to policy CS15.

IMPACT ON AMENITY

In terms of privacy, there is considered to be no impact on the surrounding properties. As the previously proposed extension has been deleted, the proposal is now considered to be satisfactory to policies CS15 and CS34 of the Core Strategy.

Some of the letters of representation refer to noise and disturbance from student behaviour. It is therefore recommended that a condition is added requesting the submission of a management plan for the building, in the interest of lessening the potential for noise and disturbance to occur.

IMPACT ON STREETSCENE

The existing property has been in commercial use for some time. Its elevation to Regent Street is very symmetrical – its shopfront style windows at ground floor level being balanced with the arrangement of windows at first and second floor levels. The proposed conversion, and the associated subdivision into individual rooms, involves the installation of new windows. The most recent set of amended plans shows that the windows would be placed in a symmetrical arrangement, thus having a minimal impact on the streetscene. The proposal is therefore satisfactory to Core Strategy Policy CS34 (sub paras 3 and 4).

HIGHWAYS/PARKING

Subject to the imposition of conditions recommended by the Transport Officer, the proposal would be considered satisfactory in highways/car parking terms.

TARIFF CONTRIBUTIONS

A review of the way proposals for student accommodation should be described and publicised has recently taken place, with a view to finding a consistent approach to this matter. The outcome is that student accommodation applications should be classified by 'cluster' (i.e. rooms sharing a lounge/communal area. In the case of the current application, only two clusters are being applied for, which results in the proposed development not triggering payments under the tariff system.

CONTAMINATED LAND

The Public Protection Service have recommended refusal on the basis that no contaminated land survey has been provided. However, the property currently already has some residential use, and no excavation works are proposed, therefore it is considered that it would be unreasonable to refuse permission on this issue.

Equalities and diversities issues

None.

Section 106 Obligations

None.

Conclusions

The issues relating to this case are considered to have been successfully addressed by the submission of amended plans, and the proposal is now recommended for approval.

Recommendation

In respect of the application dated **29/07/2009** and the submitted drawings, **Site location plan, 32:01:09, 32:02:09, 32:03:09, 32:04:09, 32:05:09, 32:06:09A, 32:07:09, 32:08:09C, 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.

STUDENT ACCOMMODATION

(2) The occupation of the accommodation hereby permitted shall be limited to students in full time education only unless otherwise agreed in writing by the Local Planning Authority.

Reason:

The accommodation is considered to be suitable for students in accordance with Policies CS15 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, but its occupation by any other persons would need to be the subject of a further application for consideration on its merits.

MANAGEMENT PLAN

(3) Prior to the occupation of the building, details of the manner in which the approved student accommodation is to be managed (including possible on-site management) shall be submitted to and approved in writing by the Local Planning Authority. The accommodation shall be run in accordance with the approved details from the commencement of the use.

Reason:

In the interest of residential amenity, in accordance with policies CS15 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CYCLE STORAGE

(4) 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.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: visual amenity, standard of accommodation, impact on residential amenity, highways, and contamination, 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 and Supplementary Planning

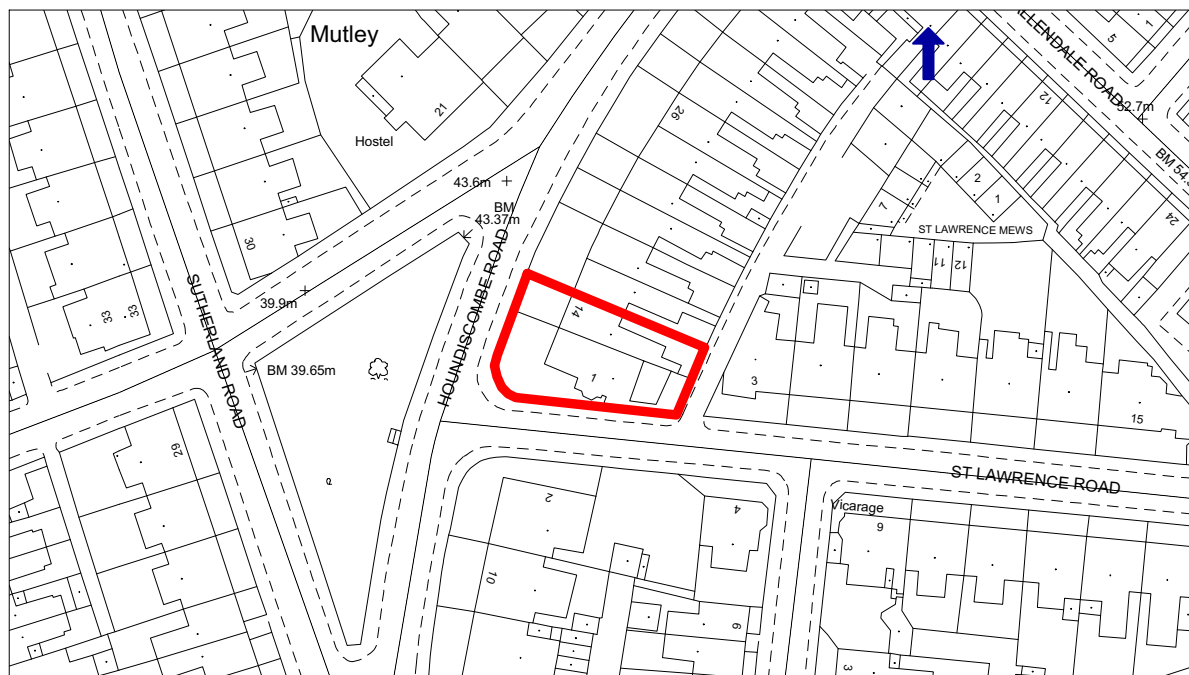
Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c) relevant Government Policy Statements and Government Circulars, as follows:

- PPS23 - Planning & Pollution Control
- CS28 - Local Transport Consideration
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS15 - Housing Provision
- SPD1 - Development Guidelines

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ITEM: 05

Application Number:	09/01302/FUL
Applicant:	Mr Dave Hendy
Description of Application:	Change of use, conversion and extension of existing building to create 3 student cluster units and 4 studio apartments with associated bin and cycle stores.
Type of Application:	Full Application
Site Address:	1 ST LAWRENCE ROAD AND 14 HOUNDISCOMBE ROAD PLYMOUTH
Ward:	Drake
Valid Date of Application:	14/09/2009
8/13 Week Date:	09/11/2009
Decision Category:	Assistant Director of Development Referral
Case Officer :	Stuart Anderson
Recommendation:	Grant conditionally subject to S106 Obligation, delegated authority to refuse if not completed by 1 February 2010
Click for Application Documents:	www.plymouth.gov.uk



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OFFICERS REPORT

Site Description

The site consists of two adjoining properties, 1 St Lawrence Road and 14 Houndiscombe Road. These are large Victorian properties.

1 St Lawrence Road is currently registered as a House in Multiple Occupation (HMO) with 12 bedrooms with associated communal bathrooms, kitchen and living areas, but the property is in need of updating, refurbishment and improvement.

14 Houndiscombe Road was some time ago converted to office accommodation for a local firm of chartered accountants but has been vacant now for some months and is again in need of modernisation.

The site is bounded by highways and residential property. Opposite the site is a small public park.

Proposal Description

Change of use, conversion and extension of existing building to create 3 student cluster units and 4 studio apartments with associated bin and cycle stores.

The proposed extension would be situated at the rear of the property and would be approximately 12 square metres in area, and two storeys in height. It would house a laundry area and bathrooms.

A bin storage area and a secure, weatherproof store for 11 bicycles would also be provided in the rear yard.

The existing stairway at the rear of the property is currently clad in polycarbonate sheeting. This would be rebuilt in stone/render.

A number of the doors and windows are to be replaced. These would be UPVC and timber respectively.

Relevant Planning History

09/00768/FUL - Change of use, conversion and extension to existing building to create 6 student cluster units and 2 studio apartments with associated bin and cycle stores (withdrawn)

99/00100/FUL - Change of use from residential home for the elderly to accommodation for 11 students and a warden (granted)

Consultation Responses

Housing Strategy and Renewal – no observations

Public Protection Service – recommending condition that unexpected contamination is reported to the Local Planning Authority. Also recommending Construction Phase Management Plan condition, and

condition that the development is carried out in accordance with BS8233:1999 to meet the 'good room criteria' for living spaces.

Transport Officer – recommending cycle parking provision condition

Representations

Eight letters of representation have been received, all of which show objection to the proposal. The objections are on the following grounds:

1. Problems with parking,
2. Drake's Leat lies between both affected properties front gardens. Has the applicant allowed for appropriate archaeological appraisal?
3. Oversupply of student accommodation in the area,
4. Noise levels,
5. Problems with waste disposal,
6. Inconsiderate behaviour from students,
7. Proposed extension is architecturally inappropriate,
8. The drainage system in this area was designed for private family dwellings, not for high-density multiple occupancy, this system and possibly the provision of other utilities would need to be upgraded accordingly,
9. When rubbish bins are put outside for collection they will block the rear service lane access, creating difficulties for emergency service vehicles.

All the above issues are addressed in the following report.

Analysis

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

The relevant policies are CS01, CS05, CS15, CS28, CS33, and CS34 of the Core Strategy. The relevant issues are discussed below.

THE PRINCIPLE OF THE PROPOSED DEVELOPMENT

With regards to policy CS05, it is understood that the offices have been vacant for some time, and therefore not considered a viable employment site. Therefore, it is considered that there is no loss of active employment use, and thus no conflict with policy CS05.

The site is within short walking distance of the University and the City Centre, and the Mutley Plain shopping centre. Therefore the location is sustainable, and does not rely on car journeys to and from local services.

The reference to Drake's Leat in one of the letters of representation has been noted. The resident states that the leat runs through the front gardens of the properties. However, the submitted plans do not show any works to the front gardens.

It is necessary to consider whether the proposed development is compatible with its surroundings. Student property and subdivided properties are common in this area.

A change of use to provide student accommodation is considered to be acceptable in principle.

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 existing 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 and studio developments

The application site is located within 5 minutes walk of the main university campus and its change of use to provide specialist student accommodation would clearly help meet the demand identified in the university's accommodation strategy.

Tensions between residents and students are not always easy to reconcile; but a key 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). It is considered that the principle of student accommodation here is acceptable in terms of these policies, for the reasons given above.

One of the objectors has drawn the case officer's attention to criteria 3 of CS15 which states 'and where it will not harm the character of the area having regard to the existing number of converted and non-family dwellings in the vicinity', in order to demonstrate that there is too many non-family dwellings in the vicinity. This is noted, but it would appear that the application properties are too large for single family use.

VISUAL IMPACT

On the previous proposal (09/00768/FUL), the agent was advised that the design of the proposal would be unsuitable, which lead to the withdrawal of the application. The current proposal has been 'scaled down' from the previous proposal. The proposed extension is fairly small, and therefore is considered not to have an impact on the streetscene. The other proposed external alterations are also fairly minor and thus not considered to have an impact on the streetscene.

IMPACT ON RESIDENTIAL AMENITY

The proposed extension is fairly small in size, and would therefore have a minimal impact on the amenities of surrounding properties.

The letters of representation refer to bad behaviour by students. It is recommended that a management plan for the accommodation is secured by condition (this was a requirement on previous application 99/00100/FUL), in the interests of reducing behaviour which local residents might find offensive, in particular, reducing noise levels from the premises.

Some of the letters of representation also refer to problems with waste disposal. They state that problems can occur when rubbish is put out before collection day. It is recommended that a condition is added that the bin store shown on the plans is provided and made available for use prior to the occupation of the development. This should reduce the possibility of rubbish being put out before collection day.

STANDARD OF ACCOMMODATION

The proposed rooms all exceed the minimum acceptable room sizes advised by the City Council's Housing Department (this minimum size is 6.5 square metres). The rooms at the front (west) of the property, and at the south would have a good standard of natural light and outlook. The rooms on the north and east of the property are more restricted in terms of their light and outlook, but given the temporary and transient nature in which the proposed

accommodation would be occupied (i.e. by students) it is considered that the rooms are fit for purpose.

There is a rear yard at the site, but it is fairly limited in size. It might be suitable for clothes drying, but for outdoor relaxation, occupants could go to the park across the street.

HIGHWAYS/PARKING

The Transport Officer notes that there is no off-street car parking proposed but the site is within close walking distance of the University campus and is also located within a controlled resident permit parking scheme. The property would be excluded from purchasing permits and visitor tickets for use within the scheme, thus preventing long stay on-street parking. Therefore, the proposal, with no off-street parking is acceptable (from a Transport point of view) in this location.

The applicant is proposing to provide storage for 11 cycles. The Transport Officer advises that this equates to a less than 50% provision which is the minimum requirement for student accommodation. Ideally the applicant would provide far in excess of this standard in order to encourage cycling as a travel option, especially when considering the lack of car parking. From viewing the submitted plans and from the site visit, it is doubtful that there is any space for further cycle storage. However, a condition should be applied in order to secure the provision of the cycle storage that has been shown on the plans.

OTHER ISSUES

The representation relating to the capacity of drainage is noted. In order to deal with this issue it is recommended that a condition is attached to any grant of planning permission that further details are provided in order to ensure that existing drainage, waste water and sewerage infrastructure is maintained and where necessary enhanced, as required by policy CS34.

The representation on blocking of the rear service lane is noted. However, at the time of the site visit green and brown bins had been put out, so it is considered that this is an existing problem and the proposed development would do nothing to worsen this situation.

It is recommended that the land contamination and construction phase management plan conditions recommended by the Public Protection Service are added. It is recommended that the 'good room criteria' matter is addressed by an informative, as this matter is likely to be dealt with under Building Regulations.

Section 106 Obligations

The proposed development is liable for payments under the tariff system. A figure of £30971.85 has been calculated.

Equalities and diversities issues

None.

Conclusions

The proposal is recommended for approval.

Recommendation

In respect of the application dated **14/09/2009** and the submitted drawings, **1630-12 Revision P01, 1630-13 Revision P01, 1630-14 Revision P01, 1630-15 Revision P01, 1630-16 Revision B, 1630-17 Revision P01, 1630-18 Revision P01, and accompanying Design and Access Statement**, it is recommended to: **Grant conditionally subject to S106 Obligation, delegated authority to refuse if not completed by 1 February 2010**

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.

CYCLE PARKING PROVISION

(2) The development shall not be occupied until the secure and weatherproof cycle store shown on the approved plans has been provided and made available for use, for a minimum of 11 bicycles to be parked. This cycle parking area shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

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

BIN STORE PROVISION

(3) The bin store area shown on the approved plans shall be provided and made available for use prior to the occupation of the development hereby permitted, and 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 adequate bin store facilities are available for occupants, in the interest of general amenity, in accordance with policies CS15 and CS34 of the Plymouth Local Development Framework (2006-2021) 2007.

LAND QUALITY

(4) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in

writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to: human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s);

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11'

Where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CONSTRUCTION PHASE MANAGEMENT PLAN

(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 general amenity and highway safety, in accordance with policies CS22, CS28, and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

STUDENT ACCOMMODATION

(6) The occupation of the accommodation hereby permitted shall be limited to students in full time education only unless otherwise agreed in writing by the Local Planning Authority.

Reason:

The accommodation is considered to be suitable for students in accordance with policies CS15 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, but its occupation by any other persons would need to be the subject of a further application to be considered on its merits.

MANAGEMENT PLAN

(7) Prior to the occupation of the building, details of the manner in which the approved student accommodation is to be managed (including possible on-site management) shall be submitted to and approved in writing by the Local Planning Authority. The accommodation shall be run in accordance with the approved details from the commencement of the use.

Reason:

In the interest of residential amenity, in accordance with policies CS15 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

DRAINAGE DETAILS

(8) Prior to the commencement of the development hereby permitted, details of the means of drainage, waste water and sewerage for the site shall be forwarded to the Local Planning Authority for their approval in writing.

Reason:

In order to ensure that the development has the drainage, waste water and sewerage capacity to enable the development to proceed, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE: CONSTRUCTION PHASE MANAGEMENT PLAN

(1) With regards to condition 5 of this grant of planning permission, 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:

- a) Site management arrangements including site office, developer contact number in event of any construction/demolition related problems, and site security information.
- b) 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, and construction traffic parking.
- c) Hours of site operation, dust suppression measures, and noise limitation measures.

INFORMATIVE: GOOD ROOM CRITERIA

(2) It is recommended that the development is carried out 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. This is in order 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.

INFORMATIVE: PARTY WALL ACT

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

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: acceptability of proposed use at these premises, standard of proposed accommodation, impact on residential amenity, impact on the streetscene, highways/parking, contamination aspects 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 and Supplementary Planning 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 Government Policy Statements and Government Circulars, as follows:

PPS23 - Planning & Pollution Control
CS28 - Local Transport Consideration
CS33 - Community Benefits/Planning Obligation
CS34 - Planning Application Consideration
CS22 - Pollution
CS05 - Development of Existing Sites
CS01 - Sustainable Linked Communities
CS15 - Housing Provision
SPD1 - Development Guidelines

PLANNING COMMITTEE

Decisions issued for the following period: 3 November 2009 to 30 November 2009

Note - This list includes:

- Committee Decisions
- Delegated Decisions
- Withdrawn Applications
- Returned Applications

Item No 1

Application Number: 08/00191/FUL **Applicant:** Rok Development
Application Type: Full Application
Description of Development: Erection of new two storey building for use as a clinic, health centre and non-residential education and training facility, with associated car parking and external works
Site PLOT C377, WILLIAM PRANCE ROAD, PLYMOUTH INTERNATIONAL MEDICAL AND TECHNOLOGY PARK
 DERRIFORD PLYMOUTH
Case Officer: Carly Francis
Decision Date: 05/11/2009
Decision: Grant Subject to S106 Obligation - Full

Item No 2

Application Number: 08/02056/FUL **Applicant:** Wain Homes (South West)
Application Type: Full Application
Description of Development: Erection of 14 houses (two-storey in height) with the provision of site access and associated works
Site PENLEE , PLYMBRIDGE ROAD PLYMOUTH
Case Officer: Robert Heard
Decision Date: 12/11/2009
Decision: Application Withdrawn

Item No 3

Application Number: 09/00301/FUL **Applicant:** Consol Suncentre (Franchise) Ltd
Application Type: Full Application
Description of Development: Continuation of use of premises as a solarium and retail unit
Site GROUND FLOOR 60 MUTLEY PLAIN MUTLEY PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 16/11/2009
Decision: Not Determined

Item No 4

Application Number: 09/00525/REM **Applicant:** Mount Wise (Guernsey) Ltd
Application Type: Reserved Matters
Description of Development: Resubmission of reserved matters pursuant to outline submission (ref 06/01646/OUT and reserved matters 08/00442/REM). Appearance and landscaping in relation to Area B (part of) and Area C of the approved development: 200 dwellings, commercial floorspace and associated car parking and landscaping.
Site FORMER MOD SITE MOUNTWISE, DEVONPORT PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 17/11/2009
Decision: Grant Conditionally

Item No 5

Application Number: 09/00538/FUL **Applicant:** Plymouth & South West Co-
Application Type: Full Application
Description of Development: Change of use and alterations to existing leisure facility to create two separate units - one unit for use within use class A1 and the other for use within use class D2 (leisure)
Site WEST COUNTRY SQUASH, AYLWIN CLOSE PLYMPTON PLYMOUTH
Case Officer: Robert Heard
Decision Date: 25/11/2009
Decision: Grant Conditionally

Item No 6

Application Number: 09/00562/FUL **Applicant:** Mr J Keating
Application Type: Full Application
Description of Development: Use of land for siting of mobile home and touring caravan
Site TWIN OAKS RIDGE ROAD PLYMPTON PLYMOUTH
Case Officer: Jon Fox
Decision Date: 17/11/2009
Decision: Refuse

Item No 7

Application Number: 09/00643/OUT **Applicant:** Mr N Wickett
Application Type: Outline Application
Description of Development: Outline application to erect building containing two dwellings with integral garages and associated works
Site AMPHI VIEW, PLYMOUTH ROAD CRABTREE PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 30/11/2009
Decision: Refuse

Item No 8

Application Number: 09/00747/FUL **Applicant:** Mr & Mrs P Gerry
Application Type: Full Application
Description of Development: Rear balcony at first floor level
Site 17 KINGSLAND GARDENS CLOSE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 24/11/2009
Decision: Grant Conditionally

Item No 9

Application Number: 09/00905/FUL **Applicant:** Mr L Lamerton
Application Type: Full Application
Description of Development: Develop rear garden by erection of coach house style dwelling with integral private motor garage, and formation of parking area in front of existing dwelling (existing garage to be removed)
Site 1 HARTLEY AVENUE PLYMOUTH
Case Officer: Janine Warne
Decision Date: 17/11/2009
Decision: Refuse

Item No 10

Application Number: 09/00921/FUL **Applicant:** Mr & Mrs G P & S A Johns
Application Type: Full Application
Description of Development: Develop part of garden by erection of detached dwellinghouse (removal of existing garage)
Site 29 AYCLIFFE GARDENS PLYMOUTH
Case Officer: Jon Fox
Decision Date: 03/11/2009
Decision: Refuse

Item No 11

Application Number: 09/00932/FUL **Applicant:** Mr & Mrs Penney-Cousins and
Application Type: Full Application
Description of Development: Detached bungalow and garage (with access onto Finches Close) (plot 1)
Site STOKENHAM, STATION ROAD ELBURTON PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 05/11/2009
Decision: Grant Conditionally

Item No 12

Application Number: 09/00946/FUL **Applicant:** Mrs J Hole
Application Type: Full Application
Description of Development: Double private motor garage (revision to application 07/01276/FUL)
Site HILLSIDE, MILFORD LANE TAMERTON FOLIOT PLYMOUTH

Case Officer: Thomas Westrope
Decision Date: 12/11/2009
Decision: Grant Conditionally

Item No 13

Application Number: 09/00965/ADV **Applicant:** Arcadia Group
Application Type: Advertisement
Description of Development: Internally illuminated fascia sign
Site 18 NEW GEORGE STREET PLYMOUTH

Case Officer: Kate Saunders
Decision Date: 12/11/2009
Decision: Grant Conditionally

Item No 14

Application Number: 09/00983/FUL **Applicant:** Mr Alfred and Peter Reilly
Application Type: Full Application
Description of Development: Use of land for a two-pitch Gypsy site, consisting of two mobile homes and two touring caravans and parking
Site LAND AT RIDGE ROAD HARDWICK PLYMOUTH

Case Officer: Jon Fox
Decision Date: 17/11/2009
Decision: Refuse

Item No 15

Application Number: 09/01047/FUL **Applicant:** Barden Corporation UK Ltd
Application Type: Full Application
Description of Development: Installation of modular building for "goods inward inspection" purposes
Site BARDEN CORPORATION UK LTD PLYMBRIDGE ROAD
ESTOVER PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 06/11/2009
Decision: Grant Conditionally

Item No 16

Application Number: 09/01060/OUT **Applicant:** Geosa Ltd
Application Type: Outline Application
Description of Development: Outline application (with all matters reserved for future consideration) for the erection of 96 residential units, B1 (A and B) units, D1 units, new buildings for existing geosaoceanographic business and new water taxi pontoon with ancillary café (A3).

Site FORMER BAYLYS YARD, BAYLYS ROAD ORESTON
PLYMOUTH

Case Officer: Robert Heard
Decision Date: 13/11/2009
Decision: Refuse

Item No 17

Application Number: 09/01071/FUL **Applicant:** Mr F Hill
Application Type: Full Application
Description of Development: Conversion, alteration and extension of private motor garage, including removal of roof and asbestos cement clad walls, to form private motor garage with storage space in newly-formed roofspace and side area

Site THE GARDEN HOUSE, GLEN ROAD MANNAMEAD PLYMOUTH

Case Officer: Kirsty Barrett
Decision Date: 24/11/2009
Decision: Grant Conditionally

Item No 18

Application Number: 09/01089/FUL **Applicant:** Mrs S Daniel
Application Type: Full Application
Description of Development: Formation of access to front and stair case to rear
Site 21 GREENDALE ROAD PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 10/11/2009
Decision: Grant Conditionally

Item No 19

Application Number: 09/01091/FUL **Applicant:** University of Plymouth
Application Type: Full Application
Description of Development: Installation of access ramp and associated handrail, plus stepped access.
Site 20 PORTLAND VILLAS PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 10/11/2009
Decision: Grant Conditionally

Item No 20

Application Number: 09/01103/OUT **Applicant:** Resound Health
Application Type: Outline Application
Description of Development: Outline application to develop land by erection of mixed use building to include library, GP surgery and NHS clinic/health centre, with associated works including provision of parking and landscaping
Site FORMER PLYMPTON LIBRARY SITE, LAND ADJ TO HAREWOOD HOUSE RIDGEWAY PLYMPTON PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 03/11/2009
Decision: Grant Subject to S106 Obligation - Outline

Item No 21

Application Number: 09/01106/FUL **Applicant:** Aalco
Application Type: Full Application
Description of Development: Insertion of two powder coated aluminum windows in first floor of North elevation
Site UNIT B ARMADA POINT, ESTOVER ROAD ESTOVER
INDUSTRIAL ESTATE PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 12/11/2009
Decision: Grant Conditionally

Item No 22

Application Number: 09/01108/FUL **Applicant:** Mr D Rice
Application Type: Full Application
Description of Development: First floor extension
Site ST MODWEN HOUSE, LONGBRIDGE ROAD PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 25/11/2009
Decision: Grant Conditionally

Item No 23

Application Number: 09/01114/FUL **Applicant:** Mr N Bishop
Application Type: Full Application
Description of Development: Change of use, conversion and alteration of boat house to form student boarding accommodation, and formation of a glazed link corridor
Site REAR OF COLSON HOUSE, 2 FORD PARK MUTLEY
PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 16/11/2009
Decision: Application Withdrawn

Item No 24

Application Number: 09/01115/LBC **Applicant:** Mr N Bishop
Application Type: Listed Building
Description of Development: Conversion and alteration of boat house to form student boarding accommodation, and formation of a glazed link corridor
Site REAR OF COLSON HOUSE, FORD PARK MUTLEY PLYMOUTH

Case Officer: Stuart Anderson
Decision Date: 16/11/2009
Decision: Application Withdrawn

Item No 25

Application Number: 09/01118/FUL **Applicant:** Mr D Brown
Application Type: Full Application
Description of Development: Part two storey, part single storey rear extension and formation of rooms in roofspace including side and rear dormers and front rooflights.
Site 4 NORMANDY WAY ST BUDEAUX PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 13/11/2009
Decision: Refuse

Item No 26

Application Number: 09/01120/FUL **Applicant:** Mrs H Turner
Application Type: Full Application
Description of Development: First floor side extension including conversion of garage to living accommodation
Site 10 MARY DEAN AVENUE TAMERTON FOLIOT PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 06/11/2009
Decision: Grant Conditionally

Item No 27

Application Number: 09/01141/FUL **Applicant:** Mr Mervyn Westcott
Application Type: Full Application
Description of Development: Conservatory to front elevation (existing porch to be removed)
Site 20 SOUTHWAY LANE WIDEWELL PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 03/11/2009
Decision: Grant Conditionally

Item No 28

Application Number: 09/01153/LBC **Applicant:** Secretary of State for Defence
Application Type: Listed Building
Description of Development: Internal refurbishment of offices
Site BUILDING 108 STONEHOUSE BARRACKS, DURNFORD STREET PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 05/11/2009
Decision: Grant Conditionally

Item No 29

Application Number: 09/01160/ADV **Applicant:** Property Links
Application Type: Advertisement
Description of Development: Provision of digital display screen on flat roof above office.
Site 104 NORTH HILL PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 30/11/2009
Decision: Refuse

Item No 30

Application Number: 09/01163/FUL **Applicant:** Mr Kevin Jarvis
Application Type: Full Application
Description of Development: Retention of part two-storey, part single-storey, rear extension, and formation of rooms in roofspace including rear dormer
Site 77 UNDERWOOD ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 27/11/2009
Decision: Grant Conditionally

Item No 31

Application Number: 09/01169/EXU **Applicant:** Mrs F Williams
Application Type: LDC Existing Use
Description of Development: Use of property as 4 self contained flats
Site 7 BALFOUR TERRACE PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 05/11/2009
Decision: Issue Certificate - Lawful Use

Item No 32

Application Number: 09/01191/LBC **Applicant:** Mr D Matthews
Application Type: Listed Building
Description of Development: Replacement of existing roof, provision of new roof to single storey structure on west elevation, and replacement flue on north elevation
Site HAYE FARMHOUSE HAYE ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 06/11/2009
Decision: Grant Conditionally

Item No 33

Application Number: 09/01212/FUL **Applicant:** Mr N Stonecliffe
Application Type: Full Application
Description of Development: Single-storey rear extension
Site SUNNYSIDE, CROSSWAY PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 10/11/2009
Decision: Grant Conditionally

Item No 34

Application Number: 09/01216/FUL **Applicant:** Mr S Wagstaff
Application Type: Full Application
Description of Development: Erection of 2 storey building for use as 2 flats
Site 110 ALBERT ROAD PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 20/11/2009
Decision: Refuse

Item No 35

Application Number: 09/01220/FUL **Applicant:** Hyde Park Social Club
Application Type: Full Application
Description of Development: Change of use of part of Stewards residential accommodation to a kitchen to serve club with associated external alterations
Site HYDE PARK SOCIAL CLUB, ST GABRIELS AVENUE
PLYMOUTH
Case Officer: Janine Warne
Decision Date: 20/11/2009
Decision: Grant Conditionally

Item No 36

Application Number: 09/01223/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: The Embankment Lane Link Road Scheme between Embankment Road and Laira Bridge Road - Construction of new link road (dual carriageway southbound and single carriageway northbound) with shared cycleway/footway and new playing field car park
Site EMBANKMENT LANE PLYMOUTH
Case Officer: Alan Hartridge
Decision Date: 13/11/2009
Decision: Grant Conditionally

Item No 37

Application Number: 09/01224/FUL **Applicant:** Mrs J Pomeroy
Application Type: Full Application
Description of Development: Single storey rear extension
Site 184 HEMERDON HEIGHTS PLYMPTON PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 16/11/2009
Decision: Grant Conditionally

Item No 38

Application Number: 09/01237/31 **Applicant:** Plymouth Land Mutley Court Ltd
Application Type: GPDO PT31
Description of Development: Detemination as to whether prior approval is required for the method of demolition of the buildings and proposed landscaping of the site
Site 110, 112, 114, 116 & 118 NORTH HILL & FLATS 1-12 MUTLEY COURT PLYMOUTH
Case Officer: Jon Fox
Decision Date: 20/11/2009
Decision: Prior approval not req PT24

Item No 39

Application Number: 09/01238/FUL **Applicant:** Mr R Phillips
Application Type: Full Application
Description of Development: Change of use , conversion and alteration to hot food takeaway (use class A5), including proposed extract system.
Site 1 WESTON PARK ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 09/11/2009
Decision: Refuse

Item No 40

Application Number: 09/01247/LBC **Applicant:** South West RDA
Application Type: Listed Building
Description of Development: Replacement of defective limestone
Site MELVILLE BUILDING ROYAL WILLIAM YARD PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 09/11/2009
Decision: Grant Conditionally

Item No 41

Application Number: 09/01249/FUL **Applicant:** Mr Paul Sleep
Application Type: Full Application
Description of Development: Two storey side extension
Site 47 WAVERLEY ROAD PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 10/11/2009
Decision: Grant Conditionally

Item No 42

Application Number: 09/01280/PRD **Applicant:** Mr and Mrs McKee
Application Type: LDC Proposed Develop
Description of Development: Alterations to roof to provide hip to gable extension and rear dormer
Site 41 FANSHAWE WAY HOOE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 09/11/2009
Decision: Issue Certificate - Lawful Use

Item No 43

Application Number: 09/01282/FUL **Applicant:** Saltram House
Application Type: Full Application
Description of Development: Provision of additional external lighting to car park.
Site SALTRAM HOUSE SALTRAM, MERAFIELD ROAD PLYMOUTH

Case Officer: Kate Saunders
Decision Date: 04/11/2009
Decision: Application Withdrawn

Item No 44

Application Number: 09/01284/FUL **Applicant:** Mr Phillip Greeno
Application Type: Full Application
Description of Development: Double private motor garage and associated extension of driveway (existing garage to be demolished). First floor rear french door and juliet balcony to replace existing window.
Site 32 POWISLAND DRIVE PLYMOUTH

Case Officer: Thomas Westrope
Decision Date: 20/11/2009
Decision: Grant Conditionally

Item No 45

Application Number: 09/01287/ADV **Applicant:** Next Group Design
Application Type: Advertisement
Description of Development: Two internally illuminated fascia signs
Site UNIT 15 MARSH MILLS PARK PLYMOUTH

Case Officer: Kirsty Barrett
Decision Date: 10/11/2009
Decision: Grant Conditionally

Item No 46

Application Number: 09/01288/FUL **Applicant:** Unit Build Ltd
Application Type: Full Application
Description of Development: Erection of building comprising 2 units for light industrial office, industrial and warehouse purposes (use class B1, B2 and B8) Amendment to approved application 08/01725/FUL
Site 27 - 29 SISNA PARK ESTOVER PARK PLYMOUTH
Case Officer: Carly Francis
Decision Date: 13/11/2009
Decision: Grant Conditionally

Item No 47

Application Number: 09/01290/FUL **Applicant:** Mr Stephen Blake
Application Type: Full Application
Description of Development: External vehicle lift and platform for disabled access.
Site CARAVAN 6 WILLOW WALK GLENHOLT CARAVAN PARK, GLENFIELD ROAD PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 06/11/2009
Decision: Grant Conditionally

Item No 48

Application Number: 09/01297/FUL **Applicant:** Mr D Case
Application Type: Full Application
Description of Development: Single storey front extension
Site 10 MANADON DRIVE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 06/11/2009
Decision: Grant Conditionally

Item No 49

Application Number: 09/01298/FUL **Applicant:** Mr Anthony Hopper
Application Type: Full Application
Description of Development: Two storey side extension and single storey private motor garage and replacement front porch (existing study and garage to be demolished) (resubmission of application no 09/00705)
Site 75 ROCHFORD CRESCENT ERNESETTLE PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 05/11/2009
Decision: Grant Conditionally

Item No 50

Application Number: 09/01299/ADV **Applicant:** The Game Group Plc
Application Type: Advertisement
Description of Development: Illuminated fascia signs
Site 44 NEW GEORGE STREET PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 06/11/2009
Decision: Grant Conditionally

Item No 51

Application Number: 09/01300/FUL **Applicant:** Mr Gordon Morris
Application Type: Full Application
Description of Development: Car port at front of existing garage
Site 2 PILGRIM CLOSE MILEHOUSE PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 05/11/2009
Decision: Grant Conditionally

Item No 52

Application Number: 09/01304/FUL **Applicant:** Mr Richard Baron
Application Type: Full Application
Description of Development: Change of use of part of existing garage to aviary use for sale of birds (Class A1)
Site 7 ST EARTH ROAD MANADON PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 20/11/2009
Decision: Grant Conditionally

Item No 53

Application Number: 09/01305/FUL **Applicant:** Mr & Mrs C Notley
Application Type: Full Application
Description of Development: Formation of room in roofspace including side and rear dormers, two storey rear extension, extension and new roof to garage, and single-storey rear extension.
Site 291 DEAN CROSS ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 11/11/2009
Decision: Grant Conditionally

Item No 54

Application Number: 09/01306/FUL **Applicant:** Devon & Cornwall Constabulary
Application Type: Full Application
Description of Development: Part two storey, part single storey front , side and rear extensions to Police Station, (existing temporary building to be removed). Formation of car park with additional vehicular access to Beacon Park Road, provision of cycle store and erection of perimeter fencing.
Site 114 BEACON PARK ROAD PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 09/11/2009
Decision: Grant Conditionally

Item No 55

Application Number: 09/01308/FUL **Applicant:** Mr Charles Bickerton
Application Type: Full Application
Description of Development: Change of use, conversion and alteration of hot food takeaway and dwelling to form single dwellinghouse
Site 16 OAKFIELD TERRACE ROAD PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 06/11/2009
Decision: Grant Conditionally

Item No 56

Application Number: 09/01310/FUL **Applicant:** Mrs M Walters
Application Type: Full Application
Description of Development: Formation of room in roofspace including alterations to roof to form a gable end
Site 19 VALLEY VIEW ROAD PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 09/11/2009
Decision: Grant Conditionally

Item No 57

Application Number: 09/01313/FUL **Applicant:** Sarsen Housing Associated Ltd
Application Type: Full Application
Description of Development: Replacement windows to all elevations
Site 59 UNION STREET PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 25/11/2009
Decision: Grant Conditionally

Item No 58

Application Number: 09/01314/FUL **Applicant:** Miss Nicola Swabey
Application Type: Full Application
Description of Development: Single storey rear / side extension (existing tenement to be removed) and terracing of garden
Site 60 FORE STREET PLYMPTON PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 10/11/2009
Decision: Grant Conditionally

Item No 59

Application Number: 09/01317/FUL **Applicant:** Home Group Ltd
Application Type: Full Application
Description of Development: Change of use to a womens' service day centre
Site 80 MOUNT GOULD ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 11/11/2009
Decision: Application Withdrawn

Item No 60

Application Number: 09/01318/FUL **Applicant:** South West Water Ltd
Application Type: Full Application
Description of Development: External staircase at waste water treatment works
Site 1 FINNIGAN ROAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 03/11/2009
Decision: Grant Conditionally

Item No 61

Application Number: 09/01319/PRU **Applicant:** WP Jones & Sons
Application Type: LDC Proposed Use
Description of Development: Use of part of ground floor (Embassy Club) for use within use class A1 (retail) - sale of food items
Site 3 WOLSELEY ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 20/11/2009
Decision: Issue Certificate - Lawful Use

Item No 62

Application Number: 09/01320/FUL **Applicant:** Premier Vauxhall Spares Ltd
Application Type: Full Application
Description of Development: Change of use, conversion and alteration of premises including installation of security fencing, to form vehicle depollution and dismantling centre
Site 16 STONEHOUSE STREET PLYMOUTH
Case Officer: Janine Warne
Decision Date: 24/11/2009
Decision: Grant Conditionally

Item No 63

Application Number: 09/01321/FUL **Applicant:** Mr W Tossell
Application Type: Full Application
Description of Development: Change of use from shop (A1) to dwelling
Site 110A ALEXANDRA ROAD FORD PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 11/11/2009
Decision: Refuse

Item No 64

Application Number: 09/01326/TPO **Applicant:** Mr Mike Trathen
Application Type: Tree Preservation
Description of Development: Sycamore - reduce over extended lower branches by 15%
Tulip tree - reduce in height by 3m and shape
Site MANADON HOUSE,31 CONQUEROR DRIVE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 03/11/2009
Decision: Grant Conditionally

Item No 65

Application Number: 09/01331/PRD **Applicant:** Mr & Mrs N Spencer
Application Type: LDC Proposed Develop
Description of Development: Single storey rear extension
Site 88 WHITE LADY ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 10/11/2009
Decision: Issue Certificate - Lawful Use

Item No 66

Application Number: 09/01332/FUL **Applicant:** Mr Richard Hudson
Application Type: Full Application
Description of Development: Single storey rear extension to provide 'granny annex'
Site 38 WALKHAMPTON WALK LEIGHAM PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 20/11/2009
Decision: Grant Conditionally

Item No 67

Application Number: 09/01335/ADV **Applicant:** Maplin Electronics
Application Type: Advertisement
Description of Development: One internally illuminated fascia sign. One non illuminated fascia sign. One internally illuminated projecting sign.
Site 10 - 12 CORNWALL STREET CITY CENTRE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 09/11/2009
Decision: Application Withdrawn

Item No 68

Application Number: 09/01336/OUT **Applicant:** Mr & Mrs T Briffa
Application Type: Outline Application
Description of Development: Outline application to develop site by erection of six bungalows (existing dwelling to be removed)
Site WE DONEIT, FORESTERS ROAD PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 13/11/2009
Decision: Refuse

Item No 69

Application Number: 09/01337/FUL **Applicant:** Mr & Mrs R Gill
Application Type: Full Application
Description of Development: Develop part of garden by erection of dwelling with integral garage, including demolition of utility room on east side of existing dwelling.
Site THORPE, 15 ROCKY PARK ROAD PLYMSTOCK PLYMOUTH

Case Officer: Jon Fox
Decision Date: 16/11/2009
Decision: Grant Conditionally

Item No 70

Application Number: 09/01338/FUL **Applicant:** Mr & Mrs C Pearn
Application Type: Full Application
Description of Development: Formation of vehicle hardstanding in front garden
Site 18 LONG PARK CLOSE PLYMOUTH

Case Officer: Simon Osborne
Decision Date: 12/11/2009
Decision: Grant Conditionally

Item No 71

Application Number: 09/01342/FUL **Applicant:** Mr Ricky Green
Application Type: Full Application
Description of Development: Retention of raised timber sun decking to rear
Site 88 OLD LAIRA ROAD PLYMOUTH

Case Officer: David Jeffrey
Decision Date: 10/11/2009
Decision: Refuse

Item No 72

Application Number: 09/01343/FUL **Applicant:** Mr Shariar Majlessi
Application Type: Full Application
Description of Development: Change of use to dental practise
Site 14 - 15 GILWELL STREET PLYMOUTH
Case Officer: Jon Fox
Decision Date: 16/11/2009
Decision: Grant Conditionally

Item No 73

Application Number: 09/01344/PRD **Applicant:** Mr P Gardener & Ms K Williams
Application Type: LDC Proposed Develop
Description of Development: Internal alterations and extension to existing bakery
Site FRIARY MILL BAKERY, 8 OAKFIELD PLACE CATTEDOWN PLYMOUTH
Case Officer: Jon Fox
Decision Date: 30/11/2009
Decision: Refuse to Issue Cert - (Ex)

Item No 74

Application Number: 09/01345/FUL **Applicant:** Mrs L Dixon
Application Type: Full Application
Description of Development: Rear conservatory
Site 2 FINCHES CLOSE ELBURTON PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 10/11/2009
Decision: Grant Conditionally

Item No 75

Application Number: 09/01348/FUL **Applicant:** Mr A White
Application Type: Full Application
Description of Development: Retention of decking at rear
Site 97 MERRIVALE ROAD BEACON PARK PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 17/11/2009
Decision: Grant Conditionally

Item No 76

Application Number: 09/01349/PRD **Applicant:** Mr & Mrs N Conway
Application Type: LDC Proposed Develop
Description of Development: Proposed hip to gable extension, with loft conversion including rear dormer
Site 34 HAYE ROAD PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 17/11/2009
Decision: Issue Certificate - Lawful Use

Item No 77

Application Number: 09/01350/FUL **Applicant:** Mr & Mrs Mark Snell
Application Type: Full Application
Description of Development: Rear conservatory
Site 60 TREVENEAGUE GARDENS PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 05/11/2009
Decision: Grant Conditionally

Item No 78

Application Number: 09/01351/PRD **Applicant:** House to Home Improvements
Application Type: LDC Proposed Develop
Description of Development: Roof extension involving hip to gable alteration and loft conversion including rear dormer.
Site 102 MERRIVALE ROAD BEACON PARK PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 16/11/2009
Decision: Issue Certificate - Lawful Use

Item No 79

Application Number: 09/01352/FUL **Applicant:** Mr N Doyle
Application Type: Full Application
Description of Development: Double private motor garage attached to side, with grassed roof and railings to edge of roof
Site 28 MERSEY CLOSE PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 16/11/2009
Decision: Refuse

Item No 80

Application Number: 09/01354/ADV **Applicant:** AAH PLC
Application Type: Advertisement
Description of Development: Illuminated fascia and illuminated projecting sign
Site 29 MARLBOROUGH STREET PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 16/11/2009
Decision: Grant Conditionally

Item No 81

Application Number: 09/01356/ADV **Applicant:** Specsavers Ltd
Application Type: Advertisement
Description of Development: Illuminated fascia signs (approved) & projecting signs (refused)
Site 152 ARMADA WAY PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 16/11/2009
Decision: Advertisement Split Decision

Item No 82

Application Number: 09/01366/FUL **Applicant:** Ms J Cooper
Application Type: Full Application
Description of Development: Change of use of ground floor to residential flat
Site 124 NORTH HILL PLYMOUTH
Case Officer: Jon Fox
Decision Date: 20/11/2009
Decision: Grant Conditionally

Item No 83

Application Number: 09/01367/PRD **Applicant:** Mr A Fell
Application Type: LDC Proposed Develop
Description of Development: Formation of room in roofspace including rear dormer and front rooflights
Site 8 DUNSTONE DRIVE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 18/11/2009
Decision: Issue Certificate - Lawful Use

Item No 84

Application Number: 09/01368/PRD **Applicant:** Mr & Mrs Hustin Colamarind
Application Type: LDC Proposed Develop
Description of Development: Alterations to hipped roof to create gable and formation of rear gables
Site 89 EFFORD ROAD PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 20/11/2009
Decision: Issue Certificate - Lawful Use

Item No 85

Application Number: 09/01369/FUL **Applicant:** Mr chris Stoneman
Application Type: Full Application
Description of Development: Two storey side extension and summerhouse (revision to scheme approved under notice no 09/00289/FUL)
Site 3 HONICKNOWLE LANE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 20/11/2009
Decision: Grant Conditionally

Item No 86

Application Number: 09/01377/FUL **Applicant:** McDonalds Restaurants Ltd
Application Type: Full Application
Description of Development: Variation of condition 5 of planning permission 94/00012 to allow fast food restaurant and takeaway to open from 0600 hours to midnight (Mondays to Wednesdays) and continuously between 0600 hours on Thursday and midnight on Sundays
Site MCDONALDS RESTAURANT, COYPOOL ROAD PLYMOUTH

Case Officer: Jon Fox
Decision Date: 30/11/2009
Decision: Refuse

Item No 87

Application Number: 09/01379/REM **Applicant:** Resound Health Ltd.
Application Type: Reserved Matters
Description of Development: Submission of reserved matters details (appearance, landscaping, and layout) for development of land by erection of dental school with associated access and carparking (outline planning consent 09/00206/OUT)
Site PHASE 6 SITE, TAMAR SCIENCE PARK SOUTH OF RESEARCH WAY PLYMOUTH

Case Officer: Mark Evans
Decision Date: 19/11/2009
Decision: Grant Conditionally

Item No 88

Application Number: 09/01396/FUL **Applicant:** Sutton Harbour Co
Application Type: Full Application
Description of Development: Change of use from heritage trail room (suis generis use) to shop (A1 use) or financial and professional service (A2 use) or restaurant/café (A3 use) or business use (B1 use) together with construction of new pedestrian entrance, extraction flue and replacement of existing access doors.
Site HERITAGE TRAIL UNIT 130 to 132 VAUXHALL STREET PLYMOUTH

Case Officer: Mark Evans
Decision Date: 24/11/2009
Decision: Grant Conditionally

Item No 89

Application Number: 09/01398/FUL **Applicant:** Marks & Spencer
Application Type: Full Application
Description of Development: Siting of chilled storage container in rear service yard for temporary period each year (from 1st December 2009 to 31st January 2010)
Site MARKS AND SPENCERS,1 CORNWALL STREET CITY CENTRE PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 20/11/2009
Decision: Grant Conditionally

Item No 90

Application Number: 09/01400/FUL **Applicant:** Pillar Land Securities
Application Type: Full Application
Description of Development: Erection of student accommodation for 123 students organised around 16 communal dining/living spaces in two blocks and associated access, parking and landscaping
Site LAND BOUNDED BY PLYMBRIDGE LANE, DERRIFORD ROAD AND HOWESON LANE DERRIFORD PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 18/11/2009
Decision: Refuse

Item No 91

Application Number: 09/01403/FUL **Applicant:** Mr & Mrs Punchard
Application Type: Full Application
Description of Development: Single storey rear extension
Site 14 CONRAD ROAD PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 24/11/2009
Decision: Grant Conditionally

Item No 92

Application Number: 09/01408/REM **Applicant:** Ms L Discombe
Application Type: Reserved Matters
Description of Development: Erection of detached bungalow
Site LAND ADJ TO 64A GLENFIELD ROAD PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 25/11/2009
Decision: Grant Conditionally

Item No 93

Application Number: 09/01410/FUL **Applicant:** Mr Jim Woodley
Application Type: Full Application
Description of Development: Change of use and two-storey rear extension of dwellinghouse to form house in multiple occupation (8 study/bedrooms) for students
Site 2 GLEN PARK AVENUE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 26/11/2009
Decision: Grant Conditionally

Item No 94

Application Number: 09/01412/PRD **Applicant:** Mr J Trembeth
Application Type: LDC Proposed Develop
Description of Development: Single storey rear extension
Site 21 LOUGHBORO ROAD PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 26/11/2009
Decision: Issue Certificate - Lawful Use

Item No 95

Application Number: 09/01414/EXU **Applicant:** TSL Properties
Application Type: LDC Existing Use
Description of Development: Use of property as 2 flats
Site 77 BARTON AVENUE PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 20/11/2009
Decision: Issue Certificate - Lawful Use

Item No 96

Application Number: 09/01420/FUL **Applicant:** Harbour Centre
Application Type: Full Application
Description of Development: External lift and lobby area
Site HYDE PARK HOUSE MUTLEY PLAIN PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 25/11/2009
Decision: Grant Conditionally

Item No 97

Application Number: 09/01424/FUL **Applicant:** Mr Paul Greene
Application Type: Full Application
Description of Development: Single detached garage at side of existing dwelling, and increase height of garden boundary wall (fronting Richmond Road)
Site 14 LANSDOWNE ROAD CROWNHILL PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 24/11/2009
Decision: Grant Conditionally

Item No 98

Application Number: 09/01425/FUL **Applicant:** Mr G Roser
Application Type: Full Application
Description of Development: Single-storey rear extension
Site 11 FURZEACRE CLOSE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 20/11/2009
Decision: Grant Conditionally

Item No 99

Application Number: 09/01429/FUL **Applicant:** Mr T Chinn
Application Type: Full Application
Description of Development: First-floor extension to detached private motor garage to provide gym, including external staircase and rear first-floor balcony
Site 22 HEXTON HILL ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 26/11/2009
Decision: Refuse

Item No 100

Application Number: 09/01430/FUL **Applicant:** Mr M Bishop
Application Type: Full Application
Description of Development: Two storey side extension
Site 19 SOUTHWELL ROAD PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 27/11/2009
Decision: Grant Conditionally

Item No 101

Application Number: 09/01433/FUL **Applicant:** Mr D Bee
Application Type: Full Application
Description of Development: Rear extension
Site 25 RUSSET WOOD PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 26/11/2009
Decision: Grant Conditionally

Item No 102

Application Number: 09/01439/FUL **Applicant:** Mr S Kerr
Application Type: Full Application
Description of Development: Two storey side extension (existing conservatory to be removed) and provision of railings on garage to provide roof terrace
Site 45 LAKE VIEW DRIVE HOLLY PARK PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 30/11/2009
Decision: Grant Conditionally

Item No 103

Application Number: 09/01440/FUL **Applicant:** Kenmore Property Group Ltd
Application Type: Full Application
Description of Development: Single-storey rear extension to retail unit (to replace existing extension)
Site 39 THE BROADWAY PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 18/11/2009
Decision: Grant Conditionally

Item No 104

Application Number: 09/01458/FUL **Applicant:** Buckclose Ltd
Application Type: Full Application
Description of Development: Two-storey rear extensions to properties to allow use as houses in multiple occupation for students
Site 2 & 3 AMITY PLACE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 30/11/2009
Decision: Grant Conditionally

Item No 105

Application Number: 09/01459/FUL **Applicant:** Dean Cross Surgery
Application Type: Full Application
Description of Development: First-floor extension to doctors' surgery
Site 21 RADFORD PARK ROAD PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 20/11/2009
Decision: Grant Conditionally

Item No 106

Application Number: 09/01460/FUL **Applicant:** Ms Nicky Slight
Application Type: Full Application
Description of Development: First-floor side extension over existing garage and utility room
Site 8 PADDOCK CLOSE PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 23/11/2009
Decision: Grant Conditionally

Item No 107

Application Number: 09/01463/TPO **Applicant:** Mr William B Foster
Application Type: Tree Preservation
Description of Development: 2 Poplar - reduce tp previous pruning points
Site 11 STANDARHAY CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 17/11/2009
Decision: Grant Conditionally

Item No 108

Application Number: 09/01465/FUL **Applicant:** Mr & Mrs S Wyatt
Application Type: Full Application
Description of Development: Single-storey side extension (existing garage and store to be removed)
Site 2 BIRKBECK CLOSE PLYMPTON PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 30/11/2009
Decision: Refuse

Item No 109

Application Number: 09/01470/FUL **Applicant:** Mr T Dunn
Application Type: Full Application
Description of Development: Two-storey rear extension (existing single-storey extension to be removed)
Site 13 MARKET ROAD PLYMPTON PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 30/11/2009
Decision: Grant Conditionally

Item No 110

Application Number: 09/01473/FUL **Applicant:** South West Landlords
Application Type: Full Application
Description of Development: Change of use from shop to office (Class B1 (a))
Site 30 DALE ROAD PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 30/11/2009
Decision: Grant Conditionally

Item No 111

Application Number: 09/01480/FUL **Applicant:** Mr Harry Winstanley
Application Type: Full Application
Description of Development: Provision of pitched roof to replace flat roof to rear, with window in new gable end and with rooflights.
Site 119 STADDISCOMBE ROAD PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 30/11/2009
Decision: Grant Conditionally

Item No 112

Application Number: 09/01524/TCO **Applicant:** Miss Anita McKinley
Application Type: Trees in Cons Area
Description of Development: Tree maintenance works
Site AMBERLEY 28 PENLEE WAY PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 19/11/2009
Decision: Grant Conditionally

Item No 113

Application Number: 09/01535/TPO **Applicant:** Mrs Davies
Application Type: Tree Preservation
Description of Development: 2 Macrocarpa - Fell
Site WAYSIDE, CROSSWAY PLYMPTON PLYMOUTH
Case Officer: Jane Turner
Decision Date: 23/11/2009
Decision: Grant Conditionally

Item No 114

Application Number: 09/01567/TPO **Applicant:** ISS Waterers
Application Type: Tree Preservation
Description of Development: Oak - pollard
Site 334 OUTLAND ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 23/11/2009
Decision: Grant Conditionally

The following decisions have been made by the Planning Inspectorate on appeals arising from decisions of the City

Application Number **08/01645/FUL**
Appeal Site **89 FLETEMOOR ROAD ST BUDEAUX PLYMOUTH**
Appeal Proposal Two-storey rear extension and front porch
Case Officer Thomas Westrope

Appeal Category
Appeal Type Written Representations
Appeal Decision Split
Appeal Decision Date 17/11/2009
Conditions
Award of Costs

Awarded To

Appeal Synopsis

The Inspector upheld this appeal in part by issuing a split decision for the two-storey rear extension (dismissed) and the porch (allowed). The Local Planning Authority (LPA) raised no objection to the porch; however, it is not possible for this type of decision to be issued by the LPA. The inspector did not agree that the proposal would impact the neighbours daylight or sunlight due to the orientation of the properties, although, using the 45 degree guidance, he reasoned that the proposal would have an overbearing effect on the neighbouring property.

Application Number **08/01703/OUT**
Appeal Site **ODOORN LODGE RIVERFORD, ESTOVER CLOSE PLYMOUTH**
Appeal Proposal Outline application to develop part of garden by erection of detached dwelling
Case Officer Stuart Anderson

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 11/11/2009
Conditions
Award of Costs

Awarded To

Appeal Synopsis

Inspector agreed that the proposed development would result in the loss of visually important greenscape area. She also agreed that the site is unsustainable, being far from jobs, services, and bus routes. The site is accessed along a steeply sloping unlit private single track road where there are no footways or passing places, which would discourage walking and encourage car usage.

Application Number **08/02175/FUL**
 Appeal Site **86 MILEHOUSE ROAD STOKE PLYMOUTH**
 Appeal Proposal Develop part of rear garden by erection of a two-storey dwellinghouse
 Case Officer Stuart Anderson

Appeal Category REF
 Appeal Type Written Representations
 Appeal Decision Dismissed
 Appeal Decision Date 11/11/2009
 Conditions
 Award of Costs

Awarded To

Appeal Synopsis

Inspector felt that the impact on the amenities of 86 Milehouse Road would be limited. However, she felt that the proposal would add to the problem of parking congestion, as it is proposed that occupiers of the proposed dwelling would utilise one of the spaces in the double garage that was granted planning permission for the occupiers of 86 Milehouse Road (see planning application 08/01457/FUL), thus removing a parking space for the use of occupiers of number 86.

Application Number **09/00103/FUL**
 Appeal Site **33A SYDNEY STREET PLYMOUTH**
 Appeal Proposal Change of use, conversion and extension of workshop/store building to form two-storey dwelling
 Case Officer Stuart Anderson

Appeal Category
 Appeal Type Written Representations
 Appeal Decision Dismissed
 Appeal Decision Date 03/11/2009
 Conditions
 Award of Costs

Awarded To

Appeal Synopsis

The inspector agreed with the issues raised by the LPA. The proposed development would affect the amenities of adjoining occupiers, and would provide a substandard form of accommodation for future occupiers.

Application Number **09/00301/FUL**
 Appeal Site **GROUND FLOOR 60 MUTLEY PLAIN MUTLEY PLYMOUTH**
 Appeal Proposal Continuation of use of premises as a solarium and retail unit
 Case Officer Stuart Anderson

Appeal Category NOT
 Appeal Type Written Representations
 Appeal Decision Dismissed
 Appeal Decision Date 04/11/2009
 Conditions
 Award of Costs

Awarded To

Appeal Synopsis

The inspector commented that the vending machine and products available for purchase are clearly related to the main use of the premises as a solarium and directed at its users. The retail activity at the premises is clearly subordinate to the solarium use. He concluded that the solarium use harms the retail function of the Mutley Plain District Centre. The costs award against the LPA was refused, as the inspector felt that the LPA had not behaved unreasonably in refusing to have a meeting with the appellant, as the issue on the case was clear from the previous refusal and previously dismissed appeal, and the appellant would therefore not have learned anything new from a meeting.