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

www.plymouth.gov.uk/democracy

Date: 24/03/10 Telephone Enquiries 01752 307815 / 01752 304469 Fax 01752 304819
Please ask for Katey Johns / Ross Jago e-mail ross.jago@plymouth.gov.uk / katey.johns@plymouth.gov.uk

PLANNING COMMITTEE

DATE: THURSDAY 1 APRIL, 2010
TIME: 2.30 P.M.
PLACE: COUNCIL HOUSE, ARMADA WAY, PLYMOUTH

Committee Members –

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

Substitutes-

Any Members other than a Member of the Cabinet may act as a substitute member provided that they do not have a personal and prejudicial interest in the matter under review and have had the relevant training.

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

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

BARRY KEEL
CHIEF EXECUTIVE

PLANNING COMMITTEE

PART I (PUBLIC COMMITTEE)

AGENDA

1. APOLOGIES

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

2. DECLARATIONS OF INTEREST

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

3. MINUTES

(Pages 1 - 8)

The Committee will be asked to confirm the minutes of the meeting held on 4 March, 2010.

4. CHAIR'S URGENT BUSINESS

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

5. QUESTIONS FROM MEMBERS OF THE PUBLIC

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

6. PLANNING APPLICATIONS FOR CONSIDERATION

(Pages 9 - 10)

The Assistant Director of Development (Planning 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 22 TREVOSE WAY, EFFORD, PLYMOUTH 09/01650/FUL

(Pages 11 - 14)

Applicant: Mr. Daniel Devall
Ward: Efford and Lipson
Recommendation: Grant

- 6.2** 9 PLEASURE HILL CLOSE, PLYMSTOCK, PLYMOUTH
10/00199/FUL **(Pages 15 - 18)**
- Applicant: Mr. G. Luscombe
Ward: Plymstock Radford
Recommendation: Grant conditionally
- 6.3** FORMER PLYMOUTH COLLEGE PREPARATORY
SCHOOL, HARTLEY ROAD, PLYMOUTH 09/01930/FUL **(Pages 19 - 42)**
- Applicant: London and Westcountry Estates Limited
Ward: Peverell
Recommendation: Grant conditionally subject to S106 Agreement,
delegated authority to refuse in event of S106 not
signed by 14 April, 2010
- 6.4** PLYMOUTH AIRPORT APPROACH SITE, GLENFIELD
ROAD, PLYMOUTH 09/01652/REM **(Pages 43 - 56)**
- Applicant: Cavanna Homes (Cornwall) Ltd.
Ward: Moor View
Recommendation: Grant conditionally
- 6.5** ALSTON HOUSE, 2 PLYMBRIDGE ROAD, PLYMPTON,
PLYMOUTH 09/01900/FUL **(Pages 57 - 70)**
- Applicant: Alston Homes Ltd.
Ward: Plympton St. Mary
Recommendation: Grant conditionally subject to S106 Agreement,
delegated authority to refuse in event of S106 not
signed by 1 July, 2010
- 6.6** 163-191 STUART ROAD, PLYMOUTH 10/00093/FUL **(Pages 71 - 80)**
- Applicant: Mr. Frank Phillips
Ward: Stoke
Recommendation: Grant conditionally
- 6.7** LAND AT BELL CLOSE (EAST OF PARKSTONE LANE),
NEWNHAM INDUSTRIAL ESTATE, PLYMPTON,
PLYMOUTH 10/00174/FUL **(Pages 81 - 92)**
- Applicant: Mr. and Mrs. S. Rowland
Ward: Plympton St. Mary
Recommendation: Grant conditionally

7. PLANNING APPLICATION DECISIONS ISSUED (Pages 93 - 128)

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 19 February to 19 March, 2010, 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 129 - 130)

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 4 March 2010

PRESENT:

Councillor Lock, in the Chair.

Councillor Mrs Stephens, Vice Chair.

Councillors Mrs Bowyer, Delbridge, Mrs Foster, Nicholson, Roberts, Stevens, Thompson, Tuohy and Wheeler.

Apology for absence: Councillor Vincent

The meeting started at 2.30 pm and finished at 6.40 pm.

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

86. 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 Wheeler	90.3 Land at Kinterbury Square, Barne Barton, Plymouth 09/01836/ful	Objector application to	Prejudicial
Councillor Tuohy	90.3 Land at Kinterbury Square, Barne Barton, Plymouth 09/01836/ful	Tenant in North Prospect and involved with regeneration	Personal
Councillor Wheeler	90.4 Land adjacent to Foulston Avenue, Barne Barton, Plymouth 09/01837/ful	Objector application to	Prejudicial
Councillor Tuohy	90.4 Land adjacent to Foulston Avenue, Barne Barton, Plymouth 09/01837/ful	Tenant in North Prospect and involved with regeneration	Personal
Councillor Lock	90.6 Longcause School, Longcause, Plymouth 10/00010/ful	Attended and spoken at public meeting, objector to application.	Prejudicial
Councillor Delbridge	90.11 Plymouth Airport, approach site, Glenfield Road, plymouth 09/01652/rem	Member of Airport Consultative Committee	Prejudicial
Councillor Roberts	90.11 Plymouth Airport, approach site, Glenfield Road, Plymouth 09/01652/rem	Member of Airport Consultative Committee	Prejudicial

87. **MINUTES**

Resolved that the minutes of 4 February 2010 be confirmed as a correct record.

88. **CHAIR'S URGENT BUSINESS**

There were no items of Chairs' urgent business.

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

There were no questions from members of the public.

90. **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 90.2, 90.3, 90.4, 90.5, 90.6, 90.8, 90.10 and 90.11.

90.1 30 RAYNHAM ROAD, PLYMOUTH 09/01898/FUL

(Mrs A Hook)

Decision:

Application **GRANTED** conditionally.

90.2 HOLTWOOD, PLYMBRIDGE ROAD, PLYMOUTH 09/01559/FUL

(Mr and Mrs P Mayer)

Decision:

Application **REFUSED** for reasons contained within the report.

The case officer commented that there had been one letter received from the applicant since the publication of the addendum report. The applicant had not been satisfied with officer contact and they had not had sight of statutory consultee responses or been able to respond. The case officer told the committee that consultee responses would not have changed recommendation.

90.3 LAND AT KINTERBURY SQUARE, BARNE BARTON, PLYMOUTH 09/01836/FUL

(Devon & Cornwall Housing Association)

Decision:

Application **MINDED TO GRANT** conditionally subject to S106 Obligation, delegated authority for the Head of Development Management to determine on expiry of consultation period (delegated authority to refuse in event of S106 not being signed by 12th March 2010).

(At the invitation of the Chair, the Committee heard from Councillor Wheeler and Bowie, Ward Members, speaking against the application).

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

Councillor Wheeler declared a personal and prejudicial interest in respect of the above item and withdrew from the meeting.

90.4 LAND ADJACENT TO FOULSTON AVENUE, BARNE BARTON,

PLYMOUTH 09/01837/FUL

(Devon & Cornwall Housing Association)

Decision:

Application **MINDED TO GRANT** conditionally subject to S106 Obligation, delegated authority for the Head of Development Management to determine on expiry of consultation period (delegated authority to refuse in event of S106 not being signed by 12th March 2010)

The case officer tabled a further addendum with the following additional condition –

SURFACE WATER DRAINAGE

No development approved by this permission shall be commenced until details of a scheme for the provision of surface water management has been submitted to and approved in writing by the Local Planning Authority. The details shall include:-

- Details of the drainage during the construction phase
- A timetable of construction
- A construction quality control procedure
- Details of the final drainage scheme
- Provision for overland flow routes
- A plan for the future maintenance and management of the system.

Prior to operation of the site it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in accordance with the details agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

REASON:

To prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal in accordance with policies CS21 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

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

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

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

Councillor Wheeler declared a personal prejudicial interest in respect of the above item and withdrew from the meeting.

90.5 82 to 84 VAUXHALL STREET, PLYMOUTH 09/01867/FUL

(Sutton Harbour Property & Regeneration Ltd)

Decision:

Application **GRANTED** conditionally subject to the satisfactory completion of the S106 Obligation. Delegated authority to refuse the application should the S106 Obligation not be signed by the 4th May 2010.

The case officer explained that more time had been given to sign the S106 obligation as the obligation was identified late in the application process.

(At the invitation of the Chair, the Committee heard representations against

the application).

90.6 LONGCAUSE SCHOOL, LONGCAUSE, PLYMOUTH 10/00010/FUL

(Mr Mike Jelly)

Decision:

Application **DEFERRED** for further consideration of the widening of the access road and turning facilities. Authority for approval delegated to Vice Chair and nominated Labour and Conservative planning committee members.

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

Councillor Lock declared a personal prejudicial interest in respect of the above item and withdrew from the meeting.

Vice Chair Councillor Mrs Stephens took the Chair for the above item.

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

90.7 PATERNOSTER HOUSE, EFFORD LANE, EFFORD, PLYMOUTH 09/01749/FUL

(Sarsen Housing Association)

Decision:

Application **GRANTED** conditionally subject to the satisfactory completion of the S106 Obligation. Delegated authority to refuse the application should the 106 Obligation not be signed by the 22nd March 2010.

90.8 52A ORESTON ROAD, PLYMOUTH 09/01801/FUL

(Mr Terry Purdy)

Decision:

Application **GRANTED** conditionally.

90.9 ALSTON HOUSE, 2 PLYMBRIDGE ROAD, PLYMPTON, PLYMOUTH 09/01900/FUL

(Alston Homes Ltd)

Decision:

DEFERRED for site visit.

(Councillor Nicholson's proposal to defer for a site visit, having been seconded by Councillor Roberts, was put to the vote and declared carried).

90.10 LAND BOUNDED BY PLYMBRIDGE LANE, DERRIFORD ROAD AND HOWESON LANE, DERRIFORD PLYMOUTH 09/01888/OUT

(Pillar Land Securities Ltd)

Decision:

Application **GRANTED** conditionally subject to the satisfactory completion of the S106 Obligation. Delegated authority to refuse the application should the S106 Obligation not be signed by the 17th March 2010.

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

90.11 PLYMOUTH AIRPORT, APPROACH SITE, GLENFIELD ROAD, PLYMOUTH 09/01652/REM

(Cavanna Homes (Cornwall) Ltd)

Decision:

Application **DEFERRED** for further consideration of household density.

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

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

Councillors Delbridge and Roberts declared a personal prejudicial interest in respect of the above item and withdrew from the meeting.

91. **LOCAL DEVELOPMENT FRAMEWORK 2009 ANNUAL MONITORING REPORT**

The Committee received a presentation on the Local development framework annual monitoring report. The spatial planning officer reported on progress toward LDF targets, achievements of the department and committee and future objectives.

Resolved that the committee note the spatial planning officer's report and a electronic copy of the presentation is circulated amongst members.

92. **PLANNING APPLICATION DECISIONS ISSUED**

The Committee received a report of the Assistant Director of Development (Planning Services) on decisions issued for the period 23 January 2010 to 23 February 2010, including –

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

Resolved that the report be noted.

93. **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.

94. **EXEMPT BUSINESS**

There were no items of exempt business.

SCHEDULE OF VOTING (Pages 1 - 4)

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 – 4th March 2010

SCHEDULE OF VOTING

Minute No.	Voting For	Voting Against	Abstained	Excluded from voting due to Interests Declared	Absent
6.1 Raynham Road, Plymouth 09/01898/ful	Unanimous				Councillor Nicholson
6.2 Holtwood, Plymbridge Road, Plymouth 09/01559/ful	Unanimous				Councillor Nicholson
6.3 Land at Kinterbury Square, Barne Barton, Plymouth 09/01836/ful	Councillors Tuohy, Nicholson, Mrs Foster, Thompson, Mrs Bowyer, Delbridge, Roberts, Mrs Stephens, Lock		Councillor Stevens	Councillor Wheeler	
6.4 Land adjacent to Foulston avenue, Barne Barton, Plymouth 09/01837/FUL	Councillors Nicholson, Mrs Thompson, Mrs Bowyer, Mrs Delbridge, Mrs Stephens, Lock	Councillor Stevens	Councillors Tuohy, Mrs Foster, Roberts	Councillor Wheeler	
6.5 82 to 84 Vauxhall Street, Plymouth 09/01867/ful	Unanimous				Councillor Stevens
6.6 Longcause School, Longcause, Plymouth 10/00010/ful	Unanimous			Councillor Lock	Councillor Stevens

6.7 Paternoster House, Efford Lane, Efford, Plymouth 09/01749/ful	Unanimous				
6.8 Oreston Road, Plymouth 09/01801/ful	Councillors Wheeler, Tuohy, Stevens, Nicholson, Thompson, Mrs Bowyer, Delbridge, Roberts, Mrs Stephens, Lock.		Councillor Mrs Foster		
6.9 Alston House, 2 Plymbridge road, Plympton, Plymouth. 09/01900/ful	Unanimous				
6.10 Land bounded by Plymbridge lane, Derriford Road and Howeson Lane, Derriford Plymouth 09/01888/OUT	Unanimous				Councillor Mrs Foster
6.11 Plymouth Airport, approach site, Glenfield Road, Plymouth. 09/01652/rem	Unanimous			Councillor Delbridge and Roberts	Councillor Mrs Foster

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:	09/01650/FUL
Applicant:	Mr Daniel Devall
Description of Application:	Retention of rear conservatory
Type of Application:	Full Application
Site Address:	22 TREVOSE WAY EFFORD PLYMOUTH
Ward:	Efford & Lipson
Valid Date of Application:	13/11/2009
8/13 Week Date:	08/01/2010
Decision Category:	Member/PCC Employee
Case Officer :	Simon Osborne
Recommendation:	Grant
Click for Application Documents:	www.plymouth.gov.uk



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OFFICERS REPORT

Site Description

22 Trevoze Way is a two-storey mid-terrace dwelling located in the Efford area of Plymouth. The property lies on a slope that runs down from north to south and is bounded by adjoining residential properties to the north and south and by residential properties to the rear. There are boundary fences on each side.

Proposal Description

The application is for a rear conservatory measuring approximately 3.6 metres deep, 3 metres wide and 3.2 metres in height at the apex of the pitched roof. The conservatory has now been constructed.

Relevant Planning History

None relevant.

Consultation Responses

None requested.

Representations

No letters of representation have been received regarding this application.

Analysis

This application is brought to committee because, at the time the application was submitted, the applicant was a Plymouth City Council employee.

This application turns upon policies CS02 and CS34 of the Core-Strategy (2006-2021) 2007 and Supplementary Planning Document 'Development Guidelines'. The main issues to consider are the impact on neighbouring amenities and the impact on visual amenity as detailed below.

Although relatively large, the conservatory is considered to be relatively sympathetic in appearance to the main dwellinghouse. It is located at the rear of the dwelling and, although the roof can be seen from the highway to the south, it is not prominent within the streetscene and is not considered to detract from the character or visual appearance of the area, in accordance with CS02 and CS34.

The proposal has a relatively large projection and breaks the 45 degree guide with regard to the closest neighbouring window on the property to the south. However, only glazed high-level windows and the glazed pitched roof protrude above the height of the original boundary fence. It is considered that the proposal would not have an unreasonable impact on amenities in terms of light and outlook.

The high-level nature of the windows in the south elevation reduce the effect of overlooking and the property to the north is screened by the boundary fence. The conservatory is therefore not considered to lead to an unreasonable loss of privacy.

Therefore, in respect to the impact on neighbouring properties, the conservatory is considered to comply with policy CS34. It should also be noted that no letters of objection have been received.

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.

Equalities & Diversities issues

No further issues

Section 106 Obligations

N/A

Conclusions

This application complies with the relevant policies and is therefore recommended for approval.

Recommendation

In respect of the application dated **13/11/2009** and the submitted drawings, **Site Location Plan, Block Plan, Plans and Elevations**, it is recommended to: **Grant**

INFORMATIVE: PROPERTY RIGHTS

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

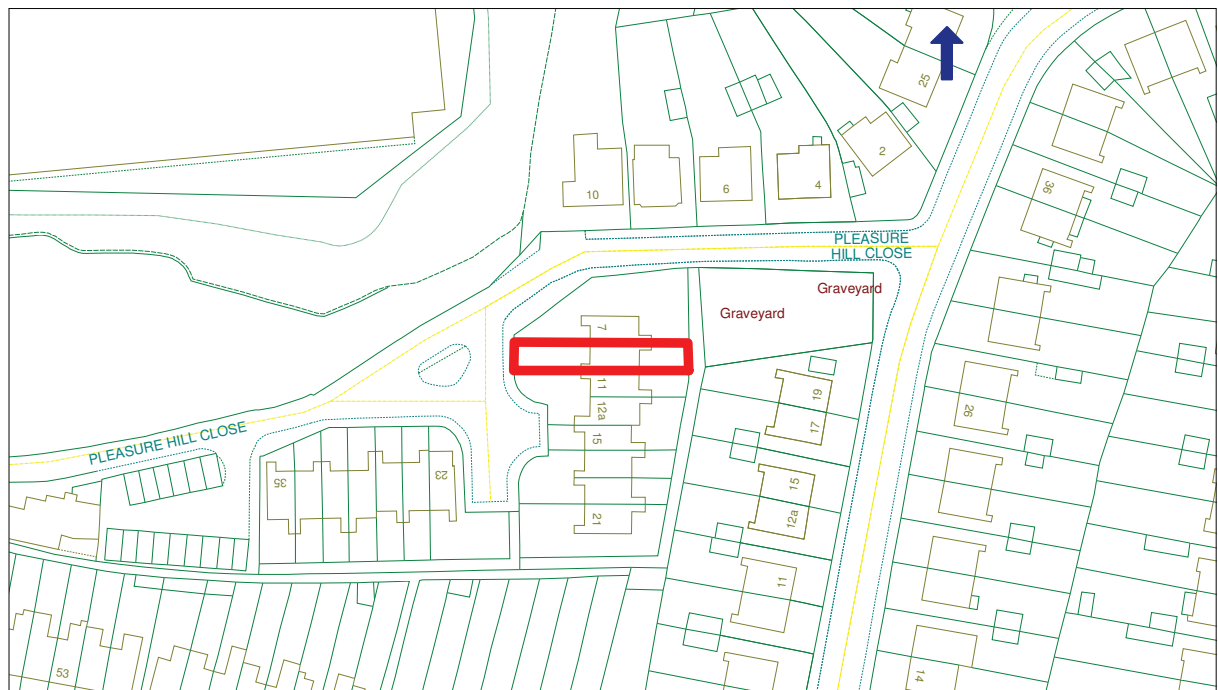
Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the impact on neighbours' amenities and visual amenity, the development is not considered to be demonstrably harmful. In the absence of any other overriding considerations, the 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:

CS34 - Planning Application Consideration
CS02 - Design
SPD1 - Development Guidelines

ITEM: 02

Application Number:	10/00199/FUL
Applicant:	Mr G Luscombe
Description of Application:	Single-storey rear extension
Type of Application:	Full Application
Site Address:	9 PLEASURE HILL CLOSE PLYMSTOCK PLYMOUTH
Ward:	Plymstock Radford
Valid Date of Application:	23/02/2010
8/13 Week Date:	20/04/2010
Decision Category:	Member/PCC Employee
Case Officer :	Simon Osborne
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



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OFFICERS REPORT

Site Description

9 Pleasure Hill Close is a two-storey mid-terrace property located in the Plymstock area of Plymouth. The property is bounded by adjoined properties to the north and south and a narrow footpath to the east (rear).

Proposal Description

The proposal is for a single-storey rear extension. The extension would measure approximately 3.48 metres deep and 4.56 metres wide. The extension would have a single pitch roof and have a maximum height of 4.7 metres.

Relevant Planning History

There is no previous planning history for 9 Pleasure Hill Close.

Consultation Responses

No consultations to consider.

Representations

No letters of representation have been received regarding this application.

Analysis

This application has been brought to committee because the applicant's wife is a council employee.

This application turns upon policies CS02 and CS34 of the Plymouth Local Development Framework Core-Strategy (2006-2021) 2007 and Supplementary Planning Document 'Development Guidelines'. The main issues to consider are the impact on neighbouring amenities and the impact on the character and visual appearance of the area as detailed below.

The proposal would not project significantly further or higher than the existing structure on the rear of No. 7 to have an unreasonable impact on the amenities enjoyed by the property. Although the extension is relatively large, the extension does not significantly break the council's 45 degree guide with regards to the large ground floor window found at number 11. Further to this, the extension would be located to the north of No 11 and therefore any loss of light or daylight should be limited. It is considered that, given the single-storey nature of the proposal, it would not adversely affect outlook or appear unreasonably overbearing when viewed from neighbouring properties. With respect to impact on residential amenities the proposal therefore complies with Policy CS34.

With regard to the impact on visual amenity, it is considered that the proposal is sympathetic in design, materials and scale to the existing dwelling and would not unreasonably detract from the appearance or character of the dwelling or surrounding area. In this respect the proposed extension therefore complies with policies CS02 and CS34.

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

Equalities & Diversities issues

No further issues.

Section 106 Obligations

N/A

Conclusions

This application is recommended for conditional approval.

Recommendation

In respect of the application dated **23/02/2010** and the submitted drawings, **10-0128/001/A, 10-0128/002/A, 10-0222/003**, it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

INFORMATIVE: PROPERTY RIGHTS

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

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the impact on neighbouring amenities and visual amenity, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed 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:

CS34 - Planning Application Consideration

CS02 - Design

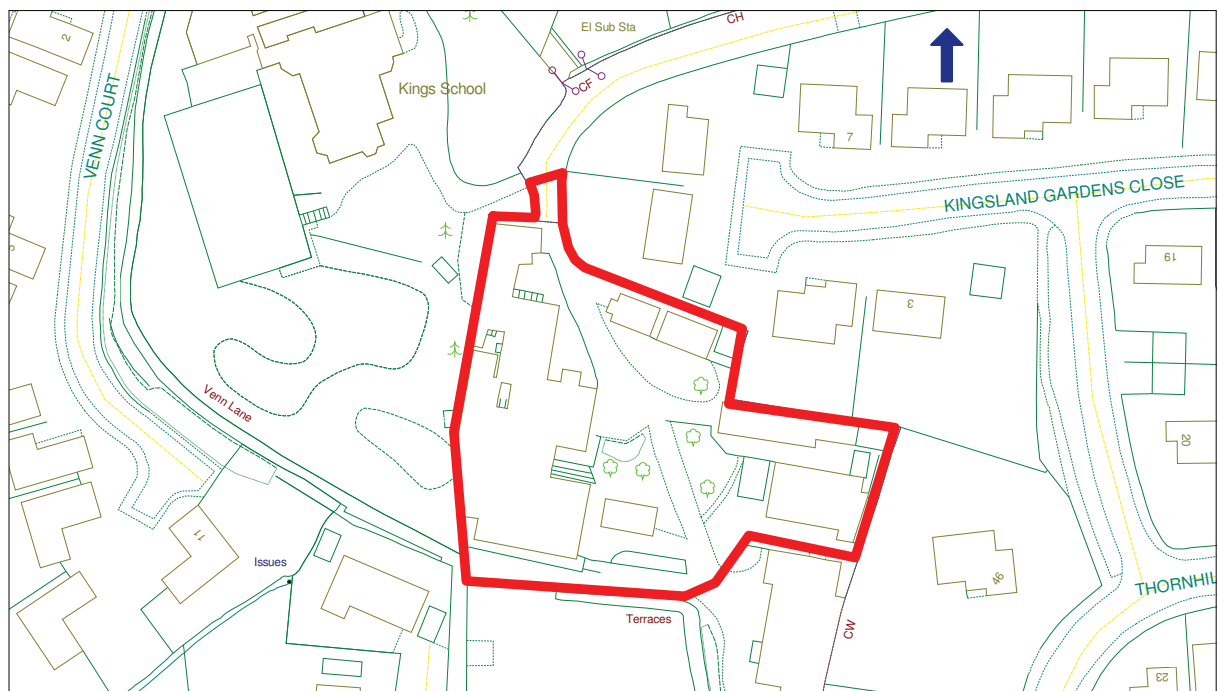
SPD1 - Development Guidelines

ITEM: 03

Application Number:	09/01930/FUL
Applicant:	London & Westcountry Estates Limited
Description of Application:	Demolition of existing buildings, conversion of gatehouse into two flats and erection of 12 houses, associated access road, parking and landscaping
Type of Application:	Full Application
Site Address:	FORMER PLYMOUTH COLLEGE PREPARATORY SCHOOL, HARTLEY ROAD PLYMOUTH
Ward:	Peverell
Valid Date of Application:	13/01/2010
8/13 Week Date:	14/04/2010
Decision Category:	Major Application
Case Officer :	Robert McMillan
Recommendation:	Grant Conditionally Subject to a S106 Agreement, Delegated authority to refuse in event of S106 not signed by 14 th April 2010.

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OFFICERS REPORT

Site Description

The site is part of the former Plymouth College Preparatory School site at the western end of the private Hartley Road. It has an area of 0.346 hectares. It forms the northern part of the site where the buildings are and has been split from the former playing field and Red House to the south. It is in a mainly residential area but adjoins Kings School on its western boundary. There are dwellings to the north, east, south beyond the playing field and south west.

A feature of the site and area is the presence of mature trees with those on the site, Kings School and Hartley Road all protected by tree preservation orders, numbers 59, 101 and 53 respectively. Another characteristic are the complicated levels with a significant fall of 11 metres from north to south.

The site comprises the former main Edwardian villa which is two/three storeys and the two storey gatehouse lodge, single storey gymnasium, changing rooms and link block, three single storey classrooms, garage and swimming pool. There is a stone and rendered retaining wall on the northern boundary. There are mature protected Beech, Turkey Oak, Sycamore and Yew trees on site. There are also mature trees adjoining the northern, eastern, south western and western boundaries.

Proposal Description

The proposal is to demolish all the buildings bar the lodge that will be converted into two 2 bedroom flats and build 12 new three bedroom houses comprising four detached, two semi-detached and six terraced. These would be grouped around the new road that would use the existing access, go through the position of the villa and dog leg round to the east with turning heads by the protected Beech and Yew and Turkey Oak trees. The six houses on the northern and eastern part of the site would be two storeys but owing to levels plot 3 would be split level and be single storey at the rear. The six terraced houses on the southern part of the site are split level being single storey with dormer windows at the front and two storey with dormer windows at the rear.

The architects are employing traditional designs and are proposing rendered walls with fibre cement weather boarding and reconstituted slate roofs with UPVC window frames and doors.

The applicant has also submitted a drawing showing improvements to Hartley Road which lacks footways. A footway would be provided on the northern side at the western end of the road. The main part of the road would have timber bollards every 4 metres to segregate the pedestrians from the vehicles.

Relevant Planning History

07/00867 – FULL - Formation of vehicular access to service lane r/o 54 Thornhill Road – GRANTED.

07/00041 – FULL - Formation of vehicular access to Beechfield Grove and service lane r/o 54 Thornhill Road – REFUSED.

05/02044 - OUTLINE - Development of former school site by the erection of 24 dwellings (with associated access roads and parking areas) and a new community sports hall/gymnasium – REFUSED.

Consultation Responses

Highways Agency

No objections.

Local Highway Authority

No objections provided the gradient issue can be resolved. Any conditions will be included in the addendum report. Detailed comments are given in the “Analysis” section under “Transport and highways”.

Housing Strategy

Objects strongly to the lack of affordable housing. There is a need to provide affordable housing (AH) to comply with policy CS15. The applicant owns the adjoining site and so policy CS15 should apply. Previously pre-application discussions involved the application site and adjoining playing field as one site. More recently the applicant has split the site. Housing Strategy (HS) believes the owner of the playing field is either a subsidiary or connected to the applicant. Housing Strategy has consistently argued that such sub-division should resisted to avoid having to provide AH. The applicant was informed of the AH requirement in 2008. Officers offered to negotiate further but the applicant has not come back to them. Given the recent history and sub-division HS believes that the applicant should provide 5 affordable units.

If the application is supported by a development appraisal on viability grounds this does not mean that the Council has to depart from policy especially when HS thought the market recovery site was for all of the land including the playing field. HS is prepared to be flexible but the applicant has not negotiated with HS for some time. It accepts that sites of strategic importance may not be able to provide all of the community benefits. This is not such a site.

The lack of AH does not advance balanced communities as there is a lack of AH in Hartley and Mannamead.

The proposal should provide three Lifetime Homes to comply with policy CS15.

Architectural Liaison Officer

No objections but the application would wish to see the footpath behind plots 9-13 fitted with a secure gate. The site should have suitable boundary treatment of at least 1.8m in height. The applicant should aim to achieve parts 1 and 2 of Secure by Design which would be easily achievable.

Representations

There are eight letters of representation from seven properties raising the following points:

1. The distance between 17 Beechfield Grove and plot 14 is 18.5 metres and not 21 metres;
2. Plot 6 is too high;
3. The parking spaces by plot 6 are too close to the boundary;
4. There should not be overlooking;
5. Possible damage to the boundary wall behind 3-5 Kingsland Gardens Close and subsidence;
6. Removal of very long standing sheds supported by the wall might affect it;
7. If permission is granted great care should be taken to retain the integrity of the wall;
8. Hartley Road is unsuitable to take the traffic from the new houses, there are no footways or lights and it is hazardous for pedestrians, children and pupils of Kings School;
9. The transport statement is flawed, it fails to account for the previous use of the entrance from Beechfield Grove which many of the pupils used, the traffic generation is an under-estimate. The proposed improvements to Hartley Road would pose a traffic hazard and available space for on-street parking would be reduced. The school did not generate traffic during school holidays and at weekends and it fails to account for the 60 bed care home at Trengweath;
10. Inadequate parking causing on-street parking on Hartley Road;
11. Increased danger at the junction of Hartley Road and Mannamead Road;
12. Traffic noise and nuisance;
13. The bats and owls should not be harmed;
14. Disturbance during construction;
15. The lime and sycamore in the south west corner of the site need pruning;
16. The cycle route to the south into the former playing field could accommodate a road;
17. Pressure to develop the former playing field especially as there is permission for access to it from Beechfield Grove;
18. The architectural and historic character of the buildings should be assessed;
19. Developer's may experience problems with the Stonehouse Leat that might be on the site;
20. Objects to the previous permission for access to the playing field;
21. The ownership of Hartley Road is not known which causes problems over its maintenance; and
22. Loss of view of the Sound.

Kings School states that:

1. It is pleased with the proposed traffic calming measures;
2. Welcome the offset balconies;
3. The school should not be overlooked; and

4. There could be disruption during the construction phase – there is a need for a traffic management plan – would wish to be involved in discussions on this with the developer.

The Cycling Touring Club objects:

1. The transport statement does not refer to all the nearby local facilities;
2. There is an opportunity to provide a link to the footpath and advisory cycle link west of the site by ploy 14;
3. If the playing field is developed a cycle link should be provided to Beechfield Grove/Abbotts Road.

Analysis

Introduction

The main issues with this case are: the principle of redeveloping part of the former school site for housing; impact on the protected trees; design and density; effect on residential amenity; transport, nature conservation and affordable housing. The key policies relating to the development are CS01 – Development of Sustainable Linked Communities, CS15 – Overall Housing Provision, CS18 – Plymouth’s Green Space, CS02 – Design, CS33 – Community Benefits / Planning Obligations and CS34 – Planning Application Considerations.

The proposal has been submitted under the Plymouth Market Recovery Action Plan initiative launched by the Planning Service on 22nd October 2008. The Plymouth Market Recovery Action Plan (MRAP) is an officer-level approach to negotiating community benefits on planning applications submitted between 14th October 2008 – 31st December 2009 on selected sites to help stimulate the local economy. The Plymouth Market Recovery Action Plan works within the existing planning policy framework established by the Local Development Framework Core Strategy adopted in April 2007 and all subsequent Area Action Plans.

Following a “call for sites” this site is one of 16 sites that were submitted by the deadline of 22nd December 2008 and which have been accepted for consideration under the initiative. In being accepted under the initiative the applicant has submitted a viability appraisal, agreed to accept a two year consent and contribute 50% of the tariff requirement.

It is a difficult site to develop given the recent planning history, the complicated levels and the number of mature protected trees on and adjoining the site. Consequently there have been extensive pre-application negotiations that started last year with the applicant presenting the first sketch scheme in August.

Principle of redevelopment of this part of former school site

The Preparatory School relocated to Millfields in 2005. Policy CS14 allows for the redevelopment of redundant school sites provided it supports the creation of sustainable linked communities and green spaces and playing pitches are protected. When the site was first selected in the MRAP it included the whole

site including the playing field. The applicant subsequently sub-divided the site and the Planning Service corporately decided to consider the sites separately. This was a pragmatic and practical decision because the previous refusal – 05/02044 had seven reasons for refusal three of which related to the southern part on loss of the playing field, loss of Greenscape land and the impact of an access road on the hedgebank and trees bordering Beechfield Grove and the public footpath. With the sites separated it will be a more challenging exercise to manage and find a positive use for the remaining land.

The application site is previously developed land and will provide family housing at a sustainable location close to the main bus route corridor along Mannamead Road and will help to maintain the local centre at Henders Corner to comply with policy CS01. The addition of 14 dwellings will assist, albeit in a small part, to help to achieve the ambitious growth agenda in accordance with the first part of policy CS15.

Impact on trees

There are six protected trees on the site comprising the dominant Purple Beech, three Turkey Oaks, a Sycamore and a young Yew. The Lime is just outside the south west corner. There are also mature trees to the north, east and west. The different levels within the site make it a difficult one to develop. The tree report states in the summary that:

“There are some complicated features directly adjacent to trees including retaining walls and severe level changes which make the site technically challenging in respect of its tree-sensitive development.”

Officers have spent much time with the agents and the applicant's tree consultant working on achieving a scheme that protects the trees to be retained. During the report preparation an issue of gradients came to light that the applicant is addressing. It is believed that a solution can be achieved to satisfy the local highway authority without prejudicing the health of the trees. Officers will update members on this matter at the meeting. The applicant's tree consultant has carried out extensive below ground investigation work to assess where the root systems are to ensure they would not be damaged.

The southern Turkey Oak by plots 8 and 9 will require removal as it is relying on the adjoining retaining wall for support and cannot be retained in this scheme. When previous development proposals were considered the tree officer reluctantly agreed that the tree could be removed subject to its replacement. It is not possible to do this on site so the applicant has agreed to make a contribution to provide a replacement tree off site at a location that has still to be agreed and this is a term in the section 106 agreement.

The applicant is to be commended on the attention it has paid to the tree issues and officers believe that the scheme should not cause undue harm to the trees in compliance with policy CS18.

Design and density

The site has been vacant for five years and is deteriorating and suffering from vandalism. During pre-application discussions and because of the site's difficulties officers suggested alternatives such as: retaining the main villa; developing the site for an institutional use, an apartment scheme or a fewer number of larger dwellings; and developing the footprints of the existing buildings. The applicant rejected these options mainly on viability reasons, market conditions and to avoid overlooking to Kings School.

The access is from Hartley Road and dog legs round to the east ending in turning heads to avoid the trees. The gatehouse lodge will be retained as it has intrinsic character, adds to the quality of the development and provides a link to the local history of the site. The new houses group around the street with parking in front. The agents have estimates that the site coverage of buildings will drop from 42% to 22% to provide a more open aspect.

The 14 dwellings gives a density of 40.5 dwellings per hectare (dph) in an area that ranges from 11 dph to the east, 30dph to the west and 35 dph to the south. The density would be higher than the existing density. Strategic objective 10.2 states that development should be at the highest density commensurate with achieving an attractive living environment. PPS 3 states in paragraph 50 that:

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

Given the previous site coverage of buildings on the site this is considered to be acceptable.

The architects have opted for traditional style of family housing with a mix of detached semi-detached and terraced which reflects the character of the surrounding area. The buildings have pitched roofs, front gables and dormers to provide a sense of rhythm to the street scene. They are suggesting a palette of materials of render, fibre cement cladding red brickwork and reconstituted slate roofs. Officers have some concerns over these particularly red brick which, although used nearby, is not locally distinctive and would wish to reserve the exact choice of materials by condition. Subject to this caveat the design is acceptable to accord with policies CS01, CS02 and CS34 and Design SPD.

Residential amenity

The impact on most of the surrounding properties is mitigated by the change in levels and the boundary treatment. Plots four and five face the side elevation of 5 Kingsland Gardens Close and are 16 metres away from the main house (13m from the side extension) and set down at a lower level of about 5 metres. This is a satisfactory relationship. There is a large window in the garage/outbuilding at this property right on the boundary overlooking plot

five. This is not reason to prevent the proposed development from occurring. If permission is granted the occupiers would buy the property knowing of this relationship and they might wish to take measures to improve their privacy preferably in discussion with their neighbours.

The flank wall of plot six is 12.6 metres from the back of 4 Kingsland Gardens Close and 17metres from 3 Kingsland gardens Close. It is lower than No 4 by about 4.5 metres and will read as single storey with a pitched roof from these properties. This is an acceptable relationship.

Plots 6 - 8 lie to the side of 46 Thornhill Way with a distance of 17.5 metres from the back of plot eight to the side of No 46. Furthermore there is an extremely effective screening of evergreen hedge/trees on the eastern boundary with No 46. so that when on site, it is difficult to see this adjoining property. If some of the hedge/trees fall within the application site a condition will be attached to retain it to protect the adjoining property's and proposed plots' privacy. This is an acceptable relationship.

The more difficult relationship is between plot 14 and 17 Beechfield Grove as the existing bungalow is at a much lower level than plot 14. Currently No 17 is dominated by the school with the single storey gymnasium and tall three storey villa dominating the rear outlook from No 17. The gymnasium is on a raised plinth and is about 6 metres high and is 13.5 metres from No 17. The villa is 10 metres tall but rises from a ground level only just below the top of the gymnasium. It is 31 metres from No 17. The applicant has set back plot 14 from the other five houses in the terrace so that it is 5.9 metres further away from No17 than the gymnasium. The relationship is not back to back as they are offset from each other. The overlooking distance from the rear of plot 14 to the nearest rear bedroom window in No 17 is 21 metres. This accords with the Council's basis guideline. The emerging Development Guidelines SPD advises increasing the distance where there are changes in levels. In this case it is not possible to achieve this. The adjoining occupier has been used to adjoining a site with dominant buildings close to the western boundary that until 2005 was used as a school.

The rear of No 17 will be facing a two storey building with a dormer window 10.5 metres tall with an eaves height of 5.9 - 6.8 metres. It is difficult for the applicant to reduce the height of the building because it is split level and is only single storey with dormers at the front. The design includes a "winged" screen wall which will reduce the overlooking. The applicant will also build up the western boundary wall and remove the side kitchen/breakfast window. The sycamore tree will provide some screening effect when in leaf. Officers asked the applicant to consider further measures to try to reduce the impact of the development on 17 Beechfield Grove. It has agreed to set the building further away from No 17 by 900mm, changing the gable ends to half hip-ends and changing the western dormer to a roof light. These changes are welcome and will help to mitigate further the impact on No 17 Beechfield Grove.

The proposed properties will have a reasonable level of amenity in terms of space, privacy, outlook and gardens. Plots 9 - 14 have basement dining areas

with no natural light to the north but will “borrow” light from the living room southern French windows.

For these reasons the residential amenity of the existing and proposed dwellings is acceptable in compliance with policies CS02, CS15 and CS34.

Transport and highways

The transport statement's (TS) estimated combined morning peak trips for the school when it was in use of 151 is considered on the high side as previous surveys revealed the number was about 100. The morning peak coincides with the general traffic peak. The afternoon peak differs as for the school it was 3.00-4.00pm compared with the general peak of 5.00-6.00pm. The TS estimates 120 combined trips for the evening peak. This is a large over-estimation and a more realistic figure is about 14 combined trips. This is much lower but still more than the residential estimate of nine for the proposal.

21 parking spaces are provided on site which is in accordance with the parking standards.

The local highway authority (LHA) was concerned about the steep gradients of the turning heads of 1 : 5 by the trees. This was done to protect the trees' roots but would make them unusable by larger vehicles including refuse lorries. These slopes will need to be reduced to 1 : 8 to be acceptable. Officers met with the applicant and it appears that this could be achievable without harming the trees.

The road cannot be adopted as it joins a private road and will have to be maintained by a management company.

There is scope to provide a footway/cycle way link to the playing field to the south should this be developed.

The applicant is proposing pedestrian improvements to Hartley Road. This is privately owned so third party consent is required and their provision will be secured by a “prior occupation” condition.

For these reasons it is considered that the application would not cause increased risk of danger or congestion on the highways and it complies with policy CS28.

Residents concerns on the transport statement and works to Hartley Road

Some of the residents have queried the transport statement and raised concerns on the effect of the pedestrian improvement works to Hartley Road. The local highway authority (LHA) has responded to these.

Traffic Impact

The use of TRIC's (which is a national database of traffic survey data for a number of different land use sites) to determine trip rates is a nationally recognised method used by both the private and public sectors alike. The site

selection criteria used by Scott Wilson for determination of the residential trip rates are appropriate for this site and consequently the LHA has no concerns in respect of the trip rates that have been determined for the residential use (around 0.50 per unit).

While it is acknowledged that the Scott Wilson trip rate for the existing school use was a little high, traffic data submitted from the preparatory school in relation to an earlier application revealed that the school generated around 48 trips on Hartley Road in the am and pm peak periods and a further 40 on Beechfield Grove. This is considerably greater than the 7 movements that the residential will attract in the morning and pm peak periods.

Reference has been made to the Trengweath site on Hartley Road. The planning application submitted in support of that site revealed that the change of use from a special needs school to a care home would also result in a considerable reduction in traffic movements and would require few car parking spaces in order to function. Consequently this is not considered to be an issue.

Pedestrian Improvements

The provision of a pedestrian route on one side of Hartley Road is considered to be a significant improvement upon the current situation where there are no dedicated pedestrian facilities. It is noted that there is no street lighting along the entire length of Hartley Road and therefore the provision of a footway will undoubtedly improve pedestrian safety for those existing pedestrian who use this road.

Whilst it is accepted that the width of the Hartley Road carriageway narrows in several locations, the plan of pedestrian improvements produced by Scott Wilson maintains a carriageway width of 4.7m at the narrowest point which would provide sufficient space to allow 2 vehicles to pass one another. This is consistent with advice/guidance contained in Manual for Streets which recommends that a carriageway width of 4.1m would still be sufficient to allow 2 vehicles to pass.

Whilst it is accepted that some on-street car parking takes place along Hartley Road, the creation of the footway and narrowing of the carriageway is likely to discourage on-street kerbside parking from taking place as the amount of space made available for parking will have been reduced.

Affordable housing

Housing Strategy is objecting because the site has been subdivided in the period during its involvement with the land. Officers understand this opinion as the Council is seeking to achieve an adequate supply of affordable housing especially in areas under-provided in this type of housing in the Hartley/Mannamead and Peverell neighbourhoods. The sub-division could be seen as a way to circumvent the policy. Paragraph 5.17 of the Planning Obligations and Affordable Housing SPD - First Review 2009 states that the Council will seek to ensure that the spirit of the policy is not avoided by the artificial sub-division of sites. The number of dwellings is 14 which is just

below the trigger. There are valid reasons to treat the site separately from the playing field in order to achieve deliverability as stated at the start of this report.

Furthermore paragraph 10.32 of the Core Strategy states that a lower amount of affordable housing (AH) could be justified if the policy content made a scheme unviable. The applicant has submitted a development appraisal with various scenarios. Based on the actual price of the land there would be a substantial loss. By applying a market land value the scheme with the reduced tariff would only just about be viable. If the applicant had to provide 4-5 affordable units it would make the scheme even more unviable with the reduced revenue from the AH dwellings. The Planning Service corporately believes that determining the northern part of the former school site in this instance is acceptable.

Lifetime Homes

The applicant will provide three lifetime homes in accordance with policy CS15.

Nature conservation

The applicant undertook a full ecological survey and did not identify any habitats of special note as most of the site is covered with buildings or hard surfacing. Common pipstrelle bats were seen flying and foraging on the site and entering the north side of the main villa just before sunrise. The trees might contain crevices that could be suitable for itinerant bats.

It is an offence to damage, destroy or block access to a bat roost or cause disturbance to them. The applicant may require a bat licence from Natural England if the works would destroy a bat roost or other impacts that would be an offence. The Extended Phase 1 Habitat Survey gives recommendations for a mitigation package. This should form the basis for mitigation measures that will be required by condition. Subject to adequate mitigation the protected species will be safeguarded in compliance with policy CS19.

Renewable energy

The proposal will produce 10% on site renewable energy production by the use of solar thermal panels on plots 6 – 14 to comply with policy CS20.

Boundary wall

Some of the adjoining owners are concerned that the development could affect the integrity of the boundary wall which performs a retaining function. This is a private civil matter and the applicant knows its responsibilities and the matter is made aware of its obligations by way of informative.

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.

Equalities & Diversities issues

The houses are designed for use by all groups of society with three Lifetime Homes that can be readily adapted for people with disabilities and mobility difficulties. All the houses have gardens where young children can play. No affordable housing is provided but the development falls under the qualifying target of 15 dwellings. It will not have a negative impact on any group.

Section 106 Obligations

The site is part of the Market Recovery Action Plan and so liable to a reduced tariff contribution subject to a substantial start being made on the development within two years. The full tariff requirement is £160,672. The 50% discount gives a sum of £80,336. This would be phased with half paid when work begins on the development and the remainder when work begins above ground level on the sixth house. The applicant also agrees to contribute £450.00 for planting a replacement tree off-site. The management fee is £4,039.

Conclusions

This has been a difficult site to develop given the constraints of the protected trees, complicated levels and adjoining properties. The applicant, its architects and consultants have worked hard with officers to produce a scheme that safeguards the protected trees, and residential and visual amenities of the area. The development will not cause increased risk of danger on the highway and the pedestrian improvements to Hartley Road are a highway safety benefit. The ecological report states that the bats can be protected by mitigation measures that will be required by condition. It is unfortunate that the former school site has been split and the application site falls just under the qualifying number of dwellings for affordable housing. It leaves the residue issue of the future use and management of the former playing field and Greenscape area. But the advantages of the proposal are that it will put a site falling into dilapidation to a positive and beneficial use and help in a small way to stimulate the City's development industry. The proposals are considered to be acceptable and the recommendation is to grant permission but to refuse if the section 106 agreement is not completed by 14 April 2010 by failing to provide adequate community benefits.

Recommendation

In respect of the application dated **13/01/2010** and the submitted drawings, **635/300, 635/301A, 635/302B, 635/520A, 635/521B, 635/320B, 635/321A, 635/322B, 635/323B, 635/324A, 635/325A, 635/326A, D115462/T/001/01, design and access statement, transport statement, land contamination risk assessment, arboricultural implications assessment, tree root investigation report, extended phase 1 habitat survey, and renewable energy assessment study**, it is recommended to: **Grant Conditionally Subject to a S106 Agreement, Delegated authority to refuse in event of S106 not signed by 14th April 2010.**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 2 YEARS

(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.

LAND QUALITY

(2) 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 sections 1 to 3 of this condition 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 section 4 has been complied with in relation to that contamination.

1. Site Characterisation

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,

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, CLR 11'.

2. Submission of Remediation Scheme

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 2009 contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

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.

4. Reporting of Unexpected Contamination

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 section 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section 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 section 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 to comply with policies CS34 and CS22 of the Adopted Plymouth Core Strategy Development Plan Document.

CODE OF PRACTICE

(3) Prior to the commencement of the development hereby approved, a detailed management plan for the demolition/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.

LANDSCAPE DESIGN PROPOSALS

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

Reason:

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

SOFT LANDSCAPE WORKS

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

Reason:

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

LANDSCAPE WORKS IMPLEMENTATION

(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.

LANDSCAPE MANAGEMENT PLAN

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

Reason:

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

MAINTENANCE SCHEDULE

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

Reason:

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

STOCKPILING/PROT. OF EXISTING TOPSOIL

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

Reason:

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

EXISTING TREE/HEDGEROWS TO BE RETAINED

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

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

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

(c) The erection of fencing for the protection of any retained tree or hedgerow shall be undertaken in accordance with the approved Arboricultural Implications Assessment, Method Statement and Tree Protection Plan and with Section 9 of BS 5837:2005 (Guide for Trees in relation to construction) before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground areas within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason:

To ensure that trees or hedgerows retained in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 are protected during construction work and thereafter are properly maintained, if necessary by replacement.

ARBORICULTURAL METHOD STATEMENT

(11) The arboricultural method statement shall be updated to account for the changes to the road and turning head gradients and detail how the protected trees, subject to the Tree Preservation Order, are to be protected during construction. It should include measures for protection in the form of barriers to provide a 'construction exclusion zone' and ground protection in accordance with Section 9 of BS: 5837 and the work on site relating to the trees, In particular the construction of the turning head, shall be supervised by a competent arboriculturalist.

Reason:

The site is very constrained and it is important to ensure that these protected trees are not inadvertently damaged during the development process to comply with policy CS18 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

DETAILS OF BOUNDARY TREATMENT

(12) 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 any of the dwellings hereby permitted is occupied. Development shall be carried out in accordance with the approved details.

Reason:

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

DETAILS OF ENCLOSURE AND SCREENING

(13) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority details of all means of

enclosure and screening to be used. The works shall conform to the approved details and shall be completed before the development is first occupied.

Reason:

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

STREET DETAILS

(14) 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 dwelling 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.

COMPLETION OF ROADS AND FOOTWAYS

(15) All roads and footways forming part of the development hereby permitted shall be completed in accordance with the details approved under condition 14 above before the first occupation of the penultimate dwelling.

Reason:

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

ACCESS (CONTRACTORS)

(16) 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.

ACCESS ROAD GRADIENT

(17) No part of the access road or turning heads shall be steeper than 1 in 8 at any point.

Reason:

To ensure that all vehicles can use the access road and turning heads safely and conveniently to comply with policies CS28 and CS34 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

CAR PARKING PROVISION

(18) The development shall not be occupied until space has been laid out within the site in accordance with the Approved plan for a maximum of 21 cars to be parked.

Reason:

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

PROVISION OF PARKING AREA

(19) Each parking space shown on the approved plans shall be constructed, drained, surfaced and made available for use before the unit of accommodation that it serves is first occupied and thereafter that space shall not be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CAR PARKING RESTRICTION

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

Reason:

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

EXTERNAL MATERIALS

(21) Not all of the materials shown to be used in the submitted application are approved. 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

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

Reason:

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

RESTRICTIONS ON PERMITTED DEVELOPMENT

(23) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order or the 1995 Order with or without modification), no development falling within Classes A - F of Part 1 of the Schedule (2) to that Order shall be carried out unless, upon application, planning permission is granted for the development concerned.

Reason:

In order to protect the residential amenities of the existing adjoining and proposed dwellings in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

NATURE CONSERVATION MITIGATION MEASURES

(24) Details of the mitigation measures to protect the bats and any reptiles that might be present on the application site and the timetable for their implementation shall be submitted to and approved by the local planning authority before work begins on the development hereby permitted. These will be based on the Interpretation and Recommendations section in the submitted Extended Phase 1 Habitat Survey. These works shall be carried out in accordance with the approved details.

Reason:

To safeguard the protected species that are present on the application site to comply with policy CS19 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

STREET LIGHTING

(25) Details of the street lighting shall be submitted to and approved by the local planning authority before it is installed. The street lights shall be installed in accordance with these details.

Reason:

To safeguard the protected bats that are present on the application site to comply with policy CS19 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

NOISE

(26) All dwellings should be constructed so that the living rooms and bedrooms meet the good room criteria as set out in BS 8233:1999

Reason:

To protect any future occupants and neighbours from any unwanted noise disturbance to comply with policy CS22 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

EASTERN BOUNDARY TREATMENT

(27) If any of the hedge on the eastern boundary with 46 Thornhill Way is within the application site it shall be retained to a minimum height of 5 metres above ground level permanently. If any of the trees die, are felled or become diseased they shall be replaced with similar evergreen quick growing species.

Reason:

To protect the privacy of the adjoining property and proposed properties to comply with policy CS34 of the City of Plymouth adopted Core Strategy Development Plan Document.

RENEWABLE ENERGY

(28) The applicant/developer shall provide the on-site renewable energy production to off-set at least 10% of predicted carbon emissions as set out in the accompanying Renewable Energy Assessment Study, 635/RES/01v2.0, February 2010.

Reason:

To off-set the carbon emissions from the development to comply with policy CS20 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

LAND QUALITY INFORMATIVES

(1) The management plan required by condition 2 shall be based upon the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web-pages, and shall include sections on the following:

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

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

INFORMATIVE: TIMING OF DEMOLITION WORKS AND LIAISON WITH KINGS SCHOOL

(2) Given the site is adjacent to a primary school, should it be possible to carry out the demolition of buildings adjacent to the school site to outside of term/school hours this option should be used. The applicant is advised to liaise with Kings School on the arrangements and traffic management scheme during the construction phase.

INFORMATIVE: PROPERTY RIGHTS

(3) The Applicant/Developer is advised that this grant of planning permission does not over-ride private property rights or their obligations under the Party Wall etc. Act 1996 with specific reference to its obligations not to damage the retaining boundary walls or weaken its retaining function.

INFORMATIVE: BAT LICENCE FROM NATURAL ENGLAND

(4) The applicant is advised that it will need to apply for a licence to destroy a bat roost which will require a bat licence from Natural England. Appropriate mitigation will need to be in place (including the provision of an alternative roost) and should be incorporated into the mitigation strategy. Natural England take approximately 30 working days to process licence applications and they can only be submitted once Planning Permission has been given.

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 redeveloping part of the former school site for housing; impact on the protected trees; design and density; effect on residential amenity; transport, nature conservation and affordable housing, 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:

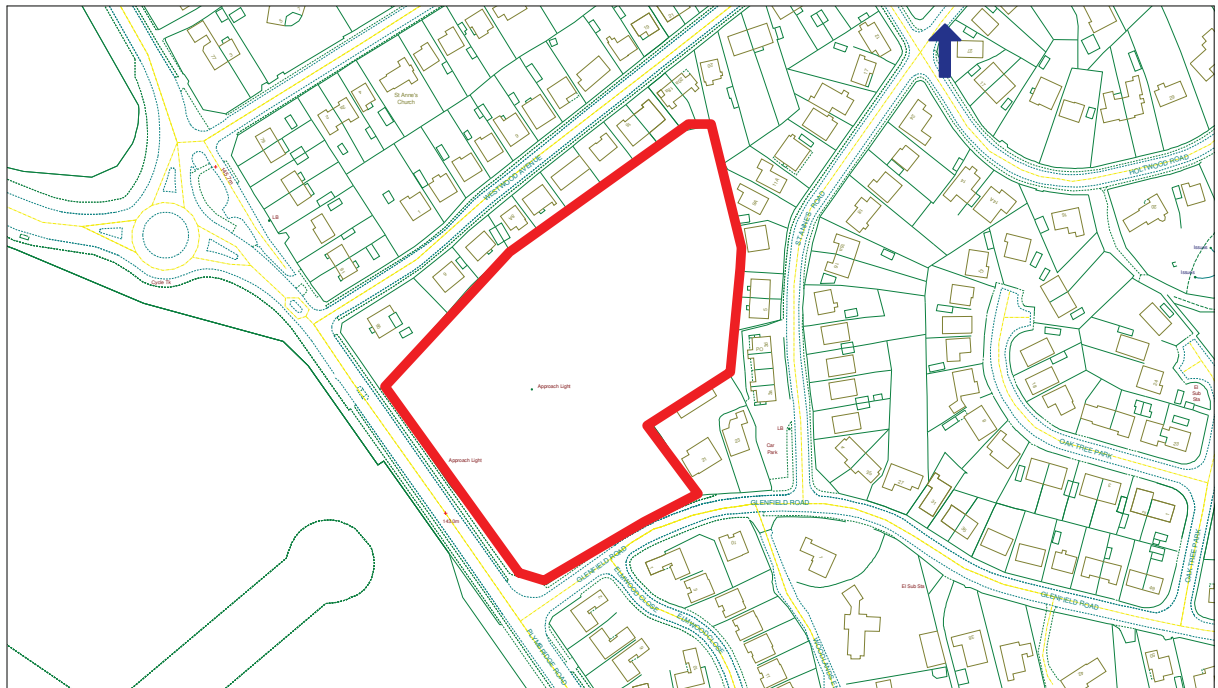
PPG13 - Transport
PPS3 - Housing
PPS1 - Delivering Sustainable Development
CS28 - Local Transport Consideration
CS32 - Designing out Crime
CS33 - Community Benefits/Planning Obligation

CS34 - Planning Application Consideration
CS22 - Pollution
CS14 - New Education Facilities
CS18 - Plymouth's Green Space
CS19 - Wildlife
CS20 - Resource Use
CS01 - Sustainable Linked Communities
CS02 - Design
CS15 - Housing Provision
CS16 - Housing Sites
SO11 - Delivering a sustainable environment
SO2 - Delivering the City Vision
SO3 - Delivering Sustainable Linked Communities
SO4 - Delivering the Quality City Targets
SO9 - Delivering Educational Improvements
SO10 - Delivering Adequate Housing Supply Targets
SO14 - Delivering Sustainable Transport Targets
SO15 - Delivering Community Well-being Targets
CS26 - Sustainable Waste Management
SPD2 - Planning Obligations and Affordable Housing
SPD1 - Development Guidelines

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ITEM: 04

Application Number:	09/01652/REM
Applicant:	Cavanna Homes (Cornwall) Ltd
Description of Application:	Approval of reserved matters of layout, scale, appearance, access and landscaping for the erection of 72 dwellings, highways, drainage, landscaping and openspace.
Type of Application:	Reserved Matters
Site Address:	PLYMOUTH AIRPORT APPROACH SITE GLENFIELD ROAD PLYMOUTH
Ward:	Moor View
Valid Date of Application:	10/12/2009
8/13 Week Date:	11/03/2010
Decision Category:	Major Application
Case Officer :	Robert McMillan
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



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OFFICERS REPORT

This is re-reported to committee following members' decision to defer this application at the last meeting. The report is based on the previous one and addendum report with the new parts in bold font.

Site Description

The site is the Plymouth City Airport Runway Approach land, (known as the pony or horse paddock), bounded by Glenfield Road, Plymbridge Road, Westwood Avenue and St Anne's Road. It has an area of 1.78 hectares and frontages with Plymbridge Road of 109 metres and Glenfield Road of 84 metres. The remainder of the site backs onto the rear gardens of the properties in Westwood Avenue and St Anne's Road. It is an open paddock with an 8 metre fall across the site from west to east. There are low open fences on the boundaries with Plymbridge Road and Glenfield Road. There is a mixture of hedgerows including trees, walls and fences on the north western and north eastern boundaries with areas of scrub. On the south eastern part of the site there is a hedge 1.5 – 2 metres around 21 Glenfield Road.

Proposal Description

The application is for approval of the reserved matters of access, layout, scale, appearance and landscaping for this first phase of the main Plymouth City Airport application pursuant to outline permission 08/01968 for mixed use development comprising various airside works, housing development, a care home, business units, a link road and a public transport facility.

The layout follows the outline masterplan with access off Glenfield Road as a cul-de-sac looping around a rectangular landscaped public space with a small courtyard in the north east corner. There would be a combined footway and cycle path link in the north western part of the site to Plymbridge Road. There are various parking arrangements consisting of some within individual plots as at units 38 – 49, in parking courtyards and on-street. **There are 72 dwellings comprising: 22 bedroom houses, 43 three bedroom houses and 7 four bedroom houses. They would be two storey buildings in the main with seven of the houses at three storeys and 13 houses having dormers.**

Officers are still negotiating on the materials but they will comprise render, timber and/or slate hanging and natural stone on parts of some of the buildings at key locations. The roof material is still under discussion and could comprise natural slate, reconstituted slate or grey concrete tiles. The hedgerows would be re-laid **and a new hedgerow provided on the north western boundary and the northern part of the eastern boundary.** Close boarded fencing 1.8 metres high would be provided along the boundaries with existing properties with railings fronting Plymbridge Road and rendered walls around the parking courtyards and on street frontages; some of these could include natural stone. The streets would be a combination of tarmac and paviers with the intention to emulate a Home Zone standard. The landscaping would provide tree planting most notably along the Plymbridge Road frontage, the main access street leading to the square and on the public square itself.

Relevant Planning History

08/01968 – OUTLINE - (PART 1) Full application for the decommissioning of runway 06/24 and runway 6/24 approach, including the construction of new aircraft hangars, relocation of the fuel storage facility and engine testing bay, relocation of the rescue and fire fighting services, construction of access road, airport ramps, taxiway, aircraft stands, hard standing, a noise attenuation bund and landscaping.

(PART 2) Outline application for a mixed use development including residential comprising 375 dwellings, class B1 units, a care home, associated car parking, landscaping, public open space, highways access and a public transport facility – GRANTED subject to a section 106 agreement.

Consultation Responses

Environment Agency (EA)

Advise that the surface water condition on the outline permission is addressed before this application is determined. Insufficient information has been provided on flood risk and surface water drainage. EA is concerned that the percolation tests were incomplete. It needs more information on the soakaway details. It notes that the applicant needs to submit the construction and environment management plan before work starts on the development. **It has received more information to enable it to withdraw its objection. But condition 7 on surface water drainage of the outline permission must still be discharged.**

Highway Authority

Most of the highway issues were dealt with at the outline stage. No objections subject to the informative that the pre-existing conditions attached to the outline permission remain in force. There are more detailed comments in the “Transport” part of the “Analysis” section below.

Public Protection Services

No objection but require the relevant noise conditions 15-19 and 60 in the outline permission to be complied with. This also applies to the code of practice condition 6 and ground contamination condition 9.

The predicted noise levels in the reports for the outline application relate to ground level so that the higher floors may experience higher levels than those predicted. The applicant should take this into account in the construction of the dwellings that might require higher standards of mitigation.

Architectural Liaison

No objection but the parking courtyards should be protected by gates.

Representations

The Council received representations from 12 local residents raising the following points:

1. Overdevelopment and too high a density at 43.75 dwellings per hectare (dph), if the open space is excluded it would be 47 dph, a density of 30-35 dph is more appropriate which would equate to 52-61 dwellings;

2. The outline plan showed 63 dwellings, this is an increase of 22%, feel the residents have been duped, had they known there would be 77 homes at the outline stage they would have objected;
3. Out of character with the area;
4. Highway hazard as the access is too close to Elmwood Close which has restricted visibility;
5. Developer should contribute towards traffic lights at the junction of Glenfield Road with Plymbridge Road;
6. Inadequate parking will lead to increased on-street parking;
7. Increased congestion;
8. Some of the buildings are too close to existing properties;
9. Loss of light;
10. Loss of outlook;
11. Loss of privacy;
12. There should be no loss of any boundary hedges, walls or trees;
13. There is no play space;
14. The area and its facilities are under pressure from other developments nearby;
15. What is the developer providing for the local community?
16. The results of the 2008 Glenholt Residents' Survey have not been taken into account;
17. If the developer is to provide affordable housing it should only relate to the 63 dwellings and not the additional 24;
18. No details of the parking arrangements during the construction phase;
19. Plots 51 and 52 are too close to 14 and 16 Westwood Avenue and would have an overpowering effect on the adjoining properties;
20. The double garage at plot 61 is too close to the boundary and too high and will be unsightly, block out light and have a harmful effect on the back of the her property and rear garden;
21. The outline drawing showed fewer houses to the west of 21 Glenfield Road and further away from its side, the distance has been reduced from 25m (*the outline drawing was illustrative and the distance was 21m*) to less than 20m, the drawing also showed trees on a small verge fronting Glenfield Road that are not shown;
22. There was a restrictive covenant that the land should not be used other than public or community use;
23. There may be a restrictive covenant limiting the height of boundary walls, fences and hedges;
24. Loss of views; and
25. Property devaluation.
26. the development will prevent the scope for the airport to expand;
27. increase in traffic;
28. impact on the drainage as the pumping station currently breaks down;
29. strain on the existing services;
30. there should be more space between the existing and proposed properties;
31. effect on wildlife especially bats;
32. oppressive effect of plot 61 on 5 St Annes's Road;
33. plots 51 and 52 are too close to 16 Westwood Avenue and should be moved further away;

34. still object to the wall of buildings opposite them;
35. opposed to the parking spaces in the back gardens because of noise and disturbance and threat to security (these have now been removed);
36. too many similar developments in the area and unlikely to be a demand;
37. bought their property on the basis that the field would not be developed; and
38. adjoining residents have not been treated fairly.

Glenholt Residents' Association wrote stating:

1. This application is not linked to the future of the airport as it has been sold to a developer and is no longer part of the airport;
2. Although the land is shown in the Derriford and Seaton Area Action Plan it is in Glenholt and is not part of Derriford;
3. New development should reflect the character of Glenholt especially as there are other development sites nearby;
4. Believe the dwellings will be at a lower value that will degrade the area;
5. Object to the increase in dwellings from the outline illustrative plan from 63 to 77;
6. Believe the increase justifies section 106 contributions especially as Glenholt has limited community facilities and the subsidised bus service has been removed: contributions could be used for public transport, playspace and to improve the junction of Glenfield Road with Plymbridge Road given the increase in traffic;
7. The local planning authority should consider carefully the objections of immediate neighbours; and
8. The Association invited the developer to a meeting which it declined and hopes that the committee could persuade the applicant to meet with residents when work begins on the development.

Councillor Mrs Dann supports the views of Mr Horley. She was involved in the consultation exercise that the residents organised and it appears their views have not been taken into account. There is a high density of development that would cause transport problems even with the park and ride close by.

Analysis

The application was deferred at the last meeting. Members instructed officers to re-negotiate with the applicant to seek:

- to achieve a reduction in the density: and
- to make the scheme less cramped particularly in the north eastern corner.

As part of the debate members raised the matter of the boundary treatment.

The negotiations have been positive on all three counts. The applicant has reduced the density and improved the layout in the north east corner. It will provide a new hedge on the north western boundary and part of the eastern boundary. This forms part of the nature conservation

mitigation and biodiversity measures in compliance with conditions attached to the outline permission, 08/01968.

The main issues with this application are: conformity with the outline permission, masterplan and environmental statement including density and scale of development; impact on residential amenity; visual amenity; and transport matters. The application also overlaps with the applicant's obligation to discharge conditions attached to the outline permission – 08/01968. The main relevant policies are: CS01 Sustainable Linked Communities, CS02 Design, CS15 Overall housing provision, CS18 Plymouth's Green Space, CS20 Resource Use, CS22 Pollution, CS28 Local Transport Considerations, CS32 Designing Out Crime and CS34 Planning Application Considerations.

Background

Outline planning permission was granted for a major development at Plymouth City Airport in June 2009. It comprised airside works including a re-positioned engine testing bay and noise bund fronting Plymbridge Road and the release of the de-commissioned runway 06/24 and the runway approach land (the Pony Paddock) for housing, a care home and B1 business units. The reserved matters of the airside works were approved at that outline stage. The aim of the application was to provide a capital receipt to put the airport on a firmer financial footing and to enable the first phases of the airside works to go ahead to improve the airport for strategic transport and economic reasons in accordance with policy CS27.2. This application is for the approval of the reserved matters of access, layout, scale, appearance and landscaping for the first phase of the housing development on the runway approach land. The applicant has been involved in extensive pre-application negotiations with officers to seek to achieve an acceptable scheme.

Compliance with the outline permission and environmental statement

The proposal follows the layout proposed in the outline masterplan that is for illustrative purposes with access from Glenfield Road in a cul-de-sac looping around a rectangular open area with a strong street frontage to Plymbridge Road reflecting the building line. Within the site the buildings front the streets and square with a small courtyard in the north eastern corner. There is a pedestrian and cycleway link to Plymbridge Road and the scheme is designed to protect a pedestrian/cycle link to the St Anne's Road local centre between plots 61 and 62 should one ever be provided in the future. The environmental statement showed the storey heights on the site to be 6-9 metres. The layout broadly complies apart from the two blocks of flats and three houses which are 10.3 metres high. The main difference relates to the number of dwellings and density.

Density

The outline masterplan showed the land to be developed for 63 dwellings. **This application is now for 72 dwellings. The 12 flats are replaced with eight houses and former plot 53 has been deleted. The notional outline density based on an illustrative masterplan is 35.3 dwellings per hectare (dph). The new density is 40.4 dph compared with the previous higher density of 43.8 dph.**

The masterplan is for illustrative purposes only and condition 62 states that the density should not exceed 45 dph unless previously agreed by the local planning authority (LPA). This site is just part of the outline application area and the overall number of dwellings granted permission is 375 on which the environmental statement was based. Officers understand that this will not be exceeded when the runway land is developed.

The site is in an area of mainly detached dwellings at a low density of about 18.7 dph. The density would be higher than the existing density. Strategic objective 10.2 states that development should be at the highest density commensurate with achieving an attractive living environment. PPS 3 states in paragraph 50 that:

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

Officers understand that residents' objection to the increase in density compared with the outline illustrative drawing. **The applicants have taken on board members' concerns and lowered the density.** It does not conflict with the terms of the outline permission and officers believe that the site could sustain a development with a density of this order without causing undue harm to the character or appearance of the area.

Residential amenity

The north western and north eastern boundaries are surrounded by the sensitive backs of adjoining properties. Many of these dwellings are situated close to the boundary. Officers and the applicant have spent considerable time amending the design to safeguard the residential amenities of existing occupiers. The back to back distances between plots 37-50 and 6-12 Westwood Avenue range from 21.5 - 27 metres to comply with the Council's guidelines.

The sensitive part of the site is the north eastern part of the site where members thought the layout was to cramped. The applicant has changed the layout here by removing a house and the small courtyard and continuing the line of semi-detached houses fronting the square that are behind the properties in Westwood Avenue. The plot numbers have changed. Plot 48 is now 29 metres from 14 Westwood Avenue compared with the previous distance of 20.5 metres from plot 51. 16 Westwood Avenue is now 25.5 metres from plot 50 compared with the previous 17 metres from plot 52. The removal of the courtyard is less successful in urban design terms from within the site but results in a marked improvement for these adjoining properties.

The properties in St Anne's Road are very close to the boundary that has made it a challenging exercise to achieve adequate amenity. The boundary

hedgebank and trees will be retained with a 1.8 metre high fence provided. The distances are not 21 metres in every case and where they are lower the properties are either facing side walls without windows or are at oblique angles to one another to prevent direct overlooking. The applicant has made **current plots 53 and 54** two storeys rather than three and removed the double garage at plot 61 to improve the outlook from 5 – 9A St Anne's Road.

The occupier of 21 Glenfield Road is concerned that **current plots 67 – 72** have increased from four to six houses, are closer to his boundary and the trees fronting Glenfield Road have gone compared with the illustrative masterplan. The main aspect of the existing house is north west to south east and the adjoining plots face the side of this house and the garden. There is a door from a bedroom onto the side balcony and a distance of 17.5 metres is considered to be acceptable. There is a hedge 1.5 – 1.8 metres on this boundary to provide some privacy that would be improved if it was allowed to grow higher. The occupier asked if the trees could be re-instated and the applicant has done this in **current plots 67 – 70**. The residential amenities of 21 Glenfield Road would not be harmed to an unacceptable degree.

There are reasonable distances between the proposed plots with adequate gardens to provide a satisfactory living environment for the occupiers of the new homes. Noise issues are dealt with briefly further on in this report. It is considered that an acceptable level of residential amenity will be achieved for existing and proposed occupiers to comply with policies CS15 and CS34.

Visual amenity

The layout is relatively traditional and accords with the principles of good design by providing strong active street frontages to Plymbridge Road the public square and the access road. A key element is the public square that will provide a public amenity focus for the residents as well as affording fine views across to Dartmoor. The development and this square will be designed along Home Zone lines and the surfacing and public realm treatment must be treated as one entity from house to house across the square to create a cohesive space as well as slowing speeds so that the pedestrian take precedence.

The dwellings are mainly two storeys in height with 2/3 and 3 storey at key locations on the Plymbridge Road and Glenfield Road frontages and at corner locations. Officers are working with the applicant to rationalise the fenestration use of bay oriel windows, roof heights and pitches to achieve continuity, interest and rhythm to the street scenes. The materials will be a combination of render, timber and/or slate cladding and natural stone with slate, re-constituted slate or concrete tiles. The boundary walls at prominent locations and on road frontages are shown as render and officers will try to have them clad in natural stone. A strong line of trees will be planted on the Plymbridge Road frontage with additional trees along the main access road and within the public square. Officers are still working with the applicant to improve further the appearance, streetscape and hard and soft landscaping to enhance area and introduce a degree of local distinctiveness. They are confident that this

can be achieved so that the development complies with policies CS01, CS02 and CS34.

Boundary treatment

During the debate at the last meeting members raised the issue of the boundary treatment and the starkness of a close boarded fence. Since then the applicant has provided officers with details of the nature conservation mitigation works pursuant to conditions 53 and 58 of the outline permission. These show a two metre wide hedgerow along the length of the north western boundary and the northern part of the eastern boundary. There will still be the close boarded fence to define the boundaries.

Transport

There has been active pre-application involvement. The layout embraces the concept of a Home Zone especially around the central square with the creation of shared surfaces. (The latest drawings moved away from this concept but at a recent meeting the applicant implied that the design would revert to the Home Zone approach.) The increase in the parking standard from 1 space per unit to 1.29 spaces per unit is acceptable and does not conflict with the outline permission and environmental statement. On-street parking spaces on the adopted highway cannot be allocated to properties. A gateway feature will be provided at the entrance. Adequate visibility will be safeguarded for the garage at **current plot 72**.

Some residents are concerned about the closeness of the new access to the junction of Elmwood Close with Glenfield Road. The local highway authority advises that the fact that both of the junctions are relatively close to the main road junction of Plymbridge Road with Glenfield Road results in traffic speeds being relatively low in this location. Vehicles either slow down as they approach give way markings travelling westbound or are travelling at a low speed having just negotiated the junction and turned into Glenfield Road.

The 18 houses served off Elmwood Close would only generate around 9 traffic movements in the morning and afternoon peak traffic hours. Whilst the proposed development of **72** houses would generate considerably more (around 46 trips) the total sum of these movements would equate to just over 1 per minute during the 8-9am and 5-6pm peak traffic hours. Such a number of movements would not give rise to any highway safety concerns. There is unlikely to be conflicting right-turn movements from vehicles exiting the two junctions as those vehicles leaving Elmwood Close are likely to be left turning and travelling towards Plymbridge Road.

Finally on the basis that Glenfield Road is classified as a residential road, the adopted Devon County Council Design Guide refers to a junction spacing of 15m measured from junction centre line to centre line. In this instance the spacing between the 2 junctions is approximately 14m which is considered acceptable. The proposal would not give rise to conditions of undue traffic hazard or congestion on the highways and complies with policies CS28 and CS34.

Discharge of other conditions attached to the outline planning permission – 08/01968

Noise

There are a number of noise related conditions on the outline permission that need to be complied with, some before works begins on this development. Plymouth City Airport is on schedule to complete the relocation of the engine testing bay and noise bund fronting Plymbridge Road by December 2010. Officers have sought information on the noise matters from the applicant for several months. This has not been received to date. It is a sensitive matter as the Council needs reassurance that the occupiers of the new homes particularly those facing Plymbridge Road will not suffer from undue noise nuisance. The applicant is entirely within its rights to deal with the discharge of conditions attached to the outline permission separately from this reserved matters application. But it would have been preferable to deal with them concurrently particularly if members approve the application and the applicant wishes to start work quickly.

Drainage and ground contamination

The Environment Agency (EA) **originally** stated that the drainage and ground contamination conditions should be discharged before this application is determined. The applicant is working with the EA and colleagues in the Public Protection Services on these matters to discharge conditions 7 and 9. **The EA has now withdrawn its strict requirement.** The applicant must discharge these conditions together with other “prior commencement” conditions including 37 on the construction management plan before it starts work on the development. The applicant is aware of its obligation to discharge the prior commencement conditions.

Renewable energy

The applicant will provide the on-site renewable energy production by solar panels to comply with condition 55 of the outline permission.

Lifetime homes

The applicant will provide 15 units to lifetime home standards. Officers are still working with the developer to ensure that an acceptable standard is achieved to comply with policy CS15.4.

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.

Equalities & Diversities issues

The homes are suitable for all groups of society and 18 dwellings will be built to Lifetime Homes standards that will help people with disabilities and mobility difficulties. There is an area of public open space that toddlers and small children under supervision could use. It is important that the developers ensure the homes have adequate attenuation so the occupiers do not experience unacceptable noise nuisance. This is addressed in the noise conditions attached to the outline permission.

Section 106 Obligations

None as it the section 106 agreement was dealt with at the outline stage.

Conclusions

Officers understand residents' concerns that the density for this part of the outline area has increased from the outline illustrative masterplan but the scheme is compliant with the planning permission and environmental statement. **Since the last committee the applicant has reduced the dwellings from 77 to 72 resulting in the density dropping from 43.8 dph to 40.4 dph.** The amenities of the surrounding residents have been protected. The north eastern corner has been challenging given the proximity of the adjoining dwellings to the site's boundary. Officers have sought amendments to achieve acceptable living conditions for the adjoining occupiers and **members asked for more. The small courtyard has been removed and a house removed from this part which improves the relationships with the adjoining properties.** The amenities of the occupiers of the new houses will be satisfactory and comply in most cases with the Council's guidelines. It is important that the applicant complies with all the acoustics conditions and that adequate attenuation measures are provided to prevent unacceptable noise nuisance.

The layout and design of the dwellings is acceptable and the public square will provide a focus for the residents and help to achieve an attractive development albeit at a higher density than the surrounding area. The apt choice of materials including the use of local natural stone will add to the appearance of the scheme and provide local distinctiveness. The landscaping and choice of surfacing materials will enhance the quality of the scheme. Officers are still negotiating on these detailed matters to ensure that a satisfactory quality is achieved. The local highway authority is satisfied that the road layout, access and parking provision is acceptable and will not lead to hazardous conditions on the local roads. **Officers appreciate the changes the applicant has made to meet the needs of the residents and committee. These improve the development and for these reasons the development is again recommended for approval.**

Recommendation

In respect of the application dated **10/12/2009** and the submitted drawings, **ACH5692/101A, ACH5692/A-100C, ACH5692/120-1A ACH5692/120-2A, ACH5692/120-3A, ACH5692/120-4A, ACH5692/121-1A, ACH5692/120-2A, ACH5692/120-3A, ACH5692/120-4, ACH5692/122-1A, ACH5692/123-1A, ACH5692/124-1B, ACH5692/124-2B, ACH5692/125-1A, ACH5692/125-2A, ACH5692/126-1A, ACH5692/126-2A, ACH5 ACH5692/120-1A,692/127A, ACH5692/130-1, ACH5692/130-2, ACH5692/131-1, ACH5692/132-1, ACH5692/104A,070526/06C, ACH5692/202, ACH5692/204, Statement of compliance, Hedgerow Survey & management proposals, Energy statement, ACH5692 A-100 F**, it is recommended to: **Grant Conditionally**

Conditions

FURTHER DETAILS

(1) Notwithstanding the details shown on the submitted drawings the detailed approval of the hard and soft landscaping, materials for the external walls of buildings and boundary walls and surfacing materials are not approved at this stage. Further details on these matters shall be submitted to and approved in writing by the local planning authority before work begins on the development hereby approved.

Reason:

To ensure that a satisfactory quality of development is achieved to comply with policies CS02, CS18 and CS34 of the approved City of Plymouth Core Strategy Development Plan Document 2007 and approved Sustainable Design Supplementary Planning Document 2009.

TREES AND HEDGEROWS

(2) The treatment of the boundary hedgerows and trees shall be in accordance with the submitted Hedgerow Survey and Management Proposals report subject to the following amendments: the retention of tree T17 hawthorn as under storey; the retention of the Hawthorn tree to the north east of tree T15 with the dead part removed and the healthy part retained in the hedgerow; and the replacement of tree T1 with a suitable species of tree to be approved by the local planning authority.

Reason:

To ensure that the existing hedgerows and boundary trees worthy of retention are retained in the interests of visual amenity and nature conservation to comply with policy CS18 of the approved City of Plymouth Core Strategy Development Plan Document 2007.

RESTRICTIONS ON PERMITTED DEVELOPMENT

(3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order or the 1995 Order with or without modification), no windows, doors or openings shall be inserted or balconies added to the first floor of the eastern elevation of plot 56 unless,

upon application, planning permission is granted for the development concerned.

Reason:

In order to protect the privacy of adjoining properties in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE: CONDITIONS REITERATED

(1)The applicant/developer is advised that the conditions attached to and specified upon the Notice of Planning Permission No: 08/01968; are still in force insofar as the same have not been discharged by the Local Planning Authority and must be complied with.

Statement of Reasons for Approval and Relevant Policies

The proposed layout, strategic appearance, scale, access and landscaping strategy are considered to comply with the outline permission and environmental statement and would not cause harm to residential or visual amenity or increase traffic hazards in the area. Detailed approval of hard and soft landscaping and materials is still required to ensure a good standard of design and appearance is achieved. 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:

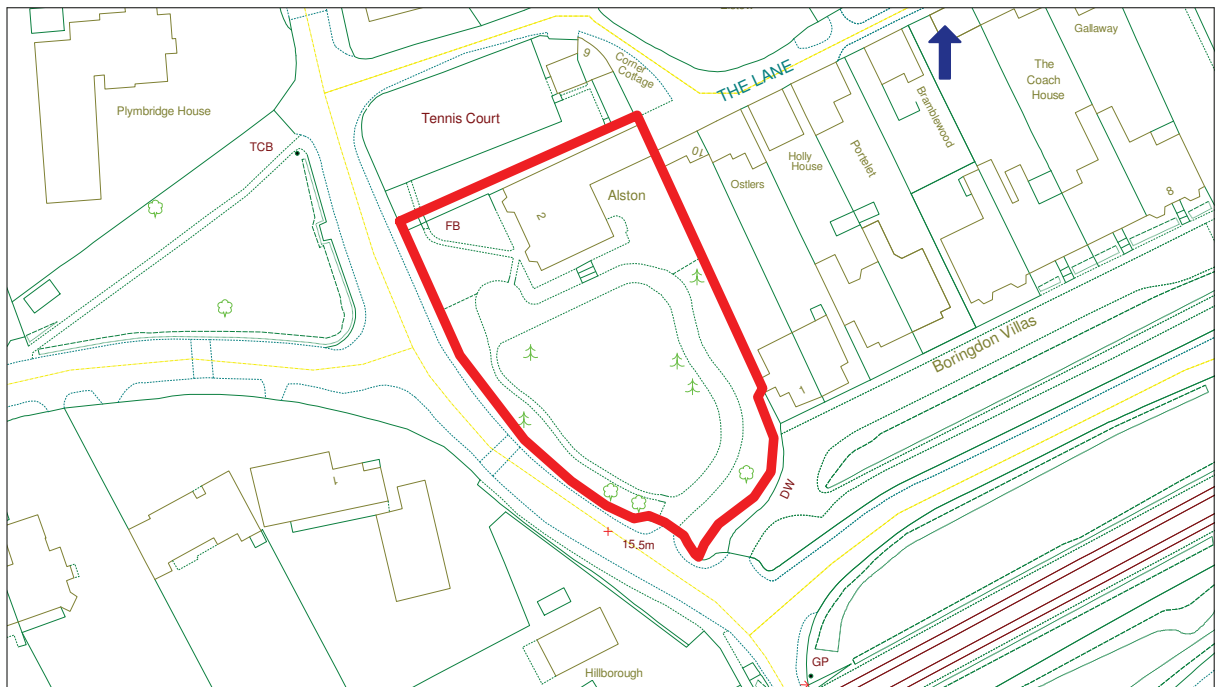
PPG13 - Transport
PPG24 - Planning and Noise
PPS3 - Housing
PPS1 - Delivering Sustainable Development
CS28 - Local Transport Consideration
CS32 - Designing out Crime
CS34 - Planning Application Consideration
CS22 - Pollution
CS18 - Plymouth's Green Space
CS19 - Wildlife
CS20 - Resource Use
CS21 - Flood Risk
CS01 - Sustainable Linked Communities
CS02 - Design
CS15 - Housing Provision
CS16 - Housing Sites
SO11 - Delivering a sustainable environment

- SO1 - Delivering Plymouth's Strategic Role
- SO2 - Delivering the City Vision
- SO3 - Delivering Sustainable Linked Communities
- AV9 - Derriford/Seaton
- SO10 - Delivering Adequate Housing Supply Targets
- SO14 - Delivering Sustainable Transport Targets
- SO15 - Delivering Community Well-being Targets
- SPD1 - Development Guidelines

ITEM: 05

Application Number:	09/01900/FUL
Applicant:	Alston Homes Ltd
Description of Application:	Redevelopment of site by erection of 13 dwellings (demolition of existing property)
Type of Application:	Full Application
Site Address:	ALSTON HOUSE, 2 PLYMBRIDGE ROAD PLYMPTON PLYMOUTH
Ward:	Plympton St Mary
Valid Date of Application:	22/12/2009
8/13 Week Date:	23/03/2010
Decision Category:	Major Application
Case Officer :	Robert Heard
Recommendation:	Grant Conditionally Subject to a S106 Agreement, Delegated authority to refuse in event of S106 not signed by 1 st July 2010.

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OFFICERS REPORT

Update

Members will recall that this application was deferred at the last planning committee for a site visit, which has now taken place. Discussion at the previous committee raised a number of issues and these are explained below.

1. Concern was raised that the site was being split into 2, as the vacant former tennis courts site that is adjacent (to the north) of the application site is not included within the development, and it was suggested that the applicants are therefore avoiding having to provide affordable housing at the site. With regards to this, it is confirmed that:

- The sites are in different ownership.
- The Local Planning Authority has accepted that the sites are not part of 1 larger site by already granting planning permission at the former tennis courts site. The granting of this consent therefore establishes the sites as 2 separate planning units and they cannot be viewed as part of the same site.
- This issue was discussed by the Inspector in his appeal decision notice as it was the main reason the previous application at the site was refused. He confirmed with regards to the existing permission on the adjacent site *That permission was sought and obtained by a previous owner and included a separate access.* He then stated that *The Councils supplementary planning document (SPD) 'Planning Obligations and Affordable Housing' provides that the spirit of its affordable housing should not be avoided by the artificial sub-division of sites. However, the evidence before me does not indicate that the appellant has sought to circumvent the Council's affordable housing trigger. In this regard, the Council Officers advised the appellant during the pre-application discussions that the two sites would be treated separately. Even if the Council is correct in its assertion that the appeal scheme triggers the provision of some on site affordable housing, the appellant has submitted a development appraisal to support its argument that the appeal scheme would be unviable if affordable housing were provided as part of the proposals. I agree with the appellant and the Councils planning officer, and conclude on the second main issue that it would be unreasonable to withhold permission on the basis that the scheme does not include any affordable housing provision'.*

2. The issue of nature conservation was raised. Whilst this is discussed below in the main Analysis section of the report, it can be confirmed that following the submission of further information (a Bat and Barn Owl Appraisal), Natural England no longer object to the development and have confirmed this in writing. The Inspector also commented in his report that his decision did not 'turn' on this issue, indicating that it is not a principal issue and could potentially be overcome if acceptable further information was submitted.

Site Description

The site is located in the Plympton area of the city, within an established residential area. Currently the site is occupied by a large period dwelling situated at the north end of the site, known as Alston House. The remainder of the site to the south of the existing dwelling is residential curtilage. The site is surrounded by an attractive stone wall, slopes gently from north to south and is 0.3 hectares. Surrounding development is mainly residential with the Ridgeway shopping centre within walking distance to the south of the site.

Proposal Description

This application proposes to demolish the existing dwelling and erect 13 new dwellings.

Relevant Planning History

08/00614/FUL - Demolition of residential dwelling and redevelopment of site by erection of 13 dwellings. REFUSED and APPEAL DISMISSED.

Consultation Responses

Public Protection Service

Support subject to conditions

Highways Officer

Support subject to conditions

Representations

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

- The proposal would create significant additional traffic and cause increased congestion in the area and parking problems.
- The proposal is over development.
- Alston House should be protected.
- Loss of privacy to nearby dwellings on Boringdon Villas.
- The character of the proposed development is not in keeping with the period character of the immediate surroundings.
- The proposed roundabout raises issues of highways safety.

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.

Members will recall that a very similar application at this site for 13 dwellings was submitted in 2008 under reference 08/00614/FUL. Although recommended for approval subject to conditions and a Section 106 agreement, the application was deferred by committee members for further negotiation on the provision of affordable housing at the site.

However, no agreement was reached on this issue as the applicants claimed that the provision of affordable housing was unviable (a viability assessment was submitted by the applicants and accepted by the Council) and that it wasn't obligatory as the application is for less than 15 dwellings and therefore affordable housing is not necessary or required by Policy CS15. Negotiations thus came to a standstill and the applicants chose to appeal against non determination, removing the ability for the planning committee to determine the application. Nevertheless, the committee were invited to advise what their resolution would of been if they still had the power to determine the application and this was confirmed as being that '*permission would be refused on the basis of absence of affordable housing (contrary to policy CS15) and absence of bat mitigation measures (contrary to policy CS19)*'.

Appeal

The appeal was determined by written representations and although it was dismissed this wasn't on the basis of lack of affordable housing. With regards to this issue the Inspector commented that '*The land to the north of the appeal site is also owned by the appellant. Outline consent exists for two houses on this site (ref 09/01103). That permission was sought and obtained by a previous owner and included a separate access. The Councils supplementary planning document (SPD) 'Planning Obligations and Affordable Housing' provides that the spirit of its affordable housing should not be avoided by the artificial sub-division of sites. However, the evidence before me does not indicate that the appellant has sought to circumvent the Council's affordable housing trigger. In this regard, the Council Officers advised the appellant during the pre-application discussions that the two sites would be treated separately. Even if the Council is correct in its assertion that the appeal scheme triggers the provision of some on site affordable housing, the appellant has submitted a development appraisal to support its argument that the appeal scheme would be unviable if affordable housing were provided as part of the proposals. I agree with the appellant and the Councils planning officer, and conclude on the second main issue that it would be unreasonable to withhold permission on the basis that the scheme does not include any affordable housing provision*'. It is therefore established (by way of the appeal decision) that affordable housing is not required to be provided by this planning application.

The issue of nature conservation was also raised as a secondary issue by the planning committee and with regards to this the Inspector commented that '*The appellant's appraisal recommends mitigation measures for the loss of the bat roosting sites. These include cutting and removing surrounding brambles outside the bird nesting season, commissioning surveys and making provision for bats within purpose built structures. Whilst the replacement bat roosts could provide an appropriate alternative to the existing loft voids there is no*

information before me regarding foraging habitat or flight lines.....it is essential that the extent to which any protected species may be affected by a proposed development should be established before planning permission is granted. This matter could not therefore be addressed by way of a planning condition. Whilst my decision does not turn on this issue, had I not found harm in respect of the first issue I would still have been unable to grant planning permission.' This issue has been considered further by the applicants and a Bat and Barn Owl Appraisal was submitted with this application. Mitigation measures have been designed into the proposal in accordance with the findings of the report and Natural England are satisfied that the application is not harmful to nature conservation. It is the view of your officers that this issue has therefore been addressed satisfactorily.

The Planning Inspector also raised the issue of the impact of the proposed development on the character and appearance of the area, although this was not raised as a problem or reason for refusal by the case officer or planning committee. Whilst generally being complimentary about the design of the development, with regards to impact upon the character of the area the Inspector stated that the new sweeping entrance proposed in the previous application would *'disrupt the continuity and sense of enclosure created by the existing roadside wall.'* This issue has been addressed within the current application and whilst the access proposed within the appeal application was in the form of a swept curve approach, this proposal reduces the width of the opening creating more of a stepped and angled turn into the site, and is in the form of a 'punched hole' rather than a sweeping curve. It is considered that this approach addresses the Inspectors concerns that the sweeping entrance contained within the appeal proposal disrupts the sense of enclosure created by the existing wall and is detrimental to the character and appearance of the area.

Finally, as mentioned above, reference was made by the Inspector in his report to design issues (under the heading 'other matters'), stating that *'new dwellings would have steep roof pitches, clad with natural slate, with bay windows on their front elevations clad using painted timber. Although lacking chimneys, the design would represent a contemporary interpretation of the Victorian architecture that exists in this part of the town. These dwellings would be designed to a high standard and would respect the setting of Boringdon Villas and the architectural qualities of the area.'* The Inspector then goes on to state that *'In contrast, the rear elevations of the buildings intended for plots 4 and 5 would be reminiscent of much modern estate housing found throughout the country. With the exception of the slate roofs, these buildings would fail to create or reinforce local distinctiveness.'* This application seeks to address this issue by modifying plots 4 and 5 to make them more in keeping with the other proposed dwellings on the site, by incorporating steeply pitched slate roofs, projecting gables and a positive variance in external materials. This is considered to adequately address the issues raised by the Inspector concerning the external appearance of plots 4 and 5.

Notwithstanding the appeal issues which are discussed above, the application also needs to be considered with regards to its impact on the character of the area, on the highway and to neighbouring properties amenities.

Impact on the character of the area and design issues

The scale of the dwellings has been designed to follow the street pattern and respect the gradient of the land. Particular attention has been given to the height of buildings on plots 7 and 8 so that their ridge height is consistent with No.1 Boringdon Villas (the nearest existing property), ensuring that the local context is respected. The proposed layout is a response to the shape of the site and ensures that best use is made of the land, whilst respecting the established pattern of development and amenities of the closest existing dwellings.

As stated in the section above concerning appeal issues, the design of the dwellings proposed is considered to be of good quality with a varied materials palate that would include white render, painted timber cladding and brick. The quality of the design was also noted by the Inspector in his appeal report, who commented that the proposed dwellings would be '*designed to a high standard*' and '*respect the setting of Boringdon Villas and architectural qualities of the area.*' It is considered that the proposed development would be a contemporary architectural response to the distinctive period qualities of the local vernacular and that it is compliant with policies CS02 (Design) and CS34 (Planning Application Consideration).

Issues regarding the existing stone wall at the site are discussed in the appeal section above. The Inspector had commented that the sweeping entrance proposed within the previously refused application would disrupt the continuity and sense of enclosure created by the wall. This issue is addressed within the current application, which instead of a sweeping curved opening proposes a 'punched hole' that has less of an impact upon the streetscene and historic wall, and maintains a sense of enclosure at the site. This is considered acceptable and adequately addresses the concerns raised by the Inspector.

Highway Considerations

It is considered that the local highway network has sufficient capacity to accommodate the modest increase in vehicular traffic associated with the proposed development. Car parking provision is for two parking spaces per dwelling but this does include a number of garages which may or may not be used for the parking of a car, although the majority of the dwellings have car ports which will ensure the spaces are used for parking and not storage (in the case of a garage).

The Councils Transport Officer is supportive of the application, stating that '*This application is similar in the Transport elements to an earlier unsuccessful planning application (08/00614) for the site to which transport did not object to in principle. Therefore as the transport elements of this latest application and proposal are virtually the same as the previous, Transport would reiterate the earlier recommendation to grant conditionally.*'

The proposed site layout provides a functional turning head at the entrance to the site, and what would be private shared surface housing-court type layouts at either end. The turning head entrance area including footway would safely facilitate pedestrian access and provide for the essential servicing of the site, allowing commercial vehicles and others to turn. It is considered that the application complies with Policy CS28 (Local Transport Considerations).

Impact on neighbouring properties

The proposed development has been designed to ensure that it would not result in significant overlooking or a loss of privacy to any neighbouring property. Where proposed buildings directly face neighbouring windows they are set at least 21m away. Existing housing to the north would be more than 35m away from the development and the residential home to the west would be over 21m away.

The only properties that would be within close enough proximity to the site to be significantly affected would be those which the site adjoins to the east. The only window that could overlook No. 1 Boringdon Villas is a small hallway window which would not cause a significant loss of privacy. No other windows would directly overlook dwellings to the east. Some concern has been expressed with regard to the rear curtilage areas of properties to the east being overlooked. However, given the difference in ground levels, the existing boundary wall and additional landscaping proposed, it is considered that significant overlooking would not be caused and that neighbouring properties would not suffer a loss of privacy.

This was also the view of the Inspector, who in his appeal report on the previous application (which contained the same proposed housing layout) stated that *'The proposed dwellings would be sited and designed to avoid any harmful overlooking or loss of light to neighbouring properties. The outlook from some adjacent properties would change but the scheme would not be overbearing.'*

Letters of Representation

Comments made in the letters of representation received include many concerns about the impact of the proposed development on the highway and highway safety. Highway issues are discussed above, but to confirm, the Councils Transport Officer is happy that the proposal will not have a detrimental impact on the surrounding highway network and would not prejudice highway safety. Therefore, while there are some outstanding fears from residents, it is considered that the application does not raise issues of highway safety.

Other concerns raised in the letters of objection received include those about the impact to the visual appearance of the area and the loss of the existing building. The character of the existing building is noted but it is not listed, nor in a conservation area and therefore could be demolished without planning permission. The proposed scheme therefore has to be judged on its merits and it is considered that the proposed housing would not be detrimental to the character of the area.

Some of the letters of objection received also raised concerns that the site would be overdeveloped, that there would be overbearing noise during construction and a loss of privacy to nearby property occupiers. The issue regarding privacy has already been dealt with above. Regarding overdevelopment, it is considered that the site would not be overdeveloped. The layout is considered to be satisfactory and the development would have a density of 43 dwellings per hectare, which accords with the governments minimum density target of between 30 and 50 dwellings per hectare.

Finally while some noise is to be expected with any construction, a code of practice plan shall be agreed to ensure that the amenity of surrounding residents is protected.

Equalities & Diversities issues

The application proposes 13 new dwellings 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:

- £13, 155.50 towards Children's Services;
- £2, 641 towards Health;
- £1, 362 towards Libraries;
- £15, 502.50 towards Green Space/Natural Environment;
- £12, 463 towards Sport and Recreation;
- £659 towards Public Realm;
- £26, 201 towards Transport.

There is an administration fee of £3, 599.

Conclusions

This application proposes 13 new dwellings in an established residential area that is not constrained by any restrictive planning policies. The development provides satisfactory levels of car parking 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.

The application addresses the issues raised by the Planning Inspector in his Appeal Decision Notice for the previously refused (very similar) application at

the site and 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 1st July 2010.

Recommendation

In respect of the application dated **22/12/2009** and the submitted drawings, **07380.EX01, 07380.EX02A, 07380.SD201A, 07380.SD204, 07380.SD202, 07380.SD203, 07380.SD208, 07380.SD206, 07380.SD207, 07380.SD205, 07380.SD215, 07380.SD217, 07380.SD216, 07380.SD209, 07380.SD219, 07380.SD221, 07380.SD220, 07380.SD218, 07380.SD223, 07380.SD225, 07380.SD224, 07380.SD222, 07380.SD226, 07380.SD227, 07380.SD228, 07380.SD229, 07380.SD230** and accompanying **Design and Access Statement, Transport Statement and Chiroptera (bats) and Barn Owl Appraisal** , it is recommended to: **Grant Conditionally Subject to a S106 Agreement, Delegated authority to refuse in event of S106 not signed by 1st July 2010.**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 2 YEARS

(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.

STREET DETAILS

(2) 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 dwelling 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.

DETAILS OF NEW JUNCTION

(3) 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

(4) The development shall not be occupied until space has been laid out within the site in accordance with the Approved plan 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.

CODE OF PRACTICE DURING CONSTRUCTION

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

Reason:

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.

SITE CHARACTERISATION

(6) 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

(7) 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

(8) 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

(9) 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 6, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 7, 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 8.

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.

EXTERNAL MATERIALS

(10) 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.

DETAILS OF BOUNDARY TREATMENT

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

Reason:

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

LANDSCAPE DESIGN PROPOSALS

(12) No development shall take place until full details of both hard and soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Reason:

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

LANDSCAPE WORKS IMPLEMENTATION

(13) 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.

NOISE

(14) The development should be built in such a way that the living rooms meet BS8233:1999 Good Room criteria

Reason:

To protect the residents from unwanted noise, after occupation of the building.

INFORMATIVE: SECTION 278 AGREEMENT

(1) In order to carry out the necessary off-site highway works including the forming of the new entrance into the application site it is essential that the developer enter into a legal agreement with the City Council under Section 278 of the Highways Act 1980.

Statement of Reasons for Approval and Relevant Policies

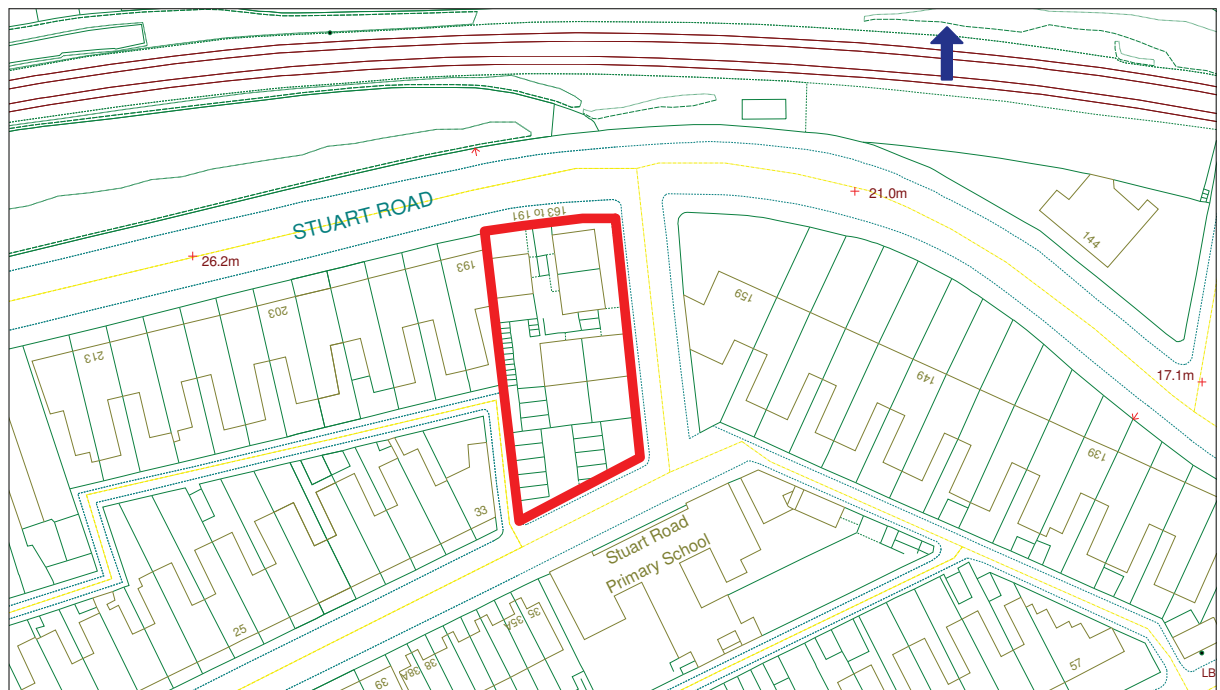
Having regard to the main planning considerations, which in this case are considered to be; the impact of the proposed development on the character and appearance of the area, the surrounding highway network and nearby property occupiers residential amenities; the proposal is not considered to be demonstrably 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:

- CS28 - Local Transport Consideration
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS18 - Plymouth's Green Space
- CS01 - Sustainable Linked Communities
- CS02 - Design
- CS15 - Housing Provision
- CS16 - Housing Sites

ITEM: 06

Application Number:	10/00093/FUL
Applicant:	Mr Frank Phillips
Description of Application:	Roof extension to provide two flats (1 x 2 bed and 1 x 3 bed)
Type of Application:	Full Application
Site Address:	163-191 STUART ROAD PLYMOUTH
Ward:	Stoke
Valid Date of Application:	22/01/2010
8/13 Week Date:	19/03/2010
Decision Category:	Member/PCC Employee
Case Officer :	Jeremy Guise
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



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This application has been called to Planning Committee for decision on the basis of the history of the site and the previous appeal decision.

OFFICERS REPORT

Site Description

The application site comprises of a regular shaped piece of land (approx. 0.02 ha.) on the corner of Stuart Road and Pamerston Street in Stoke. Currently it is occupied by 15 flats arranged in three linked blocks. The flat blocks are three storeys, flat roofed and fairly utilitarian and functional in design. There is an attached garage book on the Palmerston Street frontage, to the rear, which contains 12 lock up garages which is functional and an intrusive feature within the streetscene.

The surrounding area is predominantly residential in character containing larger Victorian terraced houses, in Stuart Road to the east and west, and smaller scale terraced houses in Palmeston Street to the south west. The exception is Stuart Road Primary School, an imposing 3 storey municipal building immediately to the south. The mainline railway separates the site from residential property on the opposite side, to the north.

Proposal Description

Planning permission is sought to extend the building upwards to provide two additional flats (1x2 bed & 1x3 bed), capped with a pitched roof containing roof terraces 'cut' into it.

The three bed flat is shown occupying the corner of Stuart Road and Palmerston Street. It comprises a bedroom with ensuite bathroom, recessed balcony and access stair above block A; and entrance hall dining/lounge / kitchen and two bedrooms, both with ensuite bathrooms, above block B. An internal stair provides access to two terraces, sculptured out of the roof plane. The two bedroom flat is located above block C. It comprises of an entrance hall dining/lounge / kitchen and two bedrooms, both with ensuite bathrooms and internal stair that provides access to south facing roof terrace.

Externally, the proposed extension would appear as a part glazed / part rendered structure above the parapet of the existing flats, with a hipped, pitched roof containing a broken profile where the roof terraces interact.

No changes are proposed to the existing parking and refuse arrangements. The new flats would share the exiting provisions.

The applicant has pointed out that an additional hardstanding area for 4 vehicles has recently been completed in the south eastern corner of the site abutting Palmerston Street.

Relevant Planning History

- 07/00087/FUL – Extensions and alterations to provide for 12 flats – WITHDRAWN

- 07/01956/FUL Alteration and extensions to create 10 additional flats and formation of underground car parking area (revised scheme) REFUSED 09 Jan-2008. This decision was appealed (Planning Inspectorate Ref.:- APP/N1160/A/08/2067354)

The appeal decision was summarised as follows for members:-

'This appeal followed the decision by Members to refuse planning permission for upward extension and re-cladding to provide 10 additional flats on the corner of Stuart Road and Palmerston Street. Members refused permission, contrary to officer recommendation, following a site visit on grounds of townscape and infrastructure provision. At the Hearing the Inspector also heard from local residents in respect of living conditions, privacy and loss of daylight. The Inspector considered these to be the main issues to be assessed at appeal.

He agreed with members that the locality has a pleasantly traditional appearance where well proportioned and detailed buildings relate to their neighbours, the street pattern and the topography of the land in a cohesive manor. In his view the appearance of the proposed new building would be jarring and would not represent a positive addition to the streetscape. He also agreed with residents and neighbours that some elements of the proposal would have a harmful affect on living conditions; that it would exacerbate overlooking of, and decrease daylight to, No. 193 Stuart Road.

However, he considered there to be no substantive or persuasive evidence indicating why the proposal was unacceptable without bus stop improvements and found the evidence of educational contribution requirements conflicting - noting, in passing, that the Interim Planning Statement 4 'Educational Needs Arising from New Residential Development' carries only limited weight due to age, incomplete adoption process and links to an expired policy framework. The Inspector did not consider these requirements justified. He dismissed the appeal, but awarded partial costs against the council.'

(Note that this proposal included provision of an underground car park)

09/01268/FUL - Retention of safety rail on roof and four additional private car parking spaces. Planning permission GRANTED CONDITIONALLY 30th October 2009.

Consultation Responses

Highway Authority – This application would result in the creation of an additional 2 residential units (1 x 2 bed and 1 x 3 bed) which increases the overall number of units on the site from 15 to 17. In addition to the 12 allocated garage units, an application for an additional 4 off-street car parking spaces was approved in 2009 (application no. 09/01268/FUL). The applicant's agent has suggested that these spaces were created in order to serve the 2 new units hereby proposed. However, upon viewing that earlier

application it would appear that the highway recommendation was based upon those additional spaces serving the existing units in order to address the existing car parking shortfall. No mention was made of those spaces serving the new units now being sought.

In view of the on-street car parking difficulties that exist within the area (the streets are often parked to capacity in the evenings) and the existing school located on the opposite side of the road to the development which also generates considerable demand for parking, the highway Authority should be recommending this application for refusal on the basis of inadequate provision of parking (16 spaces serving 17 units). However a car parking shortfall of just 1 space would be an extremely difficult refusal reason to defend were this application go to appeal.

The level of parking proposed is consistent with local maximum and national parking standards which are set at levels which encourage the use of sustainable alternatives such as walking, cycling and public transport as an alternative to the private car.

Therefore, reluctantly, there is no alternative but to recommend in support of this application although it is recommended conditions be attached relating to off-street car parking and secure cycle parking.

Public Protection Service – Raise no objection to the proposal, but recommend conditions relating to Code of Practice and noise, in the event that the application is recommended for approval.

Police Architectural Liaison Officer – Raise no objection to the granting of planning permission.

Representations

Neighbours surrounding the site have been notified of the application and site notices posted around the site. This has resulted in receipt of four letters of representation (L.O.R.) two raise objection to the proposal (including one from a local ward councillor- writing both as a resident and as a member), another raises concerns about working times and conditions and the third supports the proposal.

Cllr. J Dolan - I wish to voice my objection to the above planning application. Both as a resident and as a Ward Councillor I feel (as do a lot of my residents) that approval of this application would merely exacerbate the problems with parking that we already experience.

Only last Friday I had a meeting at the School with the Head, parents, staff, School Travel Plan Officer and Road Safety Officer and it was agreed by all that the corner of the street presents problems with traffic and having an increased number of residents would, I feel, merely add to this problem.

The objections can be summarised as follows:-

- Loss of light as a result of C block increasing height

- Loss of views of the sea and jennycliff from top floor south facing windows.
- We will be overlooked especially with all the glazing that is proposed coupled with the reset balconies
- The build is completely out of character with all the 1900 properties surrounding it and out of character with eth 1950's build that supports it.
- Increased demand for parking; the new car park at the SE corner of this build removes on the street parking rather than augments it. With the increase in residency there is going to be more cars.

Comment upon the proposal:-

- Do not object in principle to the proposal, but concerned about disturbance and inconvenience during the construction period as the proposal is to construct on top of an occupied building. Ask for strict adherence to 08.00-18.00 working time and consultation with residents on working conditions.

Comments in support of the proposal:-

- In all respects I consider that the addition of the two flats on the roof areas would enable and provide a considerable enhancement of this otherwise dull and lifeless mid 1970s post war block.
- [The proposal] is for an attractive new roof design to provide two attractive apartments which would give a much needed boost to the building.
- Four more car parking spaces have been added, at least 2 of which will be available to the proposed new flats.
- The two flats will allow a much needed upgrading of the common part stairways.

Analysis

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

The key issues in this case are:-

- The impact of the proposed roof extension upon the character of the area. (Policies CS01, CS02, CS34 of the Adopted Core Strategy).
- Adequacy of the proposed residential environment for future occupiers (Policies CS15; CS16 and CS34 of the Core Strategy)
- The impact of the proposed roof extension upon the amenities of neighbouring residential properties (Policy CS34 of the Adopted Core Strategy).

- Community infrastructure Requirements (Policy CS33 of the Core Strategy)
- Access and parking implications (Policies CS28 and CS34 of the Adopted Core Strategy).

The impact of the proposed roof extension upon the character of the area.

It was common ground, accepted by both parties and the Planning Inspector, at the previous appeal hearing, that the existing buildings are of a non-descript design quality, contributing little to the character and appearance of the general area. The Inspector also noted, and agreed with the view that:-

'The Council has no objection to the principle of replacing or modestly altering the appeal site and I agree with this position.' (Para. 10 of the Appeal Decision notice).

This proposal is for two additional flats. It would be difficult to make a case that, in principle, this was excessive and not the modest alteration of the type previously indicated to be acceptable.

The design of the proposed extension is partly determined by the construction method chosen: a steel frame built off existing walls. This gives the proposed extension an 'indented' appearance which contrasts with the existing brick part of the building, below. In combination with the large hipped roof and deep overhanging eaves, the overall affect is a vaguely dated 1980's appearance. But it is not unpleasant and clearly results in a building that is of more appropriate scale to its neighbours: Victorian terraced housing and the Stuart Road primary school, than the existing. Given that agreed view of the merits of the existing block and the absence of conservation area protection for the area, the general appearance of the proposed development is considered to improve upon the existing, and be acceptable.

Adequacy of the proposed residential environment for future occupiers

The proposed flats are of generous internal dimensions, would have multiple aspects and useable sized roof terraces / balconies. They would provide a very acceptable standard of accommodation.

The impact of the proposed roof extension upon the amenities of neighbouring residential properties

Policy CS34 (6) (Planning Application considerations) is particularly relevant to consideration of the impact of a proposed development upon the amenities of neighbouring property. It states:-

Planning permission will be granted if all relevant considerations are properly addressed. These considerations will include whether the development:

6. Protects the amenity of the area, including residential amenity in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

The proposed development would introduce an additional balcony and extra bedroom window for the proposed two bed flat above part of block B and block C. The window and balcony would look down, from a greater height, into the rear tenement and yard of Number 193 Stuart Road, the neighbour to the west. This area is currently overlooked by the existing flats. So the issue is

whether the proposal would intensify the existing overlooking and overshadowing relationship to an unacceptable extent.

At the time of the appeal into the previous ten unit scheme, the Planning Inspector considered the issues overlooking and overshadowing from developing above and commented in para. 22 of the Decision Notice as follows:-

'Residents of relatively densely populated urban areas , such as Stuart Road and Palmerston Street , are often subject to greater levels of intervisibility between properties and the greater affects of other buildings upon levels of daylight and sunlight than those experienced by residents of suburban or lower density areas. I am also conscious that the Council did not consider the proposal objectionable on these grounds. However, while mindful of the benefits of the scheme in other regards and accepting that the matter is not necessarily a determining factor in its own right , I find that the harm that would be caused to the living conditions of occupants of the flats and the neighbour at No.193, by reason of loss of light and increased overlooking , supports my conclusion that the proposal would be unacceptable and contrary to the objectives of the development plan, particularly the provisions of Policy CS34.'

That proposal was for a much larger building with more flats windows and balconies above blocks A and B facing towards the neighbouring property. However, the additional storey proposed above block C, was not signalled out for comment. It is therefore reasonable to conclude that in terms of building height, scale and massing, an additional storey above block C, is acceptable.

Unlike the pervious proposal, the current proposal contains a bedroom window and balcony on the western elevation that faces towards the tenement and yard of No. 193. It is considered that the impact and perception of overlooking from these features needs to be addressed. The applicant has been asked to consider omitting the extra bedroom window; to raise the height of the balcony balustrade to 1.6m and provide translucent or opaque glazing to reduce casual overlooking by occupiers (i.e. when seated on the balcony). Providing these, or alternative effective, measures are taken to mitigate overlooking, this relation ship is considered to be satisfactory given the overall context.

The points of concern raised about construction practices are particularly well made in this case given that the 'site' is located on top of existing occupied flats and there is very little working space for builders etc within the curtilage of the property. The hours of work suggested as acceptable by the correspondent are reasonable. It is considered that they should be included in a wider condition to regulate construction.

It is a long established nostrum of planning law that neighbours do not have a 'right to a view'. Individual views cannot be safeguarded in the way sought.

Community infrastructure Requirements

None. The proposal is for two residential units. This figure is below the threshold for collection of the Plymouth tariff under the provisions of the Market Recovery Plan.

Access and parking implications

The proposed development was built with 12 parking spaces for 15 flats - an historic shortfall of 3 spaces. Four spaces have recently been added, as hard standing making a total of 16 spaces altogether. This is one short of the ideal of providing one space per unit in this part of the city. However, it would be extremely difficult to justify refusal on the basis that the historic shortfall has only been partly, not fully, addressed by recent developments.

Equalities & Diversities issues

The proposed flats are to be built on top of the existing blocks and served by the existing staircases. There is no lift, or easy scope to provide one. The flats will therefore be unsuitable for people with disabilities.

Section 106 Obligations

The proposal is for less than 5 dwellings and is therefore exempt from Tariff payment under the Market Recovery Scheme operating between 1st Jan 2010 – 31st March 2011.

Conclusions

This is a significantly smaller and less intrusive extension proposal than the earlier scheme that members refused, and successfully defended at appeal. Ideally it would provide sufficient parking for one space to be allocated for each flat, rather than 16 shared between 17. But it is not considered that this provides sufficient reason to withhold planning permission for what is in other respects an attractive extension that will enhance the appearance of the building and the immediate neighbouring area.

Recommendation

In respect of the application dated **22/01/2010** and the submitted drawings, **1.OS Exreact SX4655SE; 2. 0408/0002/1st; 2. block plan; 3. proposed floorplan ; 5.Existing East elevation; 6.Proosed east elevation; 7.existing west elevation; 8. proposed west elevastion; 9. Existing north elevation; 10. Proposed north elevation; 11.Exiting west elevation; 12 proposed south elevation; 13 Section, 14. Roof plan**, it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

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.

CODE OF PRACTICE DURING CONSTRUCTION

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

Reason:

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

PROTECTION FROM UNWANTED NOISE

(4) The development should be built in such a way that the living rooms meet BS8233:1999 Good Room criteria

Reason: To protect the residents from unwanted noise, after occupation of the building.

PROVISION OF PARKING AREA

(5) Each parking space shown on the approved plans shall be constructed, drained, surfaced and made available for use before the unit of accommodation that it serves is first occupied and thereafter that space shall not be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

CYCLE PROVISION

(6) No dwelling shall be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for two 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

(7)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:

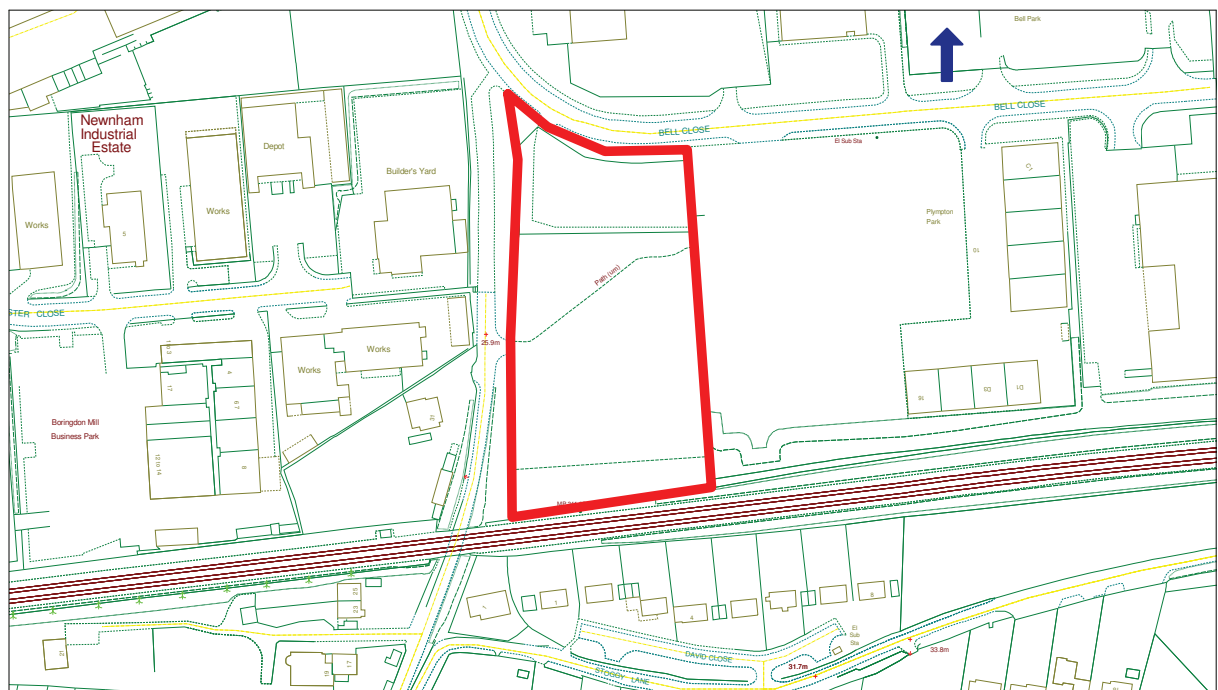
- The impact of the proposed roof extension upon the character of the area.
- Adequacy of the proposed residential environment for future occupiers
- The impact of the proposed roof extension upon the amenities of neighbouring residential properties
- Access and parking implications

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:

PPG13 - Transport
PPS3 - Housing
PPS1 - Delivering Sustainable Development
CS28 - Local Transport Consideration
CS32 - Designing out Crime
CS33 - Community Benefits/Planning Obligation
CS34 - Planning Application Consideration
CS22 - Pollution
CS20 - Resource Use
CS01 - Sustainable Linked Communities
CS02 - Design
CS15 - Housing Provision

ITEM: 07

Application Number:	10/00174/FUL
Applicant:	Mr and Mrs S Rowland
Description of Application:	Use of land as base for travelling showpeople (3 families)
Type of Application:	Full Application
Site Address:	LAND AT BELL CLOSE (EAST OF PARKSTONE LANE) NEWNHAM INDUSTRIAL ESTATE PLYMPTON PLYMOUTH
Ward:	Plympton St Mary
Valid Date of Application:	11/02/2010
8/13 Week Date:	08/04/2010
Decision Category:	Member Referral
Case Officer :	Jon Fox
Recommendation:	Grant Conditionally
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OFFICERS REPORT

Site Description

The site consists of a roughly rectangular shaped piece of vacant industrial land just under a hectare in size situated on the southern side of Bell Close, which is an industrial estate access road serving a number of employment sites in the north eastern part of Plympton. The site is bounded on the western side by a hedgebank and narrow band of trees. Beyond this Parkstone Lane runs south from Bell Close to join up with Glen Road. Parkstone Lane is blocked off to vehicular traffic approximately half way along its length, next to the site, and vehicles using this part of the lane are able to turn in a small turning head that abuts the site boundary. This part of the Lane provides access to 31 Parkstone Lane, situated on the western side of the road, which is a care home run by the Durnford Society. The site is bounded to the south by the main intercity railway line, beyond which lie the residential properties in David Close and Stoggy Lane. The eastern side of the site is a continuation of the industrial estate. The land itself is mainly overgrown with vegetation although it does include a number of trees in the south and south western part of the site.

Proposal Description

Use of land as base for travelling showpeople (3 families). The applicant's planning statement states that the site would be shared by three travelling showpeople's families, i.e. for mixed land use comprising the siting and occupation of showpeople's caravans for residential occupation together with the storage and maintenance of the individual showpeople's fairground equipment. The site will be owned by the applicants with space let out to two other showmen's families.

It is understood that the residential use would comprise three caravans and three associated touring caravans being based at the site. The applicants are members of the Showmen's Guild of Great Britain, which requires members to follow a strict code of practice regulating the use of their sites. On the business side the applicants employ a warden to help safeguard the site and two permanent employees and three/four casual employees to help maintain and operate the fairground equipment.

Relevant Planning History

05/00183/FUL - Erection of warehouse for use in connection with adjacent factory, with car parking and lorry turning area and additional vehicular access. This application was permitted.

00/01264/FUL - Single-storey side extension to provide offices and inspection area (to replace cold store units) and provision of two canopies. This application was permitted.

Consultation Responses

Highway Authority

Transport's views awaited.

Public Protection Service

Object to the application on the grounds that the use is a sensitive one, as it includes residential use, and there is no land quality assessment to demonstrate that the risk of contaminated land or that the risk of pollution to controlled waters is acceptable. PPS also raise object on the grounds that the occupiers of the caravans will not be sufficiently protected from noise.

Community Services

Comments awaited.

Police Architectural Liaison Officer

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

Housing

Comments awaited.

Asset Management

Comments awaited.

Representations

Five letters were received. Four of these raise objections on the following grounds:-

1. The land is designated for industrial use and would be better used for the creation of new premises and jobs.
2. The use will preclude creating employment opportunities.
3. The proposed use will lead to gypsies and travellers occupying the site.
4. It is believed that the applicants have sites at Lee Mill and Efford. Why do they need more?
5. There is no detail in the application of the layout of the site. Will access be from Parkstone Lane or Bell Close?
6. The Development would undermine the City's Strategic Objective 6 (LDF Core Strategy) through the erosion of the availability of employment land in what the Strategy identifies as a key business area (Core Strategy para 6.17) (Structure Plan ST20).
7. The Development would be contrary to Policy CS05, as informed by the Employment Land Review, through the loss of a viable employment site necessary to meet the area's long term economic development needs.
8. To allow residential use within an industrial area would be contrary to Strategic Objective 15, requiring the potential health impacts of development to be considered early in the planning process.
9. The Development would fail to meet the requirement in Policy CS34 to protect the residential amenity of those proposing to live at the site and fail to protect those residents from the effects of noise, in particular, which are acceptable in the context of an industrial estate but which would be inappropriate in a residential context.
10. Any grant of planning permission would be premature given the

advanced stage reached in the emerging RSS and work by DCC and Plymouth City Council to provide for Showpeople through the development plan framework, as advised in Circular 04/2007.

The fifth letter states that the site should be maintained in a tidy condition and queries: whether there will be assurances that it will be for three families only (there is a query also as to how big a family is); what assurances there are that it will not expand to “all and sundry”; who will ensure that rules are adhered to; and who will inspect the site regularly.

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 application turns on policies CS05 (development of existing sites), CS15 (overall housing provision), (CS18 (Plymouth's Green Space) and CS34 (Planning Application Considerations) of the Core Strategy of Plymouth's Local Development Framework 2007. Strategic Objective 10 of the Core Strategy seeks to ensure that everyone has access to a decent and safe home within a quality living environment. Government Circular 04/2007 (Planning for Travelling Showpeople) is an important material consideration in the determination of this application. The Circular states that *showpeople require secure, permanent bases for the storage of their equipment and more particularly for residential purposes. Such bases are most occupied during the winter, when many showpeople will return there with their caravans, vehicles and fairground equipment..... However, increasingly showpeople's quarters are occupied by some members of the family permanently. Older family members may stay on site for most of the year and there are plainly advantages in children living there all year to benefit from uninterrupted education.* The Circular also states that *the requirement for sites to be suitable both for accommodation and business uses is very important to the travelling showpeople's way of life as they find the principle of site-splitting unacceptable.* The Circular also recognizes that *the nature of travelling showpeople's business often means that equipment repairs and maintenance are necessary which can have a visual impact and can create noise in the immediate surrounding areas.* One of the intentions of the Circular is to *increase the number of travelling showpeople's sites in suitable locations with planning permission in order to address current under-provision over the next 3 – 5 years, and to maintain an appropriate level of site provision through RSSs and LDFs.*

Guidance in the Circular to travelling showpeople is that, where there are no existing or allocated sites, the following should be considered:

- *identify your area of search. Is the reason for your looking for a particular location due to family circumstances, work or other requirements?*
- *are there suitable previously developed (i.e. brownfield) sites available?*
- *Consider:*
 - *means of access*
 - *closeness to the main road network*
 - *ground conditions and levels of land*
 - *accessibility of schools and other facilities*
 - *existence of landscaping*
 - *capability of being further screened*
 - *respect for neighbouring uses*

Critically, the Circular also refers to cases where a local planning authority is preparing its site allocations DPD and that local planning authorities are expected to give substantial weight to any unmet for showmen's sites, and where there is such a need local planning authorities should consider granting a temporary planning permission.

In this case there are policy arguments for and against granting permission for the proposed use of the land. It is considered that the site's location in an established industrial location, its good access to the road network and continuing popularity as an industrial location causes disquiet at its loss. It is also one of the easier sites to develop and this estate has the potential to attract higher quality businesses. In this respect policy CS05, which requires an assessment to be made of sites proposed for alternative uses, states that consideration should be given to whether the proposal would result in the loss of a viable employment site necessary to meet the area's current or longer term economic development needs, taking into account the overall level of provision indicated by Policy CS04. However, it should also be borne in mind that the site is unused and has been for some time and that there is not a shortage of employment land in Plymouth (according to the ELR).

With regard to the demand for travelling showpeople's sites, the draft Regional Spatial Strategy (RSS) identifies the need for three such sites within Devon. Contrary to the letters of representation, the existing showpeople's site at Efford is not occupied by the applicants. Circular 04/2007 aims to address the current under provision of sites and this is a weighty consideration in this case. In this context, the site was previously considered by the Council as a potential gypsy/traveller site but was rejected because the land is allocated as factory expansion land and within an established industrial area. It was considered that there is poor access to services such as schools, health facilities etc. Adjacent factories are also potentially unsuitable neighbouring uses (noise disturbance etc). However, there is a significant difference between the needs of travelling showpeople and that of gypsies/travellers: showpeople require sites that are suitable for both accommodation and business where vehicles and fairground equipment can be stored, repaired and occasionally tested. In this respect the site has clear advantages in that it is served by a wide industrial estate access road and there is space for a large vehicle to turn within the site whilst allowing space for the storage of equipment and the occupiers' caravans. Given the mixed

use nature of this type of occupancy it is considered that an industrial estate setting would not be at odds with the proposals.

With regard to objections raised by PPS, it is considered also that the location of the site adjacent to Parkstone Lane, and the adjoining belt of trees, would be less susceptible to being affected by noise from nearby industrial activity than a site boxed in on all sides by industrial uses. The site would be affected by noise from the rail line, but in this sense the situation would be little different to the houses in David Close and Stoggy Lane.

In terms of access to facilities, the site is within approximately 510 metres of the bus stops in Glen Road that run to the city and approximately 506 metres from the Tesco store in Westfield. Its location close to the fringe of the city is less than desirable with regard to access to schools and health services, but is probably closer to such facilities than the large residential estate located at Compass Drive, to the east along Newnham Road.

With regard to screening, the site would benefit from further screening on the eastern side of the site, adjacent to existing employment land and potentially along the Bell Close frontage. The purpose of screening would be to help shield occupiers of the site from noise from nearby premises and to reduce the visual impact of the development in the street scene. With regard to existing trees on site, the proposed access road and any works associated with the use of the site must not be allowed to harm the roots of the trees.

Equalities & Diversities issues

Finding suitable sites for travelling showpeople is essential to provide equality for all. Everyone is entitled to a decent home; decent homes are a key element of any thriving, sustainable community. This is true for the settled and showpeople communities alike. Travelling showpeople are defined in Circular 04/2007 as being: *Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily or permanently, but excludes Gypsies and Travellers as defined in ODPM Circular 1/2006.*

Section 106 Obligations

None.

Conclusions

The proposed use of the site is contrary to policy CS05, which seeks, in the interests of the city's economic development, to retain viable employment sites and there are concerns in terms of policies CS15 and CS34 with regard to the amenities of occupiers of the site being affected by noise from the industrial estate. However, the Council has to consider these arguments against its obligations to provide housing for all and, particularly, the fact that there is an unmet demand for showpeoples' sites in the county, as identified in the draft RSS. In these circumstances, Circular 04/2007 leans very heavily in favour of granting a temporary planning permission. It is therefore

considered, on balance, that the disadvantages of the site in terms of loss of employment land and impact on amenity is outweighed by the need to provide such sites for the showpeople community. Provided that the site is laid out appropriately in terms of access, parking, space for residential use and storage of fairground equipment it is considered that a temporary permission should be granted for five years.

Recommendation

In respect of the application dated **11/02/2010** and the submitted drawings, **10011-1 and planning statement**, it is recommended to: **Grant Conditionally**

Conditions

TEMPORARY USE: REINSTATEMENT

(1) The use hereby permitted shall be discontinued and the land restored to its former condition on or before 30 April 2015 in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority before any works commence on site.

Reason:

In the opinion of the Local Planning Authority, the temporary use to which this permission relates will by the said date have fulfilled its required purpose. This condition is imposed to comply with Policies CS05, CS15 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007 and Government Circular 04/2007 (Planning for Travelling Showpeople).

NUMBER OF RESIDENTIAL AND TOURING CARAVANS

(2) The site shall be used for the siting of a maximum of three residential caravans and three ancillary touring caravans.

Reason:

The site is located where residential use would not normally be permitted, but is considered acceptable in this case having regard to the status of the occupiers as travelling showpeople and the size and location of the site, in accordance with Strategic Objective 10 and policies CS15 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007 and Government Circular 04/2007 (Planning for Travelling Showpeople).

MAXIMUM OCCUPATION BY THREE SHOWPEOPLE'S FAMILIES

(3) The site shall be occupied at any one time by no more than three families of travelling showpeople and all families occupying the site shall be members of the Showmen's Guild of Great Britain.

Reason:

In granting this permission the Local Planning Authority has had regard to the applicant's special circumstances but for which the application would have been refused, in accordance with Strategic Objective 10 and policies CS15 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007 and Government Circular 04/2007 (Planning for Travelling Showpeople).

LAYOUT OF THE SITE

(4) The site shall not be used in any way associated with the use hereby permitted until details of the layout of the site, including:

- the siting and levels of, and any works to construct bases or foundations for, the residential caravans and touring caravans;
- the layout and construction of all access, turning and parking areas;
- the details and siting of any associated building, plant or machinery including any necessary for the provision of gas, water and electricity;
- the layout and construction of residential amenity areas, including those to provide landscaping and play areas for children;
- the layout and construction of defined areas for the storage, maintenance and testing of fairground rides, equipment and machinery; and
- the means of foul and surface water drainage;

have been submitted to and approved in writing by the Local Planning Authority. The permitted use of the land shall accord with the approved details.

Reason:

In the interests of visual and residential amenity and to avoid the parking and storing of vehicles and/or equipment on the highway, in accordance with policies CS15, CS28 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

EXISTING TREE/HEDGEROWS TO BE RETAINED

(5) A tree survey shall be submitted to and approved in writing by the Local Planning Authority before the first use or occupation of the site and the tree survey shall specify the size, species and location of any individual trees proposed to be removed, topped or lopped. In this condition "retained tree or hedgerow" means an existing tree or hedgerow which is to be retained in accordance with the approved tree survey and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the first use or occupation of the site:

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

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

(c) The erection of fencing for the protection of any retained tree or hedgerow shall be undertaken in accordance with the approved plans and particulars (or in accordance with Section 9 of BS 5837:2005 (Guide for Trees in relation to construction) before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all

equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground areas within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason:

To ensure that trees or hedgerows retained in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 are protected during construction work and thereafter are properly maintained, if necessary by replacement.

NO VEHICULAR ACCESS FROM PARKSTONE LANE

(6) There shall be no vehicular access to and from the site other than from the approved access from Bell Close shown on the submitted plans.

Reason:

In order to avoid congestion and on-street parking occurring in Parkstone Lane and associated noise and disturbance affecting nearby residents, in accordance with policies CS28 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

LAND QUALITY

(7) 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 8 to 10 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 11 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, in accordance with policy CS34 of the Core Strategy of Plymouth's Local Development Framework April 2007.

SITE CHARACTERISATION

(8) 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, in accordance with policy CS34 of the Core Strategy of Plymouth's Local Development Framework April 2007.

SUBMISSION OF REMEDIATION SCHEME

(9) 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, in accordance with policy CS34 of the Core Strategy of Plymouth's Local Development Framework April 2007.

IMPLEMENTATION OF APPROVED REMEDIATION SCHEME

(10) 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, in accordance with policy CS34 of the Core Strategy of Plymouth's Local Development Framework April 2007.

REPORTING OF UNEXPECTED CONTAMINATION

(11) 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 8, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 9, 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 10.

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 Core Strategy of Plymouth's Local Development Framework April 2007.

JUNCTION DETAILS

(12) 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 development 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 policy CS28 of the Core Strategy of Plymouth's Local Development Framework April 2007.

ENCLOSURE AND SCREENING

(13) Development shall not begin until there has been submitted to and approved in writing by the Local Planning Authority details of means of enclosure and screening the site. The works shall conform to the approved details and shall be completed before the site is first used or occupied.

Reason:

To ensure that the details of the development are in keeping with the standards of the vicinity and in order to protect occupiers of the site from noise and disturbance, in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the impact on employment land provision, the amenities of the occupiers of the site, highway safety, the impact on the character and appearance of the area, and the impact on neighbouring properties, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents 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:

PPG24 - Planning and Noise
PPS3 - Housing
PPS23 - Planning & Pollution Control
RPG10
CS28 - Local Transport Consideration
CS34 - Planning Application Consideration
CS22 - Pollution
CS18 - Plymouth's Green Space
CS22 - Pollution
CS05 - Development of Existing Sites
CS04 - Future Employment Provision
CS15 - Housing Provision
CS16 - Housing Sites
SO6 - Delivering the Economic Strategy Targets
SO10 - Delivering Adequate Housing Supply Targets
Circular 04/2007 – Planning For Travelling Showpeople

PLANNING COMMITTEE

Decisions issued for the following period: 23 February 2010 to 19 March 2010

Note - This list includes:

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

Item No 1

Application Number: 09/00053/FUL **Applicant:** Devington Homes Ltd

Application Type: Full Application

Description of Development: Demolition of buildings and re-development of site to include 31 storey tower, for a mixed use development comprising retail and food and drink uses (use classes A1, A3 and A4), 109 residential apartments, 142 student units, hotel and leisure facilities (use classes C1 and D2), highway improvement and associated landscaping and 170 car parking spaces

Site Address FOOT ANSTEY OFFICES, DERRYS CROSS PLYMOUTH

Case Officer: Mark Evans

Decision Date: 12/03/2010

Decision: Grant Subject to S106 Obligation - Full

Item No 2

Application Number: 09/01014/FUL **Applicant:** Mr M Worrall

Application Type: Full Application

Description of Development: Replacement and additional windows and doors and other alterations

Site Address 11 ALFRED STREET THE HOE PLYMOUTH

Case Officer: Thomas Westrope

Decision Date: 04/03/2010

Decision: Grant Conditionally

Item No 3

Application Number: 09/01015/LBC **Applicant:** Mr M Worrall
Application Type: Listed Building
Description of Development: Stud wall in lower ground kitchen to provide shower room; raise lower ground bedroom and kitchen floors with associated door shortening; various replacement and additional windows and doors; and other alterations
Site Address 11 ALFRED STREET PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 04/03/2010
Decision: Grant Conditionally

Item No 4

Application Number: 09/01111/LBC **Applicant:** Plymouth City Council
Application Type: Listed Building
Description of Development: Non-illuminated fascia sign and five non-illuminated directional sign
Site Address TINSIDE POOL, HOE ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 11/03/2010
Decision: Sent to GOSW for determination

Item No 5

Application Number: 09/01395/FUL **Applicant:** Mr G Whinfrey
Application Type: Full Application
Description of Development: Single-storey garage with raised amenity area above, access steps, external alterations and formation of vehicle access.
Site Address 31 ALCESTER STREET PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 18/03/2010
Decision: Refuse

Item No 6

Application Number: 09/01401/ADV **Applicant:** Mr John Sweeney
Application Type: Advertisement
Description of Development: Display of poster panel on Virgin Media cabinet
Site Address (OUTSIDE) 32 NEW GEORGE STREET PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 16/03/2010
Decision: Refuse

Item No 7

Application Number: 09/01404/FUL **Applicant:** The Una Group
Application Type: Full Application
Description of Development: Continue use as vehicle hire, concrete works, motor cycle instruction centre and crane hire business, retention of associated portacabins, containers and plant, and erection of a renal unit and carwash for a temporary period of 10 years
Site Address EATON BUSINESS PARK, PLYMBRIDGE ROAD ESTOVER PLYMOUTH
Case Officer: Carly Francis
Decision Date: 10/03/2010
Decision: Grant Subject to S106 Obligation - Full

Item No 8

Application Number: 09/01428/FUL **Applicant:** Mr Kevin Briscoe
Application Type: Full Application
Description of Development: Erection of a pair of 3-storey semi-detached dwellings
Site Address TENNIS COURTS, RUSSELL AVENUE PLYMOUTH
Case Officer: Jon Fox
Decision Date: 19/03/2010
Decision: Grant Subject to S106 Obligation - Full

Item No 9

Application Number: 09/01466/FUL **Applicant:** Mrs S Al Subiai
Application Type: Full Application
Description of Development: Erection of two-storey building containing 2 flats, attached to side/rear of existing house
Site Address 1 ARLINGTON ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 26/02/2010
Decision: Refuse

Item No 10

Application Number: 09/01471/FUL **Applicant:** Ms C West
Application Type: Full Application
Description of Development: Change of use and conversion of garage/workshop to dwelling, with formation of rooms in roofspace involving raising roof height, dormer extension and rooflights.
Site Address LAND REAR OF 11 WOODLAND TERRACE, GREENBANK ROAD PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 26/02/2010
Decision: Refuse

Item No 11

Application Number: 09/01492/FUL **Applicant:** Mrs Susan Colwill
Application Type: Full Application
Description of Development: Retention of taxi (private hire) booking office
Site Address 624 WOLSELEY ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 17/03/2010
Decision: Refuse

Item No 12

Application Number: 09/01559/FUL **Applicant:** Mr and Mrs P Mayer
Application Type: Full Application
Description of Development: Demolition of dwelling and construction of 14 dwellings with associated road and landscaping
Site Address HOLTWOOD, PLYMBRIDGE ROAD PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 09/03/2010
Decision: Refuse

Item No 13

Application Number: 09/01562/OU **Applicant:** South West Water
Application Type: Outline Application
Description of Development: Outline application to develop site by erection of four dwellings with associated parking (existing telecommunications mast to be removed)
Site Address ELBURTON RESERVOIR, RESERVOIR ROAD ELBURTON PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 16/03/2010
Decision: Grant Conditionally

Item No 14

Application Number: 09/01572/FUL **Applicant:** Mr Max Clift
Application Type: Full Application
Description of Development: Develop part of rear garden by erection of detached dwelling with integral private motor garage
Site Address LAND AT REAR 59 VALLETORT ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 03/03/2010
Decision: Refuse

Item No 15

Application Number: 09/01589/FUL **Applicant:** Mr M Johns
Application Type: Full Application
Description of Development: Erection of detached double private motor garage on existing hardstanding
Site Address 83 UNDERLANE PLYMPTON PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 09/03/2010
Decision: Refuse

Item No 16

Application Number: 09/01601/FUL **Applicant:** University of Plymouth
Application Type: Full Application
Description of Development: Replacement of existing timber windows with white powder coated aluminium windows
Site Address 1 KIRKBY PLACE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 08/03/2010
Decision: Grant Conditionally

Item No 17

Application Number: 09/01614/FUL **Applicant:** Mr Chris Hall
Application Type: Full Application
Description of Development: Change of use and conversion of existing flats into one 2 bedroom flat, one 1 bedroom flat and one studio flat.
Site Address 67 RIDGEWAY PLYMPTON PLYMOUTH
Case Officer: Jon Fox
Decision Date: 12/03/2010
Decision: Application Withdrawn

Item No 18

Application Number: 09/01631/FUL **Applicant:** Oakleys
Application Type: Full Application
Description of Development: Continue use of front of site to display cars for sale
Site Address 4 NEWNHAM ROAD PLYMPTON PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 18/03/2010
Decision: Refuse

Item No 19

Application Number: 09/01633/TPO **Applicant:** Mr John Horwell
Application Type: Tree Preservation
Description of Development: Fell one Oak tree
Site Address 36 DEVERON CLOSE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 24/02/2010
Decision: Not Determined

Item No 20

Application Number: 09/01642/FUL **Applicant:** Mr J McGill
Application Type: Full Application
Description of Development: Demolition of existing dwelling, and erection of new dwelling, to include private motor garage and rooms in roofspace with balcony, dormer window and rooflights.
Site Address 157 ELBURTON ROAD ELBURTON PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 26/02/2010
Decision: Grant Conditionally

Item No 21

Application Number: 09/01655/FUL **Applicant:** Mr K Riggs
Application Type: Full Application
Description of Development: Single-storey side extension (existing store to be removed)
Site Address 26 TILLARD CLOSE PLYMPTON PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 23/02/2010
Decision: Grant Conditionally

Item No 22

Application Number: 09/01662/FUL **Applicant:** Matrix Plymouth SA
Application Type: Full Application
Description of Development: Change of use and conversion of "Glastonbury" building to create four additional residential units, now totalling 12 units. (Variation to approved application 05/00953/FUL)
Site Address GLASTONBURY ST DUNSTANS ABBEY SCHOOL, CRAIGIE DRIVE MILLFIELDS PLYMOUTH
Case Officer: Carly Francis
Decision Date: 11/03/2010
Decision: Grant Subject to S106 Obligation - Full

Item No 23

Application Number: 09/01664/LBC **Applicant:** Matrix Plymouth SA
Application Type: Listed Building
Description of Development: Change of use and conversion of "Glastonbury" building to create four additional residential units now totalling 12 units. (variation to approved application 05/00955/LBC)
Site Address GLASTONBURY, ST DUNSTANS ABBEY SCHOOL, CRAIGIE DRIVE MILLFIELDS PLYMOUTH
Case Officer: Carly Francis
Decision Date: 11/03/2010
Decision: Grant Conditionally

Item No 24

Application Number: 09/01677/TPO **Applicant:** Richard Tuffin & Co
Application Type: Tree Preservation
Description of Development: Fell 3 lime trees and prune 1 lime tree by 2 metres
Site Address LADY HAMILTON HOUSE, NELSON GARDENS STOKE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 12/03/2010
Decision: Refuse

Item No 25

Application Number: 09/01694/FUL **Applicant:** Ms Adrienne Gardner
Application Type: Full Application
Description of Development: Provision of external staircase to provide rear access to first-floor flat
Site Address 22 DEVONPORT ROAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 01/03/2010
Decision: Grant Conditionally

Item No 26

Application Number: 09/01702/FUL **Applicant:** Mrs S Thomas
Application Type: Full Application
Description of Development: Replacement windows
Site Address 436 TAVISTOCK ROAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 12/03/2010
Decision: Grant Conditionally

Item No 27

Application Number: 09/01714/FUL **Applicant:** MrsTracey Wheaton
Application Type: Full Application
Description of Development: Erection of perimeter fencing
Site Address 2-48 QUEEN STREET PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 24/02/2010
Decision: Grant Conditionally

Item No 28

Application Number: 09/01736/FUL **Applicant:** Langdale Developments (SW) Lt
Application Type: Full Application
Description of Development: Redevelop site by erection of 11 dwellings (demolition of existing public house)
Site Address THE TIGER,141A DORCHESTER AVENUE WHITLEIGH PLYMOUTH
Case Officer: Carly Francis
Decision Date: 12/03/2010
Decision: Grant Subject to S106 Obligation - Full

Item No 29

Application Number: 09/01740/FUL **Applicant:** Miss Rebecca Escott
Application Type: Full Application
Description of Development: Proposed single storey rear extension (existing conservatory to be removed)
Site Address 30 PLAISTOW CRESCENT HIGHER ST BUDEAUX PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 08/03/2010
Decision: Refuse

Item No 30

Application Number: 09/01742/FUL **Applicant:** Mr C Wood
Application Type: Full Application
Description of Development: Retention of French doors, steps, and guarding around flat roof area
Site Address 76 SPRINGFIELD ROAD PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 01/03/2010
Decision: Refuse

Item No 31

Application Number: 09/01753/FUL **Applicant:** Langdale Developments (SW) Lt
Application Type: Full Application
Description of Development: Redevelop site by erection of 11 dwellings (demolition of existing public house)
Site Address THE LION AND COLUMN PUB, HAM GREEN LANE HAM DRIVE PLYMOUTH
Case Officer: Carly Francis
Decision Date: 17/03/2010
Decision: Grant Subject to S106 Obligation - Full

Item No 32

Application Number: 09/01773/FUL **Applicant:** Sisters of Nazareth Charitable Tr
Application Type: Full Application
Description of Development: Amendment to existing consent (05/01356/FUL for the development of care village and alterations and extension to existing care home) to amend the proposals for the second floor convent to the existing care home
Site Address NAZARETH HOUSE, DURNFORD STREET STONEHOUSE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 03/03/2010
Decision: Grant Conditionally

Item No 33

Application Number: 09/01801/FUL **Applicant:** Mr Terry Purdy
Application Type: Full Application
Description of Development: Demolition of former plant hire building and erection of 4 two storey light industrial workshop units, extension to existing factory, recladding of existing factory and provision of associated vehicle parking and turning areas and alterations to access from Oreston Road.
Site Address 52A ORESTON ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 08/03/2010
Decision: Grant Conditionally

Item No 34

Application Number: 09/01818/FUL **Applicant:** Mr Paul Davy
Application Type: Full Application
Description of Development: Continue use of building as five self-contained flats
Site Address 41 TAVISTOCK PLACE PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 26/02/2010
Decision: Grant Conditionally

Item No 35

Application Number: 09/01825/FUL **Applicant:** Simon Cronk
Application Type: Full Application
Description of Development: Front hardstanding and associated widening of vehicular access onto classified road
Site Address 274 CROWNHILL ROAD PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 09/03/2010
Decision: Application Withdrawn

Item No 36

Application Number: 09/01828/FUL **Applicant:** Mr Braham Witt-Davis
Application Type: Full Application
Description of Development: Develop part of garden by erection of a detached three-storey dwellinghouse with double private motor garage
Site Address BALLEWAN, 2 CONQUEROR DRIVE PLYMOUTH
Case Officer: Janine Warne
Decision Date: 15/03/2010
Decision: Refuse

Item No 37

Application Number: 09/01829/FUL **Applicant:** Mr Lee Curtis
Application Type: Full Application
Description of Development: Construction and erection of two detached dwellings and associated driveway and garage block
Site Address LAND OFF COLESDOWN HILL BILLACOMBE PLYMOUTH
Case Officer: Jon Fox
Decision Date: 01/03/2010
Decision: Application Withdrawn

Item No 38

Application Number: 09/01836/FUL **Applicant:** Devon & Cornwall Housing Asso
Application Type: Full Application
Description of Development: Erection of 69 dwellings with associated access road and car parking areas
Site Address LAND AT KINTERBURY SQUARE BARNE BARTON PLYMOUTH
Case Officer: Carly Francis
Decision Date: 12/03/2010
Decision: Grant Subject to S106 Obligation - Full

Item No 39

Application Number: 09/01837/FUL **Applicant:** Devon & Cornwall Housing Asso
Application Type: Full Application
Description of Development: Erection of 38 dwellings with associated access roads and parking areas
Site Address LAND ADJACENT TO FOULSTON AVENUE BARNE
BARTON PLYMOUTH
Case Officer: Carly Francis
Decision Date: 12/03/2010
Decision: Grant Subject to S106 Obligation - Full

Item No 40

Application Number: 09/01851/FUL **Applicant:** Plymouth College
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 Address REAR OF COLSON HOUSE, FORD PARK PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 01/03/2010
Decision: Grant Conditionally

Item No 41

Application Number: 09/01852/LBC **Applicant:** Plymouth College
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 Address REAR OF COLSON HOUSE, FORD PARK PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 01/03/2010
Decision: Grant Conditionally

Item No 42

Application Number: 09/01858/FUL **Applicant:** EDH MOT and Repair Centre
Application Type: Full Application
Description of Development: Change of use from warehouse to M.O.T. testing station
Site Address 7 BROXTON DRIVE POMPHLETT FARM INDUSTRIAL ESTATE PLYMSTOCK PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 12/03/2010
Decision: Refuse

Item No 43

Application Number: 09/01861/FUL **Applicant:** Russell Ham Car Sales
Application Type: Full Application
Description of Development: Erection of single-storey office, utility room and car valetting building and construction of cess pit ancillary to existing car sales business
Site Address 112 LAIRA BRIDGE ROAD PRINCE ROCK PLYMOUTH
Case Officer: Jon Fox
Decision Date: 17/03/2010
Decision: Grant Conditionally

Item No 44

Application Number: 09/01862/FUL **Applicant:** Mrs Svelana Stoupnikov
Application Type: Full Application
Description of Development: Change of use from B1 to B1/A2
Site Address 9A THE CRESCENT PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 04/03/2010
Decision: Grant Conditionally

Item No 45

Application Number: 09/01865/FUL **Applicant:** Mr & Mrs Stewart
Application Type: Full Application
Description of Development: Three-storey rear extension and provision of window in existing side elevation (existing rear kitchen and store to be removed)
Site Address 7 STENTAWAY ROAD BILLACOMBE PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 24/02/2010
Decision: Grant Conditionally

Item No 46

Application Number: 09/01877/FUL **Applicant:** Mr Richard Fisher
Application Type: Full Application
Description of Development: Change of use and conversion of dwellinghouse to form three self-contained flats including single-storey rear extension (existing extension to be removed) and formation of rear parking area
Site Address 37 LADYSMITH ROAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 09/03/2010
Decision: Grant Conditionally

Item No 47

Application Number: 09/01884/FUL **Applicant:** Consultant Partners, Chaddlewo
Application Type: Full Application
Description of Development: Alterations and single-storey extension to doctors surgery
Site Address 128 BELLINGHAM CRESCENT PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 25/02/2010
Decision: Grant Conditionally

Item No 48

Application Number: 09/01888/OU **Applicant:** Pillar Land Securities Ltd
Application Type: Outline Application
Description of Development: Erection of one three-five storey building and one three storey building for student accommodation for 107 occupiers, arranged around 14 communal dining/living spaces, access, parking and landscaping
Site Address LAND BOUNDED BY PLYMBRIDGE LANE, DERRIFORD ROAD AND HOWESON LANE DERRIFORD PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 15/03/2010
Decision: Grant Subject to S106 Obligation - Outline

Item No 49

Application Number: 09/01892/FUL **Applicant:** Mrs Madeline Maddison
Application Type: Full Application
Description of Development: Front porch
Site Address 33 PARKER ROAD PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 12/03/2010
Decision: Grant Conditionally

Item No 50

Application Number: 09/01893/ADV **Applicant:** Boots PLC
Application Type: Advertisement
Description of Development: One internally illuminated fascia advertisement
Site Address 30 CORNWALL STREET CITY CENTRE PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 15/03/2010
Decision: Grant Conditionally

Item No 51

Application Number: 09/01896/FUL **Applicant:** Mr Nigel Churcher
Application Type: Full Application
Description of Development: Two storey side extension (amendment to previously submitted scheme)
Site Address 48 TREVENEAGUE GARDENS PENNYCROSS PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 01/03/2010
Decision: Grant Conditionally

Item No 52

Application Number: 09/01898/FUL **Applicant:** Mrs A Hook
Application Type: Full Application
Description of Development: Front porch
Site Address 30 RAYNHAM ROAD PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 05/03/2010
Decision: Grant Conditionally

Item No 53

Application Number: 09/01913/FUL **Applicant:** Mr Alexander Fletcher
Application Type: Full Application
Description of Development: Change of use and conversion of dwellinghouse to offices (use class B1(a))
Site Address 5 CROWNHILL ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 26/02/2010
Decision: Grant Conditionally

Item No 54

Application Number: 09/01929/LBC **Applicant:** Mr Chris Rae
Application Type: Listed Building
Description of Development: Replacement of existing bay window and flat roof with traditional style sash windows and new flat roof
Site Address 84 DURNFORD STREET PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 16/03/2010
Decision: Grant Conditionally

Item No 55

Application Number: 10/00007/PRD **Applicant:** Mr Gary Johnson
Application Type: LDC Proposed Develop
Description of Development: Formation of rooms in roofspace including construction of two gable ends, rear dormer and four front rooflights
Site Address 21 FIRST AVENUE BILLACOMBE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 04/03/2010
Decision: Refuse to Issue Cert - (Ex)

Item No 56

Application Number: 10/00013/LBC **Applicant:** Mrs Jaqueline Burrige
Application Type: Listed Building
Description of Development: Retention of front gates and railings (amended design)
Site Address 3 COLLINGWOOD VILLAS, COLLINGWOOD ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 24/02/2010
Decision: Refuse

Item No 57

Application Number: 10/00015/FUL **Applicant:** Mr Paul Routley
Application Type: Full Application
Description of Development: Develop part of garden by erection of dwellinghouse with integral private motor garage accessed from Dunstone Close (application for new planning permission to replace permission 06/01614/FUL in order to extend time limit for implementation)
Site Address 11A DUNSTONE DRIVE PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 19/03/2010
Decision: Grant Conditionally

Item No 58

Application Number: 10/00016/LBC **Applicant:** Mr P Roberts
Application Type: Listed Building
Description of Development: Works associated with conversion of coach house to form dwelling
Site Address 1 CLARENDON LANE PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 19/03/2010
Decision: Grant Conditionally

Item No 59

Application Number: 10/00021/ADV **Applicant:** Specsavers Optical Superstore L
Application Type: Advertisement
Description of Development: Illuminated fascia sign
Site Address 39 to 41 THE BROADWAY PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 26/02/2010
Decision: Grant Conditionally

Item No 60

Application Number: 10/00022/FUL **Applicant:** Specsavers Optical Superstores
Application Type: Full Application
Description of Development: Installation of nine external air conditioning condenser units on rear flat roof
Site Address 39 to 41 THE BROADWAY PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 26/02/2010
Decision: Grant Conditionally

Item No 61

Application Number: 10/00023/ADV **Applicant:** Co-operative Group
Application Type: Advertisement
Description of Development: illuminated fascia and projecting signs
Site Address 56 SALISBURY ROAD PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 24/02/2010
Decision: Grant Conditionally

Item No 62

Application Number: 10/00025/FUL **Applicant:** Mr P Daniels
Application Type: Full Application
Description of Development: Single-storey rear extension
Site Address 12 LALEBRICK ROAD PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 24/02/2010
Decision: Grant Conditionally

Item No 63

Application Number: 10/00026/FUL **Applicant:** Towers Management Co
Application Type: Full Application
Description of Development: Creation of one additional student bedroom unit
Site Address CENTRAL PARK TOWERS, CENTRAL PARK AVENUE
PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 19/03/2010
Decision: Grant Conditionally

Item No 64

Application Number: 10/00027/FUL **Applicant:** Devon & Somerset Fire & Rescu
Application Type: Full Application
Description of Development: Siting of portable building for use as storage & office space
Site Address FIRE STATION, CROWNHILL ROAD PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 26/02/2010
Decision: Grant Conditionally

Item No 65

Application Number: 10/00029/FUL **Applicant:** Mrs J Khadka
Application Type: Full Application
Description of Development: Two storey rear extension (including demolition of existing extension) & construction of porch to front
Site Address 6 HORSHAM LANE HONICKNOWLE PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 08/03/2010
Decision: Grant Conditionally

Item No 66

Application Number: 10/00034/FUL **Applicant:** Mr & Mrs R Searle
Application Type: Full Application
Description of Development: First floor side extension / extension of time limit for implementation
Site Address 58 POWISLAND DRIVE PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 09/03/2010
Decision: Grant Conditionally

Item No 67

Application Number: 10/00037/PRD **Applicant:** Mrs Susan Shelley
Application Type: LDC Proposed Develop
Description of Development: Loft conversion, with rear dormer
Site Address 51 UNDERWOOD ROAD PLYMPTON PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 26/02/2010
Decision: Issue Certificate - Lawful Use

Item No 68

Application Number: 10/00038/FUL **Applicant:** Mr Martin Clift
Application Type: Full Application
Description of Development: Two storey rear extension
Site Address 56 SHIRBURN ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 25/02/2010
Decision: Refuse

Item No 69

Application Number: 10/00039/PRD **Applicant:** Mr & Mrs Olsen Moore
Application Type: LDC Proposed Develop
Description of Development: Formation of rooms in roofspace (loft conversion and enlargement including raising ridge and a dormer)
Site Address 11 LIPPELL DRIVE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 26/02/2010
Decision: Issue Certificate - Lawful Use

Item No 70

Application Number: 10/00040/LBC **Applicant:** Mr Lawrence Butler
Application Type: Listed Building
Description of Development: Construction of new rooflight and dormer window. (revision to listed building consent 09/00367/LBC)
Site Address THE JARVIS GRAND HOTEL,24 ELLIOT STREET
PLYMOUTH
Case Officer: Mark Evans
Decision Date: 24/02/2010
Decision: Grant Conditionally

Item No 71

Application Number: 10/00042/PRD **Applicant:** Mr R Hyne
Application Type: LDC Proposed Develop
Description of Development: Rear conservatory
Site Address 8 MARDON CLOSE THORNBURY PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 26/02/2010
Decision: Issue Certificate - Lawful Use

Item No 72

Application Number: 10/00043/PRD **Applicant:** Mr Jason Williams
Application Type: LDC Proposed Develop
Description of Development: Two-storey side extension
Site Address 18 FURZEHATT ROAD PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 25/02/2010
Decision: Refuse to Issue Cert - (Ex)

Item No 73

Application Number: 10/00045/TPO **Applicant:** Mr G Witts-Davies
Application Type: Tree Preservation
Description of Development: 7 Poplar to be reduced to previous pruning points & extended branches over drive & foot path reduced.
1 Poplar - suppressed small tree to be removed
Site Address 2 CONQUEROR DRIVE MANADON PLYMOUTH
Case Officer: Jane Turner
Decision Date: 01/03/2010
Decision: Grant Conditionally

Item No 74

Application Number: 10/00046/FUL **Applicant:** A & L Care Home
Application Type: Full Application
Description of Development: Castellations to tower & bay windows on south & west elevations, replacement windows on the tower first & second floor with arched headed windows with pointed apex
Site Address MAYFLOWER HOUSE, COURTFIELD ROAD MANNAMEAD PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 10/03/2010
Decision: Grant Conditionally

Item No 75

Application Number: 10/00047/CAC **Applicant:** A & L Care Homes
Application Type: Conservation Area
Description of Development: Castellations to tower & bay windows on south & west elevations, replacement windows on the tower first & second floor with arched headed windows with pointed apex
Site Address MAYFLOWER HOUSE, COURTFIELD ROAD MANNAMEAD PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 10/03/2010
Decision: Grant Conditionally

Item No 76

Application Number: 10/00049/FUL **Applicant:** Mr Duncan Westlake
Application Type: Full Application
Description of Development: Formation of rooms in roofspace including rear dormer and two front rooflights
Site Address 7 HILLSIDE AVENUE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 26/02/2010
Decision: Grant Conditionally

Item No 77

Application Number: 10/00050/ADV **Applicant:** KFC GB Ltd
Application Type: Advertisement
Description of Development: Replacement signage
Site Address 227 TAVISTOCK ROAD PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 10/03/2010
Decision: Grant Conditionally

Item No 78

Application Number: 10/00053/ADV **Applicant:** Tesco Stores Ltd
Application Type: Advertisement
Description of Development: Illuminated and non-illuminated signage
Site Address 1 PLYMOUTH ROAD PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 08/03/2010
Decision: Grant Conditionally

Item No 79

Application Number: 10/00054/FUL **Applicant:** Tesco Stores Ltd
Application Type: Full Application
Description of Development: Installation of freestanding cash machine (ATM) pod and three anti ram raid bollards
Site Address 1 PLYMOUTH ROAD PLYMPTON PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 09/03/2010
Decision: Refuse

Item No 80

Application Number: 10/00055/FUL **Applicant:** Tesco Stores Ltd
Application Type: Full Application
Description of Development: Retention of one external condenser unit and three external air conditioning units, with replacement fencing
Site Address 1 PLYMOUTH ROAD PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 10/03/2010
Decision: Grant Conditionally

Item No 81

Application Number: 10/00059/FUL **Applicant:** Mr Gumbrell
Application Type: Full Application
Description of Development: New shopfront
Site Address 25 MARKET AVENUE PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 12/03/2010
Decision: Grant Conditionally

Item No 82

Application Number: 10/00060/ADV **Applicant:** Mr Gumbrell
Application Type: Advertisement
Description of Development: Non illuminated fascia sign
Site Address 25 MARKET AVENUE PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 12/03/2010
Decision: Grant Conditionally

Item No 83

Application Number: 10/00065/FUL **Applicant:** Mr and Mrs David Huntley
Application Type: Full Application
Description of Development: First floor side extension, renewal of dormer window to front, installation of 3 suntunnels & rooflights & replacement windows & formation of patio doors
Site Address 14 POWISLAND DRIVE DERRIFORD PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 12/03/2010
Decision: Grant Conditionally

Item No 84

Application Number: 10/00067/FUL **Applicant:** Mr David Brown
Application Type: Full Application
Description of Development: Part two storey, part single storey rear extension (existing extension to be removed)
Site Address 4 NORMANDY WAY HIGHER ST BUDEAUX PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 15/03/2010
Decision: Grant Conditionally

Item No 85

Application Number: 10/00068/FUL **Applicant:** Mr and Mrs Cross
Application Type: Full Application
Description of Development: First-floor rear extension (with roof lights in extension pitched roof)
Site Address 31 KNOWLE AVENUE KEYHAM PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 15/03/2010
Decision: Grant Conditionally

Item No 86

Application Number: 10/00069/TPO **Applicant:** Mr Charlie Harris
Application Type: Tree Preservation
Description of Development: Ash - reduce to previous pruning points
Site Address 4 POWDERHAM ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 26/02/2010
Decision: Grant Conditionally

Item No 87

Application Number: 10/00070/PRD **Applicant:** University of Plymouth
Application Type: LDC Proposed Develop
Description of Development: Removal of rainscreen panels on east and west elevations and replacement with ventilation louvres
Site Address DAVY BUILDING UNIVERSITY OF PLYMOUTH, DRAKE CIRCUS PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 15/03/2010
Decision: Issue Certificate - Lawful Use

Item No 88

Application Number: 10/00071/FUL **Applicant:** Mr Darren Haynes
Application Type: Full Application
Description of Development: Single-storey rear extension (resubmission of previously refused application 09/01648/FUL)
Site Address 11 HIGHER MOWLES HIGHER COMPTON PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 16/03/2010
Decision: Grant Conditionally

Item No 89

Application Number: 10/00073/FUL **Applicant:** Mr Jacob Davies
Application Type: Full Application
Description of Development: Single storey rear extension, ramp and associated internal alterations
Site Address 60 PEMROS ROAD ST BUDEAUX PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 15/03/2010
Decision: Grant Conditionally

Item No 90

Application Number: 10/00076/FUL **Applicant:** Mr D Burt
Application Type: Full Application
Description of Development: Two storey side extension and porch to front
Site Address 118 AUSTIN CRESCENT EGGBUCKLAND PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 17/03/2010
Decision: Refuse

Item No 91

Application Number: 10/00078/ADV **Applicant:** Co-operative Group
Application Type: Advertisement
Description of Development: Two externally illuminated fascia signs and one non-illuminated sign
Site Address 8 GEORGE STREET PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 18/03/2010
Decision: Grant Conditionally

Item No 92

Application Number: 10/00080/FUL **Applicant:** Mr Sean Leake
Application Type: Full Application
Description of Development: Single-storey rear extension
Site Address 6 BRANCKER ROAD PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 18/03/2010
Decision: Grant Conditionally

Item No 93

Application Number: 10/00081/FUL **Applicant:** Mr Robert Killone
Application Type: Full Application
Description of Development: Single-storey rear extension (existing garage to be removed) and front raised access
Site Address 54 KINGS ROAD ST BUDEAUX PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 17/03/2010
Decision: Grant Conditionally

Item No 94

Application Number: 10/00085/FUL **Applicant:** Sisters of Nazareth Charitable Tr
Application Type: Full Application
Description of Development: Amendment to wording of condition to allow phased implementation
Site Address NAZARETH HOUSE, DURNFORD STREET STONEHOUSE PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 17/03/2010
Decision: Grant Conditionally

Item No 95

Application Number: 10/00086/FUL **Applicant:** Mrs J L Corridan
Application Type: Full Application
Description of Development: Two storey side extension
Site Address 1 HILLDEAN CLOSE TAMERTON FOLIOT PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 17/03/2010
Decision: Grant Conditionally

Item No 96

Application Number: 10/00092/FUL **Applicant:** Mr and Mrs Paul Warren
Application Type: Full Application
Description of Development: Single-storey rear extension
Site Address 48 ROCKINGHAM ROAD PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 18/03/2010
Decision: Grant Conditionally

Item No 97

Application Number: 10/00094/ADV **Applicant:** Co-op Group Ltd
Application Type: Advertisement
Description of Development: Externally illuminated fascia sign
Site Address 45 WHITLEIGH GREEN PLYMOUTH
Case Officer: David Jeffrey
Decision Date: 17/03/2010
Decision: Grant Conditionally

Item No 98

Application Number: 10/00101/FUL **Applicant:** Mr Kelvin Phillips
Application Type: Full Application
Description of Development: Alterations and extension to café premises (including new access ramp, ground floor front extension, and extension above - at first floor level)
Site Address DEVILS POINT CAFÉ FIRESTONE BAY DURNFORD STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 19/03/2010
Decision: Refuse

Item No 99

Application Number: 10/00104/TPO **Applicant:** Mrs A Lawrence
Application Type: Tree Preservation
Description of Development: 3 Limes - repollard to previous pruning points
Site Address 1 QUEENS ROAD LIPSON PLYMOUTH
Case Officer: Jane Turner
Decision Date: 16/03/2010
Decision: Grant Conditionally

Item No 100

Application Number: 10/00107/TPO **Applicant:** Mr Brian Haynes
Application Type: Tree Preservation
Description of Development: Cypress - fell
Site Address HELLENSLEIGH, COBB LANE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 15/03/2010
Decision: Refuse

Item No 101

Application Number: 10/00112/FUL **Applicant:** Mr Martin Johnson
Application Type: Full Application
Description of Development: Two-storey side extension
Site Address 38 SUMMERLANDS GARDENS PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 16/03/2010
Decision: Grant Conditionally

Item No 102

Application Number: 10/00116/TPO **Applicant:** Mr M Helliwell
Application Type: Tree Preservation
Description of Development: Crown lift lime tree to 3 metres above ground level
Site Address 34 COMPTON AVENUE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 24/02/2010
Decision: Grant Conditionally

Item No 103

Application Number: 10/00121/TPO **Applicant:** Turners Of Roborough
Application Type: Tree Preservation
Description of Development: Ash - reduce crown by 20%
Site Address 432 TAVISTOCK ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 16/03/2010
Decision: Grant Conditionally

Item No 104

Application Number: 10/00123/FUL **Applicant:** (02) UK Ltd
Application Type: Full Application
Description of Development: Installation of a 20 metre high dual user telecommunications mast with two associated equipment cabinets and ancillary development (amendment to previously approved scheme 08/02197/FUL)
Site Address WAREHOUSE SERVICES, LYNHER HOUSE PLYMOUTH
Case Officer: Janine Warne
Decision Date: 17/03/2010
Decision: Grant Conditionally

Item No 105

Application Number: 10/00127/TPO **Applicant:** Mr Raymond Coles
Application Type: Tree Preservation
Description of Development: Sycamore - 10% crown thin
Site Address 2 KIMBERLY DRIVE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 24/02/2010
Decision: Grant Conditionally

Item No 106

Application Number: 10/00136/ADV **Applicant:** Co-Op Group Ltd
Application Type: Advertisement
Description of Development: Six illuminated fascia signs and one illuminated projecting sign
Site Address CO-OP, RIDGEWAY PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 19/03/2010
Decision: Grant Conditionally

Item No 107

Application Number: 10/00159/FUL **Applicant:** Friend Properties
Application Type: Full Application
Description of Development: Construction of a two-storey building to provide garages, store and offices
Site Address LAND AT REAR OF 4 VICTORIA PLACE, MILLBAY ROAD PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 19/03/2010
Decision: Refuse

Item No 108

Application Number: 10/00168/TPO **Applicant:** Plymouth City Council
Application Type: Tree Preservation
Description of Development: Crown lift 2 Horse Chestnut trees to 4 metres above ground level
Site Address CENTRAL PARK, MAYFLOWER DRIVE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 12/03/2010
Decision: Grant Conditionally

Item No 109

Application Number: 10/00185/TPO **Applicant:** Kings School
Application Type: Tree Preservation
Description of Development: Group of holly/bay - coppice
Euonymus japonica - dying - fell
Site Address KINGS SCHOOL, HARTLEY ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 16/03/2010
Decision: Grant Conditionally

Item No 110

Application Number: 10/00203/ESR **Applicant:** Black and Veatch Ltd
Application Type: Environmental Ass
Description of Development: Screening opinion
Site Address WESTON MILL LAKE
Case Officer: Jeremy Guise
Decision Date: 04/03/2010
Decision: ESRI - Completed

Item No 111

Application Number: 10/00232/CAC **Applicant:** Mrs Whittingham
Application Type: Conservation Area
Description of Development: REAR BALCONY TO UPPER FLOOR FLAT
Site Address CHIEVELEY, SEYMOUR ROAD MANNAMEAD PLYMOUTH
Case Officer:
Decision Date: 04/03/2010
Decision: CAC Not Required

Item No 112

Application Number: 10/00339/CAC **Applicant:**
Application Type: Conservation Area
Description of Development: Alterations and Extension
Site Address 9 LANSDOWNE ROAD PLYMOUTH
Case Officer:
Decision Date: 11/03/2010
Decision: CAC Not Required

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