

# Public Document Pack



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## **PLANNING COMMITTEE**

**DATE: THURSDAY 1 JULY 2010**  
**TIME: 2.30 PM**  
**PLACE: COUNCIL HOUSE, ARMADA WAY, PLYMOUTH**

### **Members –**

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

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

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

**BARRY KEEL**  
**CHIEF EXECUTIVE**

**PLANNING COMMITTEE**  
**PART I (PUBLIC COMMITTEE)**

**AGENDA**

**1. APOLOGIES**

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

**2. DECLARATIONS OF INTEREST**

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

**3. MINUTES**

**(Pages 1 - 10)**

The Committee will be asked to confirm the minutes of the meeting held on 3 June 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**

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. YEALMPSTONE FARM PRIMARY SCHOOL,  
MEADOWFIELD PLACE, PLYMOUTH  
10/00474/FUL

**(Pages 11 - 18)**

Applicant:	Yealmpstone Farm Primary School
Ward:	Plympton Erle
Recommendation:	Grant Conditionally

6.2. 93 ROCHFORD CRESCENT, ERNESETTLE, PLYMOUTH 10/00695/FUL **(Pages 19 - 22)**

Applicant: Mr and Mrs Davies  
Ward: Honicknowle  
Recommendation: Refuse

6.3. 253 STUART ROAD, PLYMOUTH 10/00296/FUL **(Pages 23 - 28)**

Applicant: Mr K Solano  
Ward: Stoke  
Recommendation: Grant Conditionally

6.4. 47 DUNCLAIR PARK, PLYMOUTH 10/00818/FUL **(Pages 29 - 32)**

Applicant: Mr and Mrs Michael Foren  
Ward: Efford and Lipson  
Recommendation: Grant Conditionally

6.5. 49 BUENA VISTA DRIVE, PLYMOUTH 10/00627/FUL **(Pages 33 - 36)**

Applicant: Mrs Julie Bees  
Ward: Moorview  
Recommendation: Grant Conditionally

6.6. LAND REAR OF QUEEN ANNES QUAY OFF PARSONAGE WAY, COXSIDE, PLYMOUTH 10/00499/FUL **(Pages 37 - 50)**

Applicant: Harbour Avenue Limited  
Ward: Sutton and Mount Gould  
Recommendation: Grant 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 5 July 2010.

6.7. DOWN HOUSE, 277 TAVISTOCK ROAD, DERRIFORD, PLYMOUTH 09/01645/FUL **(Pages 51 - 64)**

Applicant: Mr James Sutherland  
Ward: Budshead  
Recommendation: Grant Conditionally

6.8. 2 LAWRENCE ROAD, PLYMOUTH TREE PRESERVATION ORDER NO. 469 **(Pages 65 - 68)**

To consider a report on an objection to preservation order no. 467.

**7. PLANNING APPLICATION DECISIONS ISSUED**

**(Pages 69 - 114)**

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 25 May 2010 to 18 June 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 115 - 118)**

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 3 June 2010****PRESENT:**

Councillor Lock, in the Chair.

Councillor Roberts, Vice Chair.

Councillors Mrs Bowyer, Browne, Delbridge, Mrs Foster, Mrs Stephens, Stevens, Thompson, Tuohy, Vincent and Wheeler.

The meeting started at 2.30 pm and finished at 5.15 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.*

**1. APPOINTMENT OF CHAIR AND VICE-CHAIR**

Agreed that Councillor Lock is appointed as Chair for the municipal year 2010-2011.

Agreed that Councillor Roberts is appointed as Vice-Chair for the next municipal year 2010-2011.

**2. DECLARATIONS OF INTEREST**

<b>Name</b>	<b>Minute No. and subject</b>	<b>Reason</b>	<b>Interest</b>
Cllr Wheeler	7.7 Tamarside Community College 10/00429/FUL	Governor at the school	Prejudicial
Cllr Wheeler	7.8 Tamarside Community College 10/00430/FUL	Governor at the school	Prejudicial

**3. MINUTES**

The minutes of the meeting held on the 22 April 2010, were approved as a correct record.

**CHAIRS URGENT BUSINESS****4. UPDATE ON DEVONPORT POLICE STATION**

The Chair told the committee that following its deferral at the last meeting of the committee, the application for a Police Station to be built in Devonport had been approved.

**5. MEETING TIMES**

The Chair proposed changing the start time for the committee to 10 am.

Agreed that further informal discussions would take place with committee members, Democratic Support, Legal services and the Planning Department.

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

There were no questions from members of the public.

7. **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 7.6, 7.8, 7.12 and 7.13.

**7.1 60 REDDICLIFF CLOSE, PLYMOUTH 10/00446/FUL**

(Mr and Mrs Malcom Fieldsend)

Decision:

Application **GRANTED** conditionally.

**7.2 12 SOUTH DOWN ROAD, BEACON PARK, PLYMOUTH 10/00207/FUL**

(Mrs C Bennett)

Decision:

Application **GRANTED** conditionally.

**7.3 10 TRETOWER CLOSE, PLYMOUTH 10/00392/FUL**

(Debbie Barber)

Decision:

Application **GRANTED** conditionally.

**7.4 35 PEVERELL PARK ROAD, PEVERELL, PLYMOUTH 10/00598/FUL**

(Mr A Ojo)

Decision:

Application **GRANTED** conditionally.

**7.5 THE GRAND HOTEL, 24 ELLIOT STREET, PLYMOUTH 10/00205/FUL**

(Mr L Butler)

Decision:

Application **GRANTED** conditionally.

**7.6 LAND ADJACENT TO FREEDOM HOUSE, 45 GREENBANK TERRACE, PLYMOUTH 10/00558/FUL**

(Mr E Kamaie)

Decision:

Application **GRANTED** conditionally.

**7.7 TAMARSIDE COMMUNITY COLLEGE, TREVITHICK ROAD, ST. BUDEAUX, PLYMOUTH 10/00429/FUL**

(Tamarside Community College)

Decision:

Application **GRANTED** conditionally.

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

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

**7.8 TAMARSIDE COMMUNITY COLLEGE, TREVITHICK ROAD, ST. BUDEAUX, PLYMOUTH 10/00430/FUL**

(Tamarside Community College)

Decision:

Application **GRANTED** conditionally.

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

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

**7.9 88-90 VICTORIA ROAD, ST. BUDEAUX, PLYMOUTH 10/00421/FUL**

(Woolways News)

Decision:

Application **GRANTED** conditionally.

The following condition was attached to the consent;

**DEVELOPMENT TO COMMENCE WITHIN 3 YEARS**

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

Reason:

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

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

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

**7.10 88-90 VICTORIA ROAD, PLYMOUTH 10/00422/ADV**

(Woolways News)

Decision:

Application **GRANTED** conditionally

The following conditions were attached to the consent;

1) 5 YEAR CONSENT

This consent shall endure for five years from the date of this notice.

2) PERMISSION OF OWNER

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

3) TRANSPORT AND SURVEILLANCE

No advertisement shall be sited or displayed so as to :-

(a) endanger persons using any highway, railway, waterway, dock, harbour, or aerodrome (civil or military);

(b) obscure, or hinder the ready interpretation of, any traffic sign, railway sign or aid to navigation by water or air; or

(c) Hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

4) MAINTENANCE

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

5) SAFE CONDITION

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

6) REMOVAL

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

**7.11 CIVIL SERVICE SPORTS CLUB, RECREATION ROAD, PLYMOUTH 09/00214/OUT**

(CSSC Limited)

Decision:

Application **REFUSED**

**7.12 UNIVERSITY OF PLYMOUTH, DRAKE CIRCUS, PLYMOUTH 10/00366/FUL**

(University of Plymouth)

Decision:

Application **GRANTED** conditionally

**7.13 CAR PARKING AREA, BREST ROAD, PLYMOUTH 10/00238/FUL**

(Plymouth Hospitals NHS Trust)

Decision:

Application **GRANTED** conditionally

Following informative was added:

The applicant is advised that when the Travel Plan is reviewed in accordance with condition two it should pay special attention to making full use of the extension at The George Park and Ride facility as stated in the applicant's Evidence to Support this Planning Application.

**8. PLANNING APPLICATION DECISIONS ISSUED**

The Committee received a report of the Assistant Director of Development (Planning Services) on decisions issued for the period 10 April to 24 May, 2010, including –

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

**9. APPEAL DECISIONS**

A schedule of decisions made by the Planning Inspectorate on appeals arising from the decision of the City Council will be submitted. Please note that this schedule is available for



inspection at First Stop Reception, Civic Centre.

10. **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 – 03/06/10

## SCHEDULE OF VOTING

Minute No.	Voting For	Voting Against	Abstained	Excluded from voting due to Interests Declared	Absent
<b>6.1</b> 60 Reddicliff Close, Plymouth 10/00446/ful  Officer recommendation: Grant Conditionally	Unanimous				
<b>6.2</b> 12 South Down Road, Beacon Park, Plymouth 10/00207/ful  Officer recommendation: Grant Conditionally	Cllr Wheeler, Cllr Vincent, Cllr Tuohy, Cllr Stevens, Cllr Mrs Foster, Cllr Bowyer, Cllr Delbridge, Cllr Mrs Stephens, Cllr Roberts, Cllr Lock	Cllr Thompson	Cllr Browne		
<b>6.3</b> 10 Tretower Close, Plymouth 10/00392/ful  Officer recommendation: Grant Conditionally	Unanimous				
<b>6.4</b> 35 Peverell Park Road, Peverell, Plymouth 10/00598/ful  Officer recommendation: Grant Conditionally	Unanimous				

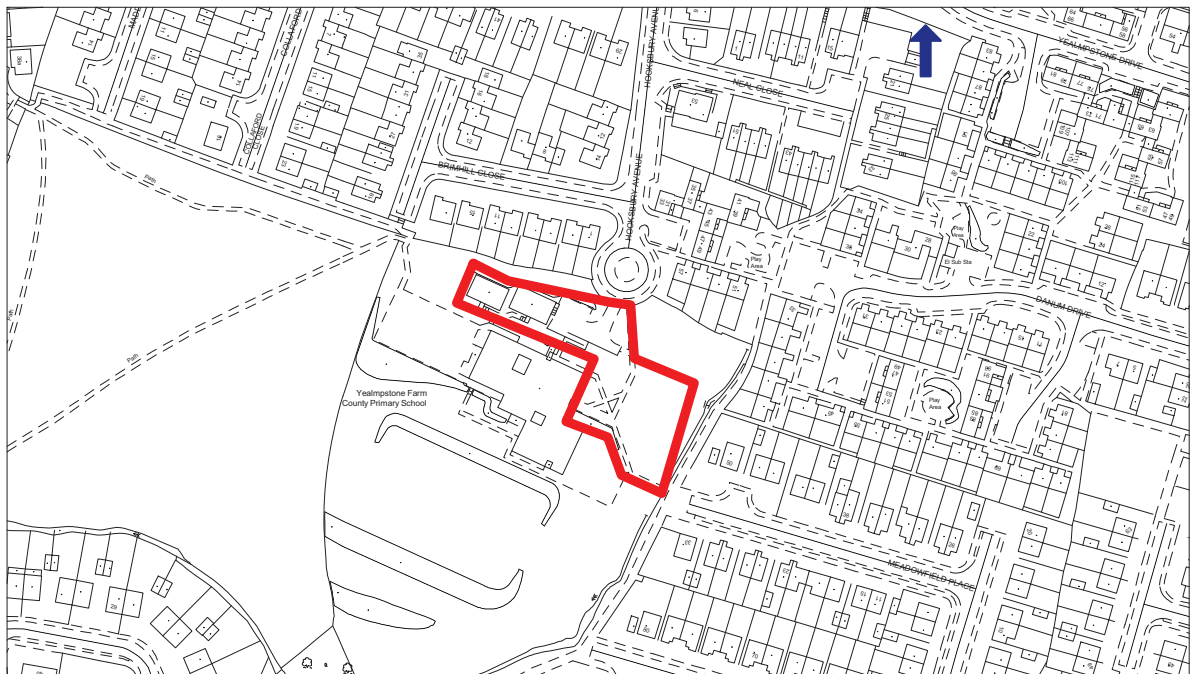
<p><b>6.5</b> The Grand Hotel, 24 Elliot Street, Plymouth 10/00205/ful</p> <p>Officer recommendation: Grant Conditionally</p>	Unanimous				
<p><b>6.6</b> Land adjacent to freedom house, 45 Greenbank Terrace, Plymouth 10/00558/ful</p> <p>Officer recommendation: Grant Conditionally</p>	Unanimous				
<p><b>6.7</b> Tamarside Community College, Trevithick road, St.Budeaux, Plymouth 10/00429/ful</p> <p>Officer recommendation: Grant Conditionally</p>	Unanimous			Cllr Wheeler	
<p><b>6.8</b> Tamarside community college, Trevithick road, St. Budeaux, Plymouth 10/00430/ful</p> <p>Officer recommendation: Grant Conditionally</p>	Unanimous			Cllr Wheeler	
<p><b>6.9</b> 88-90 Victoria Road, St. Budeaux, Plymouth 10/00421/ful</p> <p>Officer recommendation: Refuse</p>		Unanimous			

<p><b>6.10</b> 88-90 Victoria road, St. Budeaux, Plymouth 10/00421/ful</p> <p>Officer recommendation: Refuse</p>		Unanimous			
<p><b>6.11</b> Civil Service Sports Club, Recreation Road, Plymouth 09/00214/out</p> <p>Officer recommendation: Refuse</p>	Unanimous				
<p><b>6.12</b> University of Plymouth, Drake Circus, Plymouth 10/00366/ful</p> <p>Officer recommendation: Grant Conditionally</p>	Unanimous				
<p><b>6.13</b> Car parking area, Brest Road, Plymouth 10/00238/ful</p> <p>Officer recommendation: Grant Conditionally</p>	Unanimous				

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**ITEM: 01**

<b>Application Number:</b>	10/00474/FUL
<b>Applicant:</b>	Yealmpstone Farm Primary School
<b>Description of Application:</b>	Demolition of nursery building and erection of new, single-storey nursery building and provision of hard and soft play areas and redirected footpath
<b>Type of Application:</b>	Full Application
<b>Site Address:</b>	YEALMPSTONE FARM PRIMARY SCHOOL, MEADOWFIELD PLACE PLYMOUTH
<b>Ward:</b>	Plympton Erle
<b>Valid Date of Application:</b>	26/04/2010
<b>8/13 Week Date:</b>	<b>26/07/2010</b>
<b>Decision Category:</b>	Member Referral
<b>Case Officer :</b>	Jon Fox
<b>Recommendation:</b>	Grant Conditionally
<b>Click for Application Documents:</b>	<a href="http://www.plymouth.gov.uk">www.plymouth.gov.uk</a>



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## OFFICERS REPORT

### Site Description

The school site is situated at the southern end of Hooksbury Avenue within the suburban area of Chaddlewood, Plympton. The site is bounded to the north, east and south by a majority of terraced and semi-detached houses and the west by open space.

### Proposal Description

Demolition of the existing nursery building and the erection of a new, single-storey, nursery building. The proposed building is positioned on the north eastern side of the main school building, between the main building and the existing nursery building, and on the line of the footpath that runs between Hooksbury Avenue and Meadowfield Place. The new building would be of similar size to the existing nursery but would be a pentagonal shape instead of the existing rectangle. It would have painted render and cedar clad walls and a flat roof.

The application also involves provision of hard and soft play areas and a redirected footpath.

### Relevant Planning History

Various extension and additions to the school.

### Consultation Responses

#### Highway Authority

No objections subject the submission of an updated School and staff travel plan. It is recommended that as part of the School Travel Plan initiative, the school carry out a car parking survey around and in the nearby vicinity of the turning head and entrance to the school in Hooksbury Avenue, to establish the extent of any undesirable car parking associated with the school that might occur there, along with any associated safety concerns or necessary remedial action.

#### Public Protection Service

No objections subject to the reporting of unexpected contamination and the implementation of any necessary remedial measures.

#### Police Architectural Liaison Officer

The Devon and Cornwall Constabulary are not opposed to the granting of planning permission for this application. They have been fully consulted at the pre-application stage and support this application in its current design and layout.

### Representations

None.



### **Analysis**

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

The application turns on policies CS02 (design), CS18 (trees), CS28 (access and parking) and CS34 (general planning considerations) of the Core Strategy of Plymouth's Local Development Framework 2007 and the main issues in this case are the impact of the proposals on the character and appearance of the school; the impact on neighbours; the impact on trees; drainage and the principle of providing new education facilities.

With regard to visual impact, the proposed building is situated in front of the existing school entrance and in this sense could be better integrated with the existing structures. However, the proposed building is an improvement on the existing nursery and has been designed in such a way as to be adequately subservient to the school, which has been achieved by designing the building with angled walls that allow the footpath network to be linked with the main school entrance. The use of painted render is different from the use of brick in the school buildings, although this is considered better than attempting a match with old brickwork. The proposed building is set back a considerable distance from the school boundary and will not affect the street scene. The proposals are therefore considered to be in accordance with policies CS02 and CS34 of the Core Strategy.

The distance from the school boundary means that the building would have less impact than the existing one on residential amenity, in terms of both its appearance and its use. The redirected footpath from Meadowfield Place is not considered to seriously affect neighbours. The proposals are therefore considered to be in accordance with policies CS02 and CS34 of the Core Strategy.

The submitted tree survey identifies the loss of an ornamental cherry outside the school entrance and limited impact on three trees to the south and east of the proposed building. The loss of the cherry, which appears to be a fine specimen, is regrettable. However, this tree is close to the school buildings and is well away from the boundaries; it is not considered to be of such worth to the character of the area that it should be retained in the face of a needed school facility. The hawthorn, oak and Norway maple that are affected by the access for construction and/or the new footpath are recommended in the tree survey for some reductions. The proposals are therefore considered to be in accordance with policy CS18 of the Core Strategy.

The site is within an area where surface water drainage can lead to flooding downstream. However, in this case the surface water would be disposed of to

soakaways and, given that the existing nursery drains to the sewer, the proposals will result in less water running straight to sewers and contributing to flooding elsewhere.

**Equalities & Diversities issues**

The proposed accessible toilet is undersized and this should be brought to the applicant's attention.

**Section 106 Obligations**

None.

**Conclusions**

The proposed nursery building provides modern facilities that help to progress young children through their education and the proposals are considered to be in accordance with policy CS14 and Strategic Objective 9 in these respects. The proposals are not considered to raise any significant issues that would warrant resisting the development and it is therefore recommended that planning permission be granted subject to conditions.

**Recommendation**

In respect of the application dated **26/04/2010** and the submitted drawings, **09697 EX 01A, 09697 EX02, 09697 SD04C, 09697 SD05C, 09697 SD06A, 09697 SD07A, 09697 SD08B, 09697 SD09A, 0200-LN01346-P2, tree survey, phase I study and phase II report, Hyder letter dated 22 April 2010, and accompanying design and access statement (revision A)** , it is recommended to: **Grant Conditionally**

**Conditions**

**DEVELOPMENT TO COMMENCE WITHIN 3 YEARS**

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

Reason:

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

**SCHOOL AND STAFF TRAVEL PLAN**

(2) The nursery building hereby permitted shall not be occupied until an updated School & Staff Travel Plan (SSTP) has been submitted to and approved in writing by the Local Planning Authority. The said SSTP shall seek to encourage the use of modes of transport other than the private car to get to and from the premises. It shall also include measures to control the use of the permitted car parking areas; arrangements for monitoring the use of provisions available through the operation of the SSTP; and the name, position and contact telephone number of the person responsible for its implementation. From the date of occupation, the occupier shall operate the approved SSTP.

Reason:

In the opinion of the Local Planning Authority, such measures need to be taken in order to reduce reliance on the use of private cars (particularly single occupancy journeys) and to assist in the promotion of more sustainable travel choices, in accordance with policy CS28 of the Core Strategy of Plymouth's Local Development Framework 2007.

#### REPORTING OF UNEXPECTED CONTAMINATION

(3) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken. The report of the findings must include:

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

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- 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'.

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

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

Reason:

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

#### LANDSCAPE WORKS IMPLEMENTATION

(4) Within six months of the first use of the nursery building hereby permitted, the existing nursery building shall be removed from the site and the site reinstated in accordance with details to be submitted to and approved in

writing by the Local Planning Authority, and within the same time period all other hard and soft landscape works shall be carried out in accordance with the approved details or in accordance with a programme agreed in writing 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.

#### EXISTING TREE/HEDGEROWS TO BE RETAINED

(5) 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 first use of the nursery:

(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.

#### INFORMATIVE - SIZE OF ACCESSIBLE WC

(1) The applicant is advised that the accessible WC should be 2.2 metres by 2 metres, not 2.2 metres by 1.5 metres.

INFORMATIVE - TREE WORKS

(2) The applicant is advised that the following trees referenced in the submitted tree survey (hawthorn, 02474, and the oak, 02475), should have their lower branches removed on their south and west sides in order to give a clearance of 5m. The Norway maple, 02488, should have its lower crown raised on the south and west sides to give a clearance of 5m.

INFORMATIVE - SCHOOL TRAVEL PLAN

(3) The applicant is advised strongly that, as part of the School Travel Plan initiative, the school carry out a car parking survey around and in the nearby vicinity of the turning head and entrance to the school in Hooksbury Avenue, to establish the extent of any undesirable car parking associated with the school that might occur there, along with any associated safety concerns or necessary remedial action.

**Statement of Reasons for Approval and Relevant Policies**

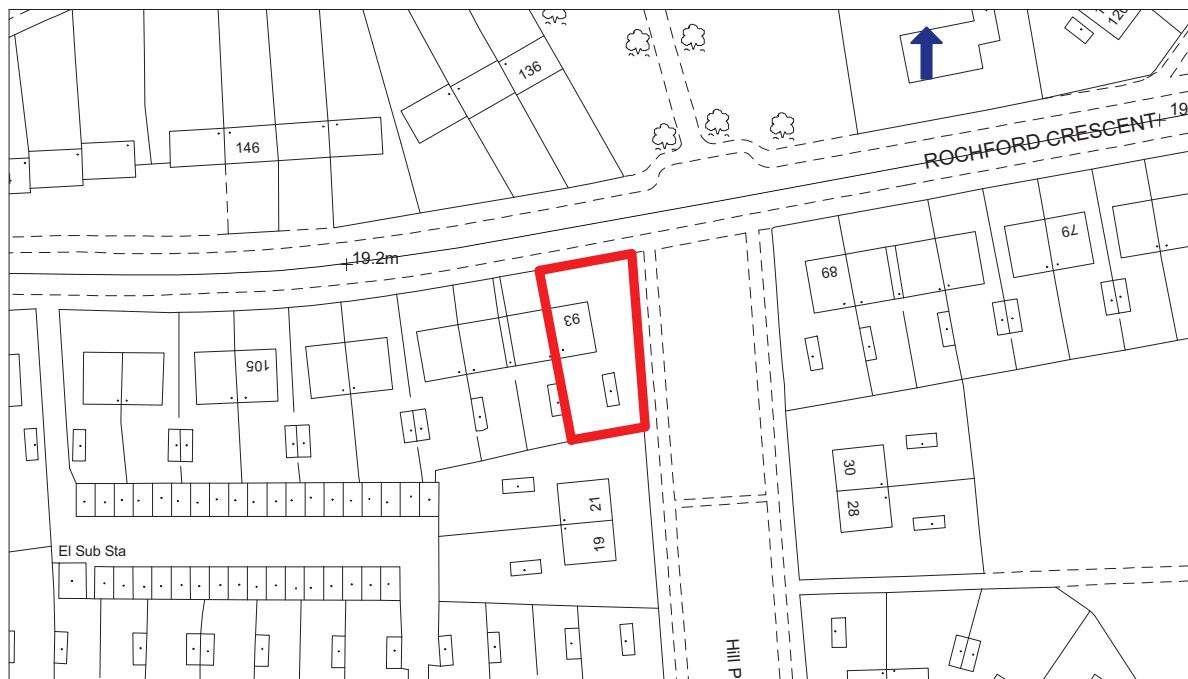
Having regard to the main planning considerations, which in this case are considered to be: the impact on the character and appearance of the area, neighbours, trees, drainage/flooding and the promotion of new educational facilities, the proposal is not considered to be demonstrably harmful. In the absence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

PPS23 - Planning & Pollution Control  
CS28 - Local Transport Consideration  
CS34 - Planning Application Consideration  
CS14 - New Education Facilities  
CS18 - Plymouth's Green Space  
CS02 - Design  
SO9 - Delivering Educational Improvements

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**ITEM: 02**

<b>Application Number:</b>	10/00695/FUL
<b>Applicant:</b>	Mr & Mrs Davies
<b>Description of Application:</b>	Two storey side extension and single storey rear extension
<b>Type of Application:</b>	Full Application
<b>Site Address:</b>	93 ROCHFORD CRESCENT ERNESETTLE PLYMOUTH
<b>Ward:</b>	Honicknowle
<b>Valid Date of Application:</b>	05/05/2010
<b>8/13 Week Date:</b>	<b>30/06/2010</b>
<b>Decision Category:</b>	Member/PCC Employee
<b>Case Officer :</b>	Harry Sedman
<b>Recommendation:</b>	Refuse
<b>Click for Application Documents:</b>	<a href="http://www.plymouth.gov.uk">www.plymouth.gov.uk</a>



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## OFFICERS REPORT

### Site Description

93 Rochford Crescent is a semi-detached property located at the end of a small row of terraced housing in the Ernesettle area of the City. The property is bounded to the west and rear by neighbouring properties and to the east by an area of public open space with footpath. An access drive runs to the east of the site up towards the rear garden.

### Proposal Description

Two-storey side extension and single-storey rear extension.

### Relevant Planning History

No relevant background planning history

### Consultation Responses

No consultation responses received

### Representations

No letters of representation received

### Analysis

This proposal is brought before Committee on 01 July 2010 on the grounds that it was submitted by a Council employee. The main issues to consider with this application are: the effect on the amenities of neighbouring properties and the impact on the streetscene.

The proposed two-storey side extension would measure 4.3 metres wide and would extend along the depth of the property incorporating a ground-floor built-in private garage. The first floor of the side extension would cater for an additional bedroom and rear bathroom with stairs leading up to the second-floor loft conversion. A single-storey rear extension measuring 4.3 metres deep would then be constructed to the rear of the proposed two-storey extension.

The proposed extension will not be set back from the front of the property as recommended by the policies of the Development Guideline SPD which states a distance of less than 1 metre will rarely be considered acceptable. The proposed side extension is therefore considered not demonstrating a sufficient level of subordination from the original dwelling and considered detrimental to the character and visual appearance of the area.

The applicant has made known that a similar extension exists on the adjacent end terrace property, No. 89 Rochford Crescent whereby the side extension is level with the front building line. This is not considered as setting precedence for the street as the permission was granted in 1989, two development plan periods ago ie before the current policy requiring a set back was adopted. Furthermore a similar application for No. 75 Rochford Crescent was refused in 2009 on the grounds that it had not been set back and therefore not



subordinate to the original property. The applicant's response that the extension should not be set back is therefore considered unacceptable.

The side extension is of a substantial width, over one half of the existing property's width. The Development Guidelines SPD suggests that acceptable side extensions should be a width that ensures they appear less important than the original dwelling. In this instance, however, the extension is on a fairly wide plot leaving a good distance to the property boundary. Therefore this is not considered a reason for refusal.

The proposal is reasonably sympathetic to the style of the original house with the shape and pitch of the roof mirroring that of the existing, as do the materials. However the first-floor windows of the front extension do not reflect the mainlines and positioning of the existing property windows, crucial to achieving a unified exterior and therefore harm the character and appearance of the area.

The proposed side extension will have little impact on the amenities of neighbouring properties. The property sides onto an area of public open space and therefore it is considered that light will not be significantly reduced as a result of the proposal. No windows are proposed in the side elevation facing No. 89 Rochford Crescent therefore privacy will not be reduced.

The provision of a private garage is considered acceptable in principle as it will be served by the existing driveway. However the policies of the Development Guidelines SPD suggest where a garage is attached to a house it is usually preferable to set it back from the front of the property, which this development does not.

The rear extension is fairly substantial extending 4.3 metres into the back garden. However there is approximately 6 metres to the neighbouring property boundary. Therefore the proposal will not break the 45-degree rule ensuring there is not a loss of daylight to the neighbouring property.

The rear extension does not come within 12 metres of the habitable room window and private garden of the property to the rear which is often a consideration with rear extensions. Therefore it is considered there is not an unacceptable overbearing effect on the rear households outlook.

The extension is set at a good distance from the boundary with the public open space at approximately 2.5 metres at the front of the extension and 1 metre at the rear. Furthermore the existing boundary hedgerow which currently acts as screening will be maintained ensuring the single storey rear extension will not be greatly visible and or suffer from overlooking from the public footpath.

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**

None

### **Conclusions**

The proposal is the same height as the existing dwelling with no set down from the ridge, is flush with the front of the property and is over one half of the existing property's width, collectively resulting in a significant detriment to the visual amenity and character of the street scene and surrounding area. It is therefore recommended for refusal.

### **Recommendation**

In respect of the application dated **05/05/2010** and the submitted drawings, **Site Location Plan, Design and Access Statement, 43:01:2010, 43:02:2010, 43:03:2010, 43:04:2010, 43:05:2010, 43:06:2010, 43:07:2010, 43:08:2010, 43:09:2010 and 43:10:2010** , it is recommended to: **Refuse**

### **Reasons**

#### **DETRIMENTAL TO THE VISUAL APPEARANCE OF THE AREA**

(1) The Local Planning Authority considers that the side extension, on the grounds that it is not set back from the front of the existing dwelling and the ridge height will be the same as the existing dwelling, will create an unduly prominent feature in the street scene. This will result in alterations that would be unsympathetic and not subordinate to the design and form of the original dwelling, resulting in a significant detriment to the visual amenity and character of the street scene and surrounding area. This is contrary to Policy CS02 and CS34 of Plymouth's Local Development Framework Core Strategy (2006-2021) 2007 and advice in the Council's Planning Guidance (SPG) Note 1 - "House Extensions" 1995.

### **Relevant Policies**

The following (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, were taken into account in determining this application:

CS34 - Planning Application Consideration

SPD1 - Development Guidelines

**ITEM: 03**

<b>Application Number:</b>	10/00296/FUL
<b>Applicant:</b>	Mr K Solano
<b>Description of Application:</b>	Raised decking to rear, with screen fencing, and raising of level of courtyard
<b>Type of Application:</b>	Full Application
<b>Site Address:</b>	235 STUART ROAD PLYMOUTH
<b>Ward:</b>	Stoke
<b>Valid Date of Application:</b>	01/04/2010
<b>8/13 Week Date:</b>	<b>27/05/2010</b>
<b>Decision Category:</b>	Member/PCC Employee
<b>Case Officer :</b>	Thomas Westrope
<b>Recommendation:</b>	Grant Conditionally
<b>Click for Application Documents:</b>	<a href="http://www.plymouth.gov.uk">www.plymouth.gov.uk</a>



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## OFFICERS REPORT

### Site Description

235 Stuart Road is a terraced dwelling in the Stoke area of Plymouth. Each of the dwellings in the terrace has a rear tenement with a path to the side.

### Proposal Description

Raised decking to rear, with screen fencing, and raising of level of courtyard

### Relevant Planning History

09/01653/FUL - Rear raised timber decking and privacy fencing ~ Withdrawn

There is an existing enforcement case open with regard to part of the proposal:

10/00246/OPR - Alleged alterations to ground levels and raised path ~ Open

### Consultation Responses

No formal consultation responses were required with regard to this application

### Representations

Two letters of representation have been received with regard to this application.

One is from a Local Ward Member specifying that 'I would raise no objection to the application with the proviso that adequate screening arrangements are put in place to safeguard the privacy of the residents living in the adjoining property at no 233 Stuart Road'.

The second is from the residents at 233 Stuart Road raising a number of issues as summarised below:

- Confusion regarding the name of the applicant and that they are an employee of the Council.
- Lack of clarity and detail of the plans regarding
  - Close boarded privacy fence appearance
  - Details of construction, fixing or the methodology of the proposed wall stabilisation.
  - Omission of a tree from the plans
  - Incorrect representation of the boundary wall
  - Specification of heights on the plans
  - Incorrect identification of boundary
- Party Wall act considerations
- Loss of privacy from raised courtyard and proposed decking
- Loss of light from proposed screening
- Stability and safety of the wall due to the fence

### Analysis

#### Background

This application is before committee because the agent works for Plymouth City Council. The agent has confirmed that the applicant does not work for Plymouth City Council.

Internal works to convert the tenement into a living room have already been carried out and do not require planning permission from the Council.

External works to the tenement including insertion of new windows and doors have been completed and are considered to have the benefit of planning permission through permitted development rights.

The side courtyard area has been raised from the original level and forms part of this application before committee. This element of the proposal is therefore for retrospective permission. It is noted that applications for retrospective permission should be judged on their merits in the same way as proposed works with no bias for or against works that have been carried out prior to an application being made.

The decking and screening have not yet been erected and form a part of the proposal before committee today.

The application has been amended from the previously withdrawn scheme to include the raising of the courtyard path, to reduce the size of the decking and to clarify the proposed screening arrangements.

### Report

This application turns upon Policies CS02 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and advice contained with the Development Guidelines Supplementary Planning Document.

### Visual Amenity

It is considered that the proposals are sympathetic in form, detailing and materials to the existing property and do not detract from the character and appearance of the area. The proposal is not on a prominent frontage or location and the proposal is not located in a Conservation Area or in the vicinity of a Listed Building. It is recommended that a condition be imposed on the grant of any planning permission to require samples of the material to be used in the fence screening to be submitted for written approval by the Local Planning Authority prior to the .

### Raised Courtyard

The courtyard path has been raised by 400 millimetres at the southern end. An increase of 300 millimetres can be carried out under permitted development.

It is considered that there will be no significant loss of privacy to adjacent properties. Additional overlooking into 237 Stuart Road is obscured by the applicant's existing tenement. Having regard to the allowance under the permitted development regulations and due to the fact that 233 Stuart Road is elevated above the applicant property, it is not considered that there will be a significantly detrimental loss of privacy.

It is considered that there will be no significant loss of outlook or sunlight/daylight to adjacent properties. It is considered that this element of the proposal does not require additional screening to protect the privacy of neighbours and as a result there is considered to be no significant detriment with regard to outlook, sunlight/daylight to adjacent properties.

### Decking & Screening

The decking is 1.4 metres above existing groundlevel and projects by 1.5 metres from the rear of the existing tenement. The lower level of decking is 350 millimetres above ground level. The proposed screening is 2.55 metres above ground level on the boundary between 233 Stuart Road and 2.35 metres above ground level on the boundary between 237 Stuart Road.

It is considered that there will be no significant loss of privacy (subject to the provision of the proposed screening by condition) to adjacent properties. The proposed screening is considered to sufficiently mitigate against the loss of privacy that would be created by the provision of a raised decking area. There is an existing level of inter-visibility between the dwellings. The detriment to 233 Stuart Road will be less than that experienced by 237 Stuart Road due to the location of the proposed decking at 2.5 metres away from that boundary.

It is recommended that a condition be included to require the screening to be erected and to ensure that it is retained and maintained in the future.

It is considered that there will be no significant loss of outlook or sunlight/daylight to adjacent properties. All of the neighbouring dwellings' windows are located at a sufficient height and distance from the proposal so as to avoid detriment in this respect.

Impact to the outlook and daylight of neighbouring gardens is considered to be acceptable. It is possible to erect a boundary fence or wall up to 2 metres above ground level under permitted development rights. The proposed screening will be approximately 0.55 metres above that allowed by permitted development on the boundary with 233 Stuart Road. This proposed boundary height is not considered to be significantly detrimental.

In addition the proposals are considered to satisfy all of the other criteria of Policy CS34 of the Core Strategy. The proposal is considered to include a sufficient level of detail to be able to assess the impacts that would result from the development. There is no proposed loss of trees in association with this application and the omission of the tree on the boundary with 233 Stuart Road is not considered to impact the consideration of this application.

### Non-Material Considerations

It is recommended to include a condition with regard to the party wall act with regard to any grant of planning permission.

The stabilisation works noted in the application are not considered to require planning permission but are understood to include removal of vegetation from the wall and replacement and re-pointing of stonework where necessary.



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**

There do not appear to be any further Equalities and Diversities issues that require consideration with regard to this application

**Section 106 Obligations**

None

**Conclusions**

This application is recommended for conditional approval

**Recommendation**

In respect of the application dated **01/04/2010** and the submitted drawings, **235/SR/01, 235/SR/02, 235/SR/03 Rev C, 235/SR/04 Rev E, 235/SR/05 Rev C, 235/SR/06 Rev B, 235/SR/07 Rev D, 235/SR/08 Rev A, 235/SR/09 Rev A, 235/SR/10 Rev C** , 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.

SCREENING

(2) Notwithstanding the submitted details, the decking hereby approved shall not be erected until samples of the materials for the screening has been submitted to and approved in writing by the Local Planning Authority. The works shall conform to the approved details and shall be completed before the decking hereby approved is first brought into use. The screening shall then be retained and maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that the details of the development are in keeping with the standards of the vicinity and protect the amenity of neighbouring dwellings in

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

**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: neighbouring amenity and impact to the streetscene, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents 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

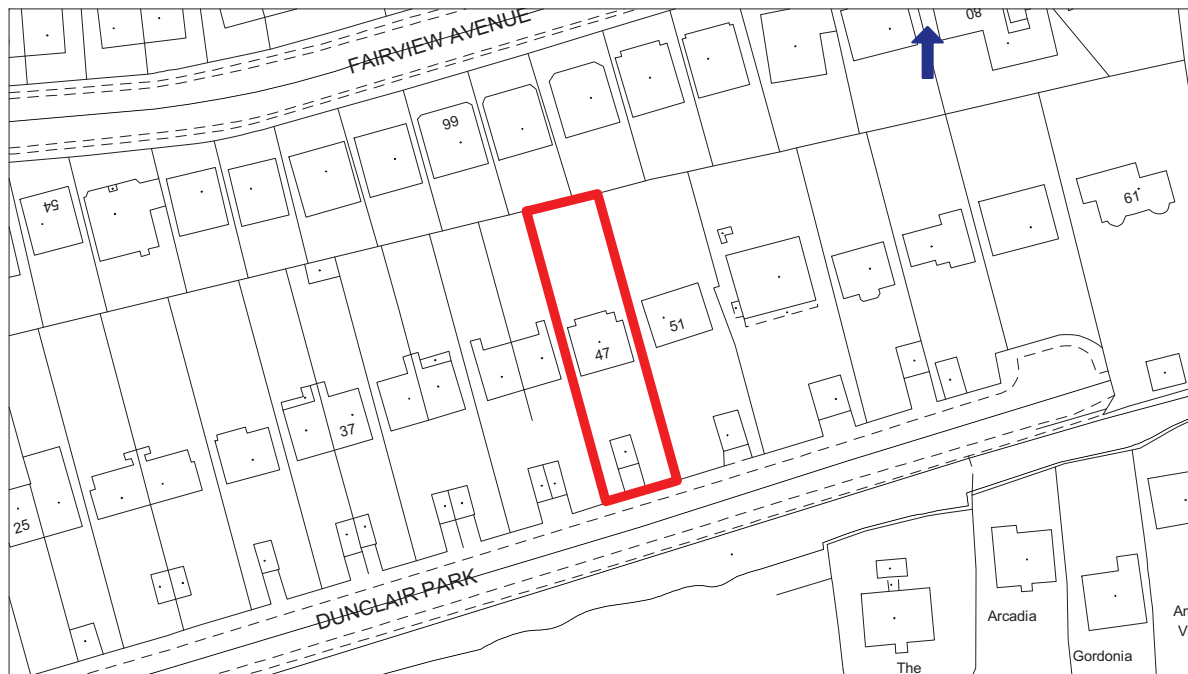
CS02 - Design

SPD1 - Development Guidelines



**ITEM: 04**

<b>Application Number:</b>	10/00818/FUL
<b>Applicant:</b>	Mr and Mrs Michael Foren
<b>Description of Application:</b>	Double private motor garage (existing garage to be removed)
<b>Type of Application:</b>	Full Application
<b>Site Address:</b>	47 DUNCLAIR PARK PLYMOUTH
<b>Ward:</b>	Efford & Lipson
<b>Valid Date of Application:</b>	24/05/2010
<b>8/13 Week Date:</b>	<b>19/07/2010</b>
<b>Decision Category:</b>	Member/PCC Employee
<b>Case Officer :</b>	Louis Dulling
<b>Recommendation:</b>	Grant Conditionally
<b>Click for Application Documents:</b>	<a href="http://www.plymouth.gov.uk">www.plymouth.gov.uk</a>



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## OFFICERS REPORT

### Site Description

No. 47 Dunclair Park is a detached property in the Laira area of Plymouth. Its front garden descends steeply from the front of the house for approximately 20 metres.

### Proposal Description

The proposal is for the demolition of an existing garage and the erection of a double garage. The existing garage is set back from the road by 4.5 metres with a hardstanding which is 4.5 metres in length and 3 metres in width. The existing garage is 4.5 metres in length and 3 metres in width and 2.5 metres in height (flat roof). The proposed garage is 7.5 metres in width, 7.5 metres in length and 5 metres in height (pitched roof) with a set back distance of 1.5 metres from the footway.

### Relevant Planning History

No. 47 Dunclair Park (95/00050/FUL) - Two storey extension - Approved

### Consultation Responses

Transport -

### Representations

There have been no representations in relation to this application.

### Analysis

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

This application turns upon policies CS02 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Development Guidelines SPD1 (2009).

The main issues to consider for this application are the impacts on neighbouring amenity and the character and appearance of the area.

### Character and Appearance of the Area

SPD1 paragraph 2.70 states '*the design of a garage, whether attached to the property or freestanding, should relate well in scale and proportion to the original dwelling and to the surrounding area.*' The properties along Dunclair Park all have front garages set back into their front garden. There is a complete mixture of garages of varying sizes and set back distances. There are several existing double garages which are of a similar massing and

impact on the street scene and therefore the proposed garage is considered to be of an acceptable size and design and would be in keeping with the existing garages in Dunclair Park. Although SPD1 notes that garages in front gardens will usually be resisted, due to the established street scene which is already dominated by front garages it is not a consideration in this case. Additionally SPD1 paragraph 2.71 states that '*in exceptional circumstances, garages in sloping front gardens may be allowed if the majority of the garage can be built into the garden*' and this is the case in respect of this proposal.

#### Neighbouring Amenity

As SPD1 paragraph 2.68 states that '*with respect to garages, particular attention needs to be paid to the impact on neighbours' outlook and light*' and therefore the proposal shall be assessed for its impact on neighbouring properties amenity. The distance from the proposed garage to the nearest neighbouring property is approximately 15 metres and the descending slope of the properties front gardens results in a minimal impact to the outlook of the neighbouring properties and no impact to the amount of daylight or sunlight which neighbouring receives as a result of the proposed garage. The proposal is therefore considered acceptable in this respect.

#### Design and materials

SPD 1 paragraph 2.65 states that '*off-road car parking must be designed so that cars do not overhang the highway, for example when a car is parked prior to a garage being opened. To overcome this, when a driveway is in front of a garage, it should be a minimum of 5.5 metres long.*' Although the proposed garage has a 1.5 metre driveway it is not considered to compromise highway safety or cause significant obstruction to the highway when in use, as Dunclair Park is a cul-de-sac which is only serves residents of Dunclair Park. Therefore the level of use is considered to be relatively low and the road is considered to be wide enough to support the provision of the proposed garage without creating an obstruction when in use. Additionally the existing garages of Dunclair Park have similarly sized driveways which have created a precedent in relation to this proposal and therefore the driveway set back distance is considered to be acceptable.

#### **Equalities & Diversities issues**

There are no equalities and diversities issues in relation to this application.

#### **Conclusions**

Therefore the proposal is recommended for approval.

#### **Recommendation**

In respect of the application dated **24/05/2010** and the submitted drawings, **Location Plan, MM924.SIO, MM924.PLIO** , it is recommended to: **Grant Conditionally**

**Conditions**

**DEVELOPMENT TO COMMENCE WITHIN 3 YEARS**

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

Reason:

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

**Statement of Reasons for Approval and Relevant Policies**

Having regard to the main planning considerations, which in this case are considered to be: neighbourhood amenity and neighbouring 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: 05**

<b>Application Number:</b>	10/00627/FUL
<b>Applicant:</b>	Mrs Julie Bees
<b>Description of Application:</b>	Extension to dormer window on front elevation
<b>Type of Application:</b>	Full Application
<b>Site Address:</b>	49 BUENA VISTA DRIVE PLYMOUTH
<b>Ward:</b>	Moor View
<b>Valid Date of Application:</b>	26/04/2010
<b>8/13 Week Date:</b>	<b>21/06/2010</b>
<b>Decision Category:</b>	Member/PCC Employee
<b>Case Officer :</b>	Kirsty Barrett
<b>Recommendation:</b>	Grant Conditionally
<b>Click for Application Documents:</b>	<a href="http://www.plymouth.gov.uk">www.plymouth.gov.uk</a>



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## OFFICERS REPORT

### Site Description

49 Buena Vista Drive is a two storey semi detached property situated in the Glenholt area of Plymouth

### Proposal Description

Extension to dormer window on front elevation

### Relevant Planning History

None relevant planning history for the property

### Consultation Responses

Plymouth City Council- No objection

### Representations

None received

### Analysis

This application turns on Policy CS34 and Supplementary Planning Document: Development Guidelines with the key considerations being impact on neighbouring amenity and the streetscene of the area.

The extension to the front dormer measures at 3 metres in length and will project from the roof slope by 1.3 metres. The extension to the front dormer is not considered to cause any loss of amenity for neighbouring properties in terms of privacy, outlook and sunlight. There are similar developments in the street. The design of the dormer is adequate and in scale, it is set in from the eaves and down from the ridge sufficient enough not to have an impact upon the character of the surrounding area. Front dormers are a character of the street and many have been extended in this way, therefore a precedent will not be set.

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

None

### Section 106 Obligations

None

### Conclusions

This application is recommended to grant conditionally

**Recommendation**

In respect of the application dated **26/04/2010** and the submitted drawings, **P105.01, P105.02, P105.03, P105.04, P105.05** , 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.

OBSCURE GLAZING

(2) 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), the window in the north elevation of the dormer extension at first floor level shall at all times be obscure glazed and non-openable.

Reason:

In order to protect the privacy enjoyed by the occupiers of the adjacent dwelling 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: impact to neighbouring amenity and surrounding streetscene, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents 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

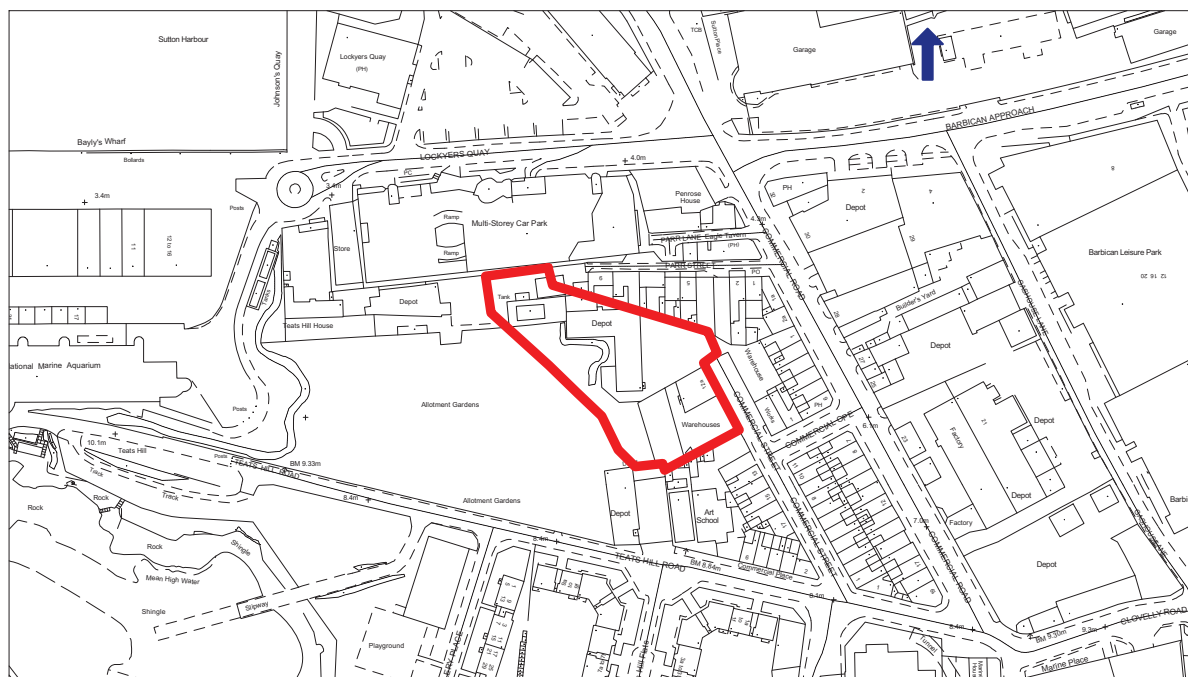
SPD1 - Development Guidelines

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**ITEM: 06**

<b>Application Number:</b>	10/00499/FUL
<b>Applicant:</b>	Harbour Avenue Limited
<b>Description of Application:</b>	Redevelopment of site and erection of 17 no 3 bed terraced houses and 6 no 2 bed apartments with associated car parking and landscaping.
<b>Type of Application:</b>	Full Application
<b>Site Address:</b>	LAND REAR OF QUEEN ANNES QUAY OFF PARSONAGE WAY COXSIDE PLYMOUTH
<b>Ward:</b>	Sutton & Mount Gould
<b>Valid Date of Application:</b>	06/04/2010
<b>8/13 Week Date:</b>	<b>06/07/2010</b>
<b>Decision Category:</b>	Major Application
<b>Case Officer :</b>	Robert Heard
<b>Recommendation:</b>	Grant 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 5 July 2010.
<b>Click for Application Documents:</b>	<a href="http://www.plymouth.gov.uk">www.plymouth.gov.uk</a>



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## OFFICERS REPORT

### Site Description

The site is located in Cattedown, an area which is situated on the eastern fringes of the City Centre and just to the south of Sutton Harbour. It lies just behind the existing development of luxury flats known as Queen Annes Quay and is 0.315 hectares in area. It is a non prominent location, being a flat site hidden from view by the existing Queen Annes Quay flats to the south and west, the existing buildings on Commercial Street and Parr Street which are located to the north, east and south of the site and the Lockyers Quay Multi Storey Public car park to the north. The site was formerly occupied by buildings used for warehousing before they were recently demolished. The surrounding area is characterised by a mix of uses, including residential, commercial, retail and leisure.

### Proposal Description

It is proposed to erect seventeen 3 bed terraced houses and six 2 bed apartments with associated car parking and landscaping.

### Relevant Planning History

10/00198/FUL - Redevelopment of site and erection of 17no 3 bed terraced houses and 6no 2 bed apartments with associated car parking and landscaping. WITHDRAWN.

### Consultation Responses

#### Public Protection Service

Comments to follow

#### Highway Authority

Support subject to conditions

### Representations

21 letters of representation received, all in objection to the application. The grounds of objection are summarised below:

- There is no demand for new housing in the area.
- The proposed dwellings have limited garden space and will receive only limited amounts of natural light, also having a poor outlook.
- The development would result in a reduction in visitor spaces available for the existing Queen Annes Quay development.
- Commercial Street could be used as an additional or alternative access point.

- The development does not provide the range of housing types that is required by the community.
- The site is being over developed and the density should be reduced.
- The proposed access point is unsuitable to cater for additional traffic or the emergency services.
- The proposed development will not make best use of natural light.
- The development does not provide enough parking.
- Increased traffic in the area would be dangerous as many children play in the street by the Teats Hill Flats.

### **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.

As stated above, the application proposes to erect seventeen 3 bed terraced houses and six 2 bed apartments with associated car parking and landscaping. The site is almost level and the development is therefore not constrained by any existing topography. The proposed layout has been arranged at the site so that 8 of the proposed dwellings form a segmented (2 blocks of 4 dwellings) arc that sits behind the existing crescent shaped apartment block to the south, on the western part of the site. These dwellings will have access from the existing gated access road (Parsonage Way) that serves the existing building.

The remaining units are served by a new private drive that is arranged as a cul de sac that is accessed from Parsonage Way, on the eastern part of the site and therefore closer to the gated access point than the 8 dwellings referred to above. This is positioned at a right angle to the existing access drive (Parsonage Way) just as it begins to run adjacent to the rear of the existing apartment block, providing access to 9 dwellings and 6 flats. These are arranged in a terrace of 6 on the southern side of the road and a terrace of 3 on the northern side, with the new apartment block located on the corner and being double aspect so that there is a continuous street frontage to both Parsonage Way and the new private drive. Each dwelling has a private garden, garage and parking space and the proposed apartment block benefits from communal garden space and 9 parking spaces (6 dedicated and 3 visitor spaces).

It is considered that the main issues in the consideration of this application are the principle of the proposed development; the impact that it will have on the character and appearance of the area; impact upon design and visual amenity; impact upon nearby properties residential amenities and impact

upon the surrounding highway network. These issues will now be addressed in turn:

### **Principle of Development**

The site was previously occupied by recently demolished warehouse buildings and is thus considered to be brownfield land. It was also previously allocated for residential development in the First Deposit Local Plan under proposal 29. It is therefore considered that residential development of the site is acceptable in principle.

### **Layout, Character and Appearance**

Policy CS43 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) refers to siting, layout, orientation, local context and character. The form of existing development in the area is diverse, there is an existing modern 7 storey 'crescent shaped' block of luxury apartments immediately to the south of the site, a large multi storey car park to the north and west and more traditional terraced houses to the north and east. Density levels in the area are quite high due to the presence of terraced houses and the luxury apartments referred to above, as well as Teats Hill flats which are within close proximity to the south of the site.

The site is hidden from many of the nearby areas by the existing development that surrounds it and therefore occupies a location that is not prominent. With regards to layout generally, the proposal is reflective of the existing built form in the area by providing terraced dwellings.

Specifically, eight dwellings are positioned to the rear of the existing block of flats and oriented to face south, reflecting the crescent shape and orientation of the existing block of flats. The other 9 dwellings and new block of 6 flats form a small cul de sac within the site that incorporates a turning head for vehicles. Six of the dwellings will be located on the eastern side of the cul de sac and the remaining three dwellings and block of six flats are on the western side. All face onto the cul de sac, which is designed to an adoptable standard.

The layout of the site is considered to be a positive response to the constraints of the site, ensuring that all proposed dwellings face the access road and provide natural surveillance of all areas at the site that are not private. The Councils Architectural Liaison Officer has commented that this will help to reduce the risk of crime at the site (although this is already low due to the gated access point) and it is positive that there are no areas within the development where there is confusion about whether land is private or communal. Corner dwellings have been designed as double fronted to ensure that natural surveillance of cornered areas is maintained and small areas of planting at the site provide an element of soft landscaping in this inner city location.

The back gardens of the majority of the proposed dwellings are positioned back to back with rear gardens of the existing surrounding dwellings on Parr Street, a recognised characteristic of good urban design practice. Each

dwelling has a private rear garden and patio and the proposed apartment block has a communal garden with shared clothes drying facilities. A full range of amenities is therefore provided for potential future occupiers.

The density level at the site is 72 dph, with buildings occupying 33% of the overall site area. This is considered acceptable, as with all inner city and central areas density levels are slightly higher than average, particularly when a development includes flatted units.

Overall, it is considered that the proposals would provide a well thought out development that is a positive response to the irregular shape of the site. It has public and private spaces that are safe, attractive, easily distinguished and accessible. The layout of the development is therefore considered acceptable and compliant with Policy CS34.

### **Design and Visual Amenity**

The whole site follows the same design form and the different dwelling types and apartment block contain some very similar features that ensures that the scheme has balance and a considered design approach, through subtle repetition of features and materials. The proposed dwellings are predominantly finished in render which is the dominant local material in this part of Plymouth, but subtle use of timber (another local waterfront material) and glazing on features such as projecting bays ensures that the external appearance and elevations are interesting and varied. The materials palette is respectful of the surrounding development whilst introducing contemporary materials such as standing seam metal, which is also used on the existing Queen Annes Quay apartment block.

The scale and massing of the proposed development is considered appropriate for the site. Fourteen of the seventeen dwellings are 3 storey and thus very similar in height to the majority of the surrounding dwellings. The three remaining dwellings are 2 storey, being corner properties with different footprints and layouts, due to the shape of the site. The block of six apartments is the most significant building within the site, turning the corner created by the proposed new cul de sac. Whilst it is slightly different in design to the terraced units, the use of a similar materials vocabulary ensures the proposed apartment block integrates smoothly into the overall scheme.

It is considered that the proposed development provides a high quality contemporary housing scheme that is sensitive to the character of the surrounding area, respecting elements of the more traditional housing in the area whilst not being a slavish copy of it and introducing modern elements of building design and contemporary materials. The development is therefore considered to make a positive contribution to local visual amenity and is compliant with Policy CS02 (Design) of the City of Plymouth Local Development Framework Core Strategy (2007).

### **Residential Amenity**

It is important that all new residential development should be designed to ensure that the degree of privacy enjoyed by existing nearby properties is not

unacceptably reduced and that new problems of overlooking are not created. It is also imperative that the relationship between the new dwellings proposed is acceptable and that each property has an adequate level of privacy and natural light.

The layout of the site has been arranged in order to minimise impact on the surrounding properties. The existing residential properties in closest proximity to the site are the existing apartment block known as Queen Annes Quay (to the south of the site) and those dwellings to the north of the site on Parr Street (numbers 5, 6, 7, 8 and 9).

Taking the Queen Annes Quay apartment block first; this is a 7 storey building that is oriented to face south and therefore the main windows of habitable rooms in this building are on its front elevation that looks seawards, and not its rear elevation which is the elevation that faces the proposed development. The minimum separation distance between the new dwellings proposed and the rear of the main Queen Annes Quay building is 20 metres at the closest point, an adequate separation distance that ensures that problems of overlooking and loss of privacy are not created. With regards to dominance, the Queen Annes Quay apartment block is 7 storeys high and thus the proposed 3 storey dwellings will not impact upon the existing apartment block, with the 20 metre gap ensuring that the new dwellings (being south facing) still receive adequate levels of daylight. The relationship between the proposed new dwellings and the existing apartment block is considered acceptable, and is similar to existing relationships between properties in the city that are on opposites sides of a residential street.

The 5 properties (numbered 5, 6, 7, 8 and 9) that are located to the north of the site on Parr Street all face north and are thus positioned 'back to back' with the closest proposed dwellings within the site. They are therefore separated by gardens and their front elevations face in opposite directions. Whilst the closest relationship between the rear elevations of the existing dwellings on Parr Street and those proposed within this application is 13 metres, the proposed dwellings are oriented in such a way that direct conflict is avoided and no significant overlooking or loss of privacy is created.

The layout of the site has been arranged so that the relationship between the proposed dwellings and apartments within the site is not unacceptable and the application is therefore considered compliant with Policies CS14 and CS34 of the City of Plymouth Local Development Framework Core Strategy (2007).

### **Highways Issues**

The application proposes to provide each dwelling with 1 off-street parking space and an integral garage, equating to 2 off street parking spaces per dwelling. The block of flats will have the benefit of 9 off-street parking spaces, at a ratio of 1.5 spaces per unit (shown arranged as 1 space per flat with 3 visitor spaces). These provisions accord with current and emerging maximum parking standards.



The agent has confirmed that the 8 existing visitor parking spaces at the site, currently serving the Queen Annes Quay apartment block, will be replaced with 7 spaces split between the east and west areas of the existing car park. Although this will result in the loss of 1 visitor space it is accepted that these spaces are all in the ownership of the applicant and are not allocated to the adjoining development. As such, in terms of parking, the development provides adequate car parking and does not utilise or rely on the existing Queen Annes Quay parking allocation.

The applicant has confirmed that the new cul de sac will be made up to adoptable standards, in accordance with City Council Policy, but will remain private. As such the existing access gates to the Queen Anne's Quay apartment block will remain in situ. The development will be made exempt from the provisions of the Advance Payment Code, section 219-225 Highways Act 1980, and as such will be suitable for private ownership. The agent has confirmed that a management company will be in place to maintain the roads.

The site access, onto Teats Hill Road, is already adopted as Highway and as such is deemed suitable for the traffic generated by the development. The junction is within an existing 20mph zone and the configuration and visibility of the junction is designed to an acceptable standard.

The site is considered to be situated in a sustainable location and is within close proximity to public transport services on Sutton Road. It is within a short walking distance of local shops and the City Centre and it is therefore likely that although car parking is provided residents will choose more sustainable travel choices rather than paying parking charges within the City. The Councils Highways Officer is supportive of the application, recommending approval subject to conditions, and the application complies with Policy CS28 (Local Transport Considerations) of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

### **Sustainable Resource Use**

Policy CS20 (Sustainable Resource Use) of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) requires all new residential developments of 10 units or more to incorporate onsite renewable energy production equipment to off set at least 15% of predicted carbon emissions for the period 2010 – 2016.

The application includes an energy compliance report for each proposed dwelling. In order to meet the requirements of Policy CS20 each dwelling is proposed to have Photovoltaic Panels and Solar Water Panels installed on the roof. With regards to visual impact, the panels will be almost flush with the roofline and will not be visible from the street.

Photovoltaic Panels generate electricity from light and their energy source is therefore sunlight, meaning that they do not require fuel to operate and produce no air pollution or hazardous waste. Solar Water Panels require no grid connection and are used for the heating of water. Their power source is

also sunlight and whilst they are particularly useful in the summer months, a boiler is also required to provide hot water during the winter months.

The use of Photovoltaic and Solar Water Panels is more than adequate to meet the 15% energy saving and the application is therefore compliant with Policy CS20.

### **Letters of Representation**

As stated above in the representations section of this report, 21 letters of objection have been received, for reasons that have already been summarised above. Many of the issues raised and summarised have already been discussed above in the main part of this report. However, those not yet discussed are addressed below:

- *There is no demand for new housing;* There is a need to provide a balanced community and new homes for a growing population, in order to meet general housing and affordable housing targets.
- *Commercial Street could be used as an additional/alternative access;* The application proposes access to the site from Parsonage Way and this is considered acceptable and the Highways Officer is supportive of the application.
- *The development does not provide the range of housing types required by the community;* This is not correct, the area is characterised by smaller flatted units and the majority of the dwellings proposed in the application are family homes, which are required in the area to ensure that the local community is balanced. Affordable housing need is also very high and the application provides 4 affordable housing units.

### **Equalities & Diversities issues**

This development affects people of all ages and from all backgrounds as it provides open market housing that will be made available for sale to the general public. It specifically affects those on lower incomes on the Councils Housing Register as it provides 4 units of the total number of 23 as affordable housing, to be managed by a Housing Association. Older people will also be specifically affected as the development will provide 20% of dwellings to Lifetime Homes standard. The benefits to these groups are considered to be positive.

No negative impact to any equality group is anticipated. The financial mitigation, secured by Section 106 under the Plymouth Development Tariff will benefit the whole community by providing money to be spent on Green Space, Sport and Recreation, Libraries, Health, Children Services and the Public Realm.

### **Section 106 Obligations**

The application is accompanied by a viability assessment that states that the development would not be viable if it was required to provide 30% of units as affordable housing. Policy CS15 (Overall Housing Provision) of the Adopted



City of Plymouth Local Development Framework Core Strategy (2007) states that on qualifying developments of 15 dwellings or more, at least 30% of the total number of dwellings should be affordable homes, to be provided on site without public grant (subject to viability assessment).

The Local Planning Authority have scrutinised the viability assessment (produced for the applicant by Vickery Holman Property Consultants) and agree that generally, the assumptions made in this report are a fair reflection of the current market. Whilst the applicant has agreed to pay the full tariff (at a 50% discount according to the Market Recovery Scheme due to the site being brownfield land), the viability assessment states that the proposed development would not be viable if affordable housing was required to be provided at the site, in accordance with the Councils Policy of 30% provision.

Through a combination of challenges to certain information contained within the viability assessment and negotiations with the preferred RSL partner about the value and location of potential affordable units, despite compromised viability, agreement has been reached with the applicant to provide 4 Affordable Housing units at the site, comprising of 2 flats and 2 houses (with 2 flats for shared ownership and 2 houses for social rent). This compromise, achieved through positive negotiation with the applicants property consultants, adequately addresses concerns that the application did not contain any affordable housing units. The compromise of a 4 unit affordable housing package would provide housing for identified local needs, achievable 'affordability', and 19% affordable housing delivery at the site.

Whilst the provision of 4 affordable housing units at the site compromises the developers profit on costs to slightly below the 20% target required to ensure a viable development, it was deemed close enough (19.77%) that the Local Planning Authority was justified in making the case that four units should be the minimum provision at the site. In addition, given the likelihood of future increase in sales values and the contingencies that were already provided within the viability assessment, it is likely that the development could ultimately achieve a profit in excess of 20%. In this event, the Local Planning Authority has agreed (by further negotiation with the applicants property consultants), a clawback mechanism within the Section 106 Agreement to obtain additional planning gain in the event that the development achieves more than a 25% profit-on-cost.

The application has been assessed against the Governments Community Infrastructure Levy (CIL) and it is considered that the financial obligations required by the Plymouth Development Tariff of £120, 497 meet the 3 CIL tests and that the obligation is necessary to make the development acceptable in planning terms, is directly related to the development and is fairly and reasonably related in scale and kind to the development.

### **Conclusions**

To summarise, this application will provide 23 new residential units (17 houses and 6 apartments) with 19% to be provided as affordable housing, to

be managed by a Registered Social Landlord. Ancillary car parking and landscaping are also provided as part of the development package and the applicant has agreed to pay the financial contributions considered necessary under the Community Infrastructure Levy.

It is considered that the application proposes high quality contemporary housing with a design solution that is modern and innovative, ensuring consistency in appearance through subtle repetition of features and materials. The layout is a positive response to the constraints of the site.

The proposed development would not impact significantly upon nearby properties residential amenities due to the layout and orientation of the proposed dwellings and would not harm the surrounding highway network, providing adequate levels of off street car parking. The application is therefore recommended for approval, subject to conditions and the successful completion of a S106 agreement by the 5<sup>th</sup> July 2010, with delegated authority sought to refuse the application if the Section 106 Agreement is not signed by this date.

### **Recommendation**

In respect of the application dated **06/04/2010** and the submitted drawings, **653-301/P, 653-300/P, 653-302/A, 653-320/A, 653/321/A, 653-322/P, 653-323/A, 653-324/A, 653-325/A, 653-326/B** and accompanying **Design and Access Statement, Energy Statement, Contaminated Land Report and Development Appraisal** , it is recommended to: **Grant 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 5 July 2010.**

### **Conditions**

#### **DEVELOPMENT TO COMMENCE WITHIN 3 YEARS**

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

#### **Reason:**

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

#### **DETAILS OF BOUNDARY TREATMENT**

(2) 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.

#### PROVISION OF PARKING AREA

(3) 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.

#### ROAD ALIGNMENT AND DRAINAGE

(4) Development shall not begin until details of the vertical alignment for the new street areas 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

(5) All roads and footways forming part of the development hereby permitted shall be completed in accordance with the details approved under condition 4 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.

#### CYCLE STORAGE

(6) 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.

#### EXTERNAL MATERIALS

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

#### Reason:

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

#### CODE OF PRACTICE DURING CONSTRUCTION

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

#### Reason:

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

#### ON SITE RENEWABLE ENERGY PRODUCTION

(9) The development shall be constructed in accordance with the details contained within the applicants Energy Statement and individual Energy Compliance Reports for each dwelling, showing that a minimum of 15% of the carbon emissions for which the development is responsible will be off-set by on-site renewable energy production methods, for the period 2010-2016. The hereby approved on-site renewable energy production methods shall be provided in accordance with these details prior to the first occupation of the development and thereafter retained and used for energy supply for so long as the development remains in existence.

#### Reason:

To ensure that the development incorporates onsite renewable energy production equipment to off-set at least 15% of predicted carbon emissions for the period up to 2016, in accordance with Policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and relevant Central Government guidance contained within PPS22.

#### PROVISION OF LIFETIME HOMES

(10) The development shall be constructed strictly in accordance with drawing no. 653-326/B which shows 5 units (plots 1, 7, 10, 11 and 23) within the development hereby approved to be constructed to Lifetime Homes standards. The layout of the floor plans hereby approved shall be

permanently retained for so long as the development remains in existence, unless a further permission is granted for the layout of these units to change.

Reason:

In order to provide 20% Lifetime Homes at the site, in accordance with Policy CS15 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

#### PROVISION OF DRAINAGE WORKS

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

Reason:

To ensure that satisfactory infrastructure works are provided in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### FURTHER DETAILS

(12) No work shall commence on site until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz:-

- Details of a refuse storage facility for the apartment block hereby approved.

The works shall conform to the approved details.

Reason:

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

#### EXCLUSION FROM PPZ

(1) The applicant should be made aware that the development lies within a resident permit parking scheme which is currently over-subscribed. As such the development will be excluded from obtaining permits and visitor tickets for use within the area.

#### **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 visual and residential amenity and the surrounding highway network, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (1) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning

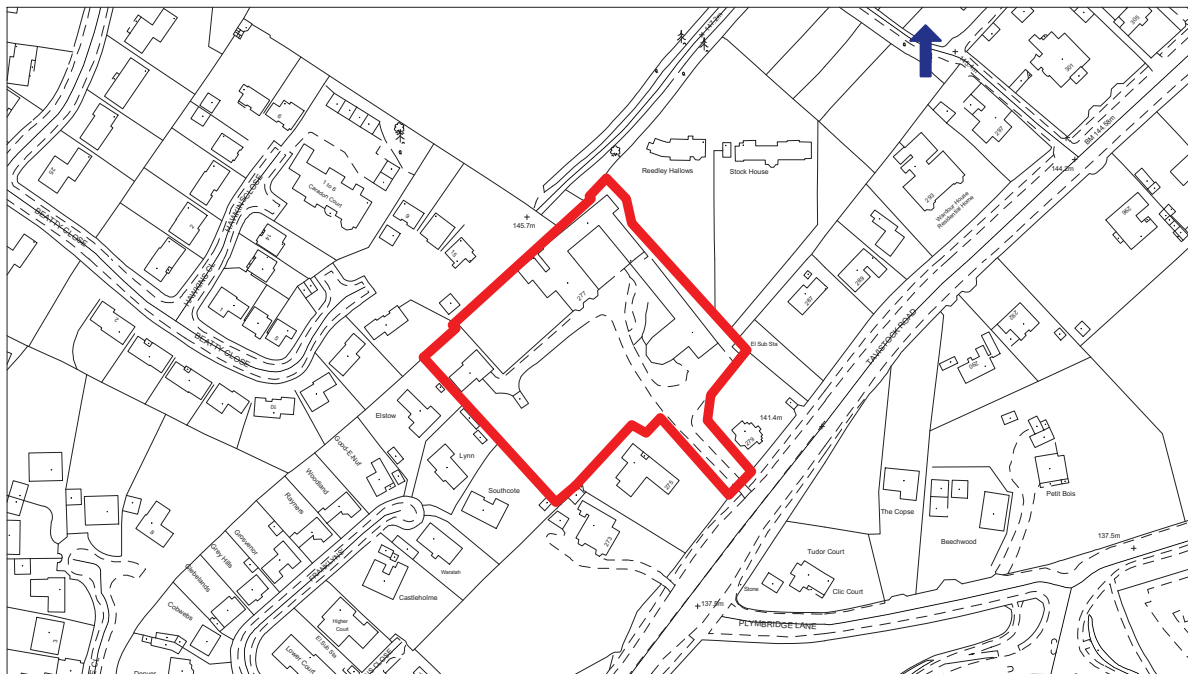
Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City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

- PPS3 - Housing
- CS28 - Local Transport Consideration
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS20 - Resource Use
- CS01 - Sustainable Linked Communities
- CS02 - Design
- CS15 - Housing Provision
- CS16 - Housing Sites



**ITEM: 07**

<b>Application Number:</b>	09/01645/FUL
<b>Applicant:</b>	Mr James Sutherland
<b>Description of Application:</b>	Extension to nursing home including the addition of a first floor above the single-storey wings with an increase in bedrooms from 43 to 66
<b>Type of Application:</b>	Full Application
<b>Site Address:</b>	DOWN HOUSE, 277 TAVISTOCK ROAD DERRIFORD PLYMOUTH
<b>Ward:</b>	Budshead
<b>Valid Date of Application:</b>	22/03/2010
<b>8/13 Week Date:</b>	<b>21/06/2010</b>
<b>Decision Category:</b>	Major Application
<b>Case Officer :</b>	Robert McMillan
<b>Recommendation:</b>	Grant Conditionally
<b>Click for Application Documents:</b>	<a href="http://www.plymouth.gov.uk">www.plymouth.gov.uk</a>



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## OFFICERS REPORT

### Site Description

The site is on the north west side of Tavistock Road north of the Derriford roundabout opposite the junction of Plymbridge Lane with Tavistock Road. It is a residential area surrounded by dwellings and a playing field to the north. It has an area of 0.76 hectares and a short frontage with Tavistock Road of 13 metres. The original house is an attractive double bay fronted established villa built in the Queen Anne style in the north eastern part of the site. This has two storey additions to the west and rear together with single storey northern and eastern wings. The southern part of the long eastern wing has a western projection. This is close to a large Horse Chestnut tree. In the north western part of the site is a house associated with the Nursing Home. The south western part of the site is open land with an attractive Lime tree. There are Lime trees to the left of the entrance to the site on the boundary with 275 Tavistock Road, some trees and a high hedgerow on the north eastern boundary with further trees and vegetation on the north western boundary. The trees on site are subject to Tree Preservation Order 36 (TPO) and those to the north west to TPO 130. The land falls from the back (north west) to the entrance (south east) by 4.5 metres but within the area of development the fall is about 1.5 metres.

### Proposal Description

The proposal is similar to the existing permitted development under permission 03/1894. It is necessary to rectify constructional faults in the building works carried out in the part implementation of that permission. It comprises a substantial increase to the existing nursing home. It is in two phases. Phase 1 is the demolition of the two storey part behind and to the west of the original house. Phase 2 is a first floor extension to the northern wing and long eastern wing. The southern projection has a chamfered (half decagonal end). This will be squared-off with a balcony added. There will be a new small projection half way along the wing creating two courtyards.

The existing floorspace is 1,684 sq m. The completed development would be 2,973 sq m giving an increase of 1,289 sq m.

There are 43 bedrooms and the proposal provides 66 bedrooms, (two fewer than the approved scheme) giving an increase of 23 bedrooms. The residents would increase from 48 to 66, an increase of 18 which is seven fewer than the previous approval.

The materials would match the existing building being white render and slate hanging under a slate roof with UPVC windows and doors.



**Relevant Planning History**

04/00681 – FULL - Variation of condition 6 of planning permission 03/01894 to allow limited opening of windows – GRANTED.

03/01894 – FULL - Alterations and extensions to nursing home, including an additional floor to wing adjacent to north west and north east boundary and two storey extension rear of original house (Revised scheme) – GRANTED.

03/00907 – FULL - Alterations and extensions to nursing home, including an additional floor to wing adjacent to north west and north east boundary and two storey extension rear of original house extension rear of original house – REFUSED.

02/00539 – FULL - Single storey extension to nursing home to provide fifteen additional bedrooms (renewal of previous permission) – GRANTED.

97/0614 – FULL - Single storey extension to nursing home to provide fifteen additional bedrooms – GRANTED.

89/02587 – FULL - single storey extension to nursing home and provision of additional parking area – GRANTED.

85/00953 – Extension to Nursing Home – GRANTED.

81/003364 - Change of use from dwelling house to private nursing home – GRANTED.

**Consultation Responses**

**Highways Agency**

No objection.

**Plymouth City Airport**

No objection.

**Local Highway Authority (LHA)**

No objection subject to conditions.

15-16 parking spaces should be provided to comply with the Council's maximum parking standards. This does not account for the site's accessibility in the Northern Corridor. The applicant is intending to provide eight more spaces but the LHA does not necessarily require them.

The current arrangements are somewhat haphazard. The spaces are not marked out that can lead to inefficient use of the space. The spaces should be clearly demarcated. If the applicant requires the additional spaces these should be clearly marked too along with details of the ambulance drop-off and collection area. Adequate manoeuvring space should be required to the rear of the spaces.

Four secure and covered cycle parking spaces should be provided.

### **Public Protection Services**

No objection subject to conditions relating to: Code of Practice, noise protection to the bedroom/living rooms, noise and odour mitigation from the mechanical extract ventilation system.

### **Representations**

The Council received three letters of representation from two neighbouring properties. They make the following points:

1. Loss of privacy from the first floor windows so close to the boundary;
2. Previous application had fewer openings;
3. The previous condition stated that the first floor windows should be in obscure glass and non-openable;
4. The development is too bulky;
5. Would not wish to remove the trees or hedge on the north east boundary of the site to provide light to the new extension;
6. Noise and fumes from the extraction flue system;
7. The vent flue should be taken through the first floor;
8. The new floor plan should follow the previously approved one with a walkway on the ground floor; this would help remove maintenance difficulties;
9. Should have been consulted on the previous amendments to 03/01894;
10. Building so close to the boundary will cause maintenance problems; and
11. Possible damage to property.

### **Analysis**

The main issues with this application are: the planning history of the site; the impact on adjoining properties and the effect on the trees. The main Core Strategy policies are: CS01 – Development of Sustainable Linked Communities, CS02 - Design, CS18 – Plymouth’s Green Spaces, CS28 – Local Transport Considerations and CS34 – Planning Application Considerations. The Development Guidelines and Design SPDs are also relevant.

### **Background**

The recent planning history of the site is an important consideration. Planning applications for similar large extensions were made in 2003, references 03/00907 and 03/01894. The first was refused and dismissed on appeal and the second was permitted. A later application to amend condition 6 of 03/01894 was made to allow the first floor windows to open. This was granted subject to the opening restricted to the top fanlight and limited to open no more than 150mm. The principle of a development of this bulk, size and massing has been established by the previous permissions.

The applicant started the building works. These were not built in accordance with the approved plans. Also an unauthorised flue was installed on the roof

on the single storey lean-to part of the development close to the garden of 15 Beatty Close. Following the Local Government Ombudsman's investigation an enforcement notice was issued and the applicant lowered the flue. In addition the building works are sub-standard and the applicant will have to demolish a major part or all of these structures.

#### **Local Government Ombudsman Investigation**

The Local Government Ombudsman investigated a complaint that the extensions had been built in non compliance with the approved drawings. He agreed that this was the case. The main differences and source of complaint were that they had been built closer to the boundary with 15 Beatty Close, the ground floor walkway had been built as a solid wall and an unauthorised vent flue had been installed. There were also other differences including changes to roof and eaves heights that had been treated as minor amendments to planning permission 03/01894.

The enforcement test of expediency to take action is different and more onerous than the considerations to take into account when the Council determines applications. The LGO said:

“Whether enforcement action is appropriate will depend on whether what has been built has had such an adverse effect on the amenity of adjoining properties that it should not be allowed to remain.”

The objector's main concern was the position of the extension in relation to the boundary wall in comparison with the approved drawings. The LGO stated that the difference was not significant in planning terms. He did not criticise the Council's decision not to take enforcement action.

The LGO stated that: it is arguable that the amendments should have been the subject of consultation so that the objector could have made comments before the Council made its decision. He continued:

“Nevertheless, I do not conclude that a different decision would have been made on enforcement if these changes had been assessed in detail and you had been given the opportunity to make representations. As noted above, it would be necessary for the Council to demonstrate that the extension as built had an unacceptably adverse impact on your property so that it should not be allowed to remain. The evidence does not support a conclusion that this would have happened.

The Council has advised you correctly that until the building is substantially complete it would not be possible to take enforcement action to require the wall facing your property to be rendered to match the existing. Moreover at that time the Council would have to demonstrate that the impact of the unrendered wall is so unacceptable that it should not be allowed to remain. It would be difficult to make that argument if you were refusing the builder access to do the work.”

He concluded that despite the administrative errors by the Council the evidence suggested that the impact on the neighbour's property would not have been reduced had the errors not occurred. He could see no grounds to recommend that the Council take further action to address the neighbour's concerns (apart from the issue of the vent on which action was taken).

These findings are relevant to the consideration of the application.

**Effect on residential amenity**

The main differences from the approved and as-built development are:

North western wing

The filling in of the ground floor walkway with a solid external wall instead of columns that supported the first floor;

The addition of two ground floor windows;

The removal of one first floor window, replaced with a rooflight;

North western part behind the original house

Change to the roof shape;

Addition of two doors, two rooflights and an air inlet vent to the single storey lean-to part;

Addition of three rooflights to the two storey roof;

Addition of an extract vent flue enclosed within a chimney stack protruding through the two storey roof;

North eastern wing

The filling in of the ground floor walkway with a solid external wall instead of columns that supported the first floor;

The addition of two first floor windows;

The addition of four ground floor windows and the removal of two doors;

The addition of a small projection roughly in the middle creating two courtyard-type areas;

The change to the shape of the southern projection from a chamfered end to a squared end and a small northern extension.

The main area of concern relates to the north western part of the proposals and to a lesser extent the outer wall of the north eastern wing.

Officers understand the objector's concerns that the north western parts were not built in compliance with the approved drawings. The Council investigated the matter and decided not to take enforcement action and the LGO did not disagree with that decision apart from the vent on which the Council did take subsequent action.

In the light of the LGO's conclusions officers believe that the positions of the proposed extensions are acceptable. In order that the walls facing adjoining properties are not unsightly the applicant should complete the rendered finishes subject to owners' consent where this is required.

Following the consultation exercise the applicant has amended this part of the development. The windows on the wing closest to 15 Beatty Close have been

removed and the first floor one replaced with a rooflight. The windows would be glazed in obscure glass and the fanlights will open but to no more than 150mm. This complies with the fall-back position of the previous permission allowing this, reference 04/00681. The first floor window to the staffroom has been removed and replaced with a rooflight and the vent flue chimney will now come through the roof above the first floor rather than through the single storey part. Conditions would be attached to mitigate nuisance from noise and odour from the extract system to prevent undue harm to residential amenity. In these circumstances the proposal would not cause harm to residential amenity of 15 Beatty Close and would comply with Core Strategy policies CS34 and CS22 and the Development Guidelines SPD.

There are small changes to the outer wall of the long north eastern wing but the impact on the adjoining gardens is reduced by the extensive and high hedge interspersed with trees along the boundary. The windows only serve a corridor and the first floor windows will be glazed in obscure glass with the fan lights opening restricted to be no more than 150mm. The property Reedley Hallows has a large garden and the nearest part of the extension is 24 metres from the back of the house. In these circumstances the proposal would not cause harm to residential amenity of Reedley Hallows and would comply with Core Strategy policies CS34 and CS22 and the Development Guidelines SPD.

The southern part of the north eastern wing is higher than the adjoining houses to the south, 279 – 281 Tavistock Road. But there is adequate distance between them to avoid overlooking. The distance from the balcony to 279 Tavistock Road is 27 metres and to 275 Tavistock Road is 26 metres with intervening trees in both cases. The distance from the first floor blank part of the side wall of the extension facing 281 Tavistock Road is 18 metres. These distances provide adequate separation to prevent overlooking or over-dominance and retain acceptable residential amenity to comply with policy CS34 and the Development Guidelines SPD.

### **Trees**

The new extension to the rear and side of the 'old house' is to be rebuilt on the existing footprint therefore there will be no new tree issues. Care will still need to be taken during demolition not to harm trees on adjacent land.

The other part of the application - the alterations and extension to the eastern wing will result in the footprint extending towards the trees and shrubs on the north west and north eastern boundaries but still lies within the footpath area. The only trees of any maturity are two Sycamores on the southern part of the north eastern boundary that currently overhang the single storey roof. These will need to be pruned back to give working room and to clear the proposed second storey.

The Horse Chestnut to the south of the southern projection will not be directly affected as the footprint stays broadly the same but care will be needed to protect it when the second storey is built to prevent damage to the canopy from the erection of scaffold and during the construction phase.

**Other matters**

The long eastern wing is somewhat out of proportion with the original house but the design has been established by the previous decisions. The addition of the middle projection will help to break up the mass and run of the extension and create two courtyard-type areas. These could become attractive spaces subject to sensitive landscaping that would provide an attractive amenity for the residents. The use of natural slate for the roof and slate hanging is commended and will add interest to the appearance of the development.

The local highway authority is satisfied that the development will not cause additional problems on the congested Northern Corridor. It raises no concerns provided the parking arrangements are rationalised to ensure efficient use of the parking areas.

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 development is designed to accommodate people in need of nursing care in particular the elderly and frail including those with disabilities. The proposals will meet their needs.

**Section 106 Obligations**

None required

**Conclusions**

The expansion of the Down House Nursing Home has been a complicated and contentious issue these past seven years for at least one of the neighbours and the applicant. Officers believe that the architects' revised scheme will rectify past building failings. The amendments to the scheme particularly on the north western part adjoining 15 Beatty Close and the safeguarding conditions will not cause undue harm to residential amenity of any of the neighbouring properties. In officers' opinion it would seem to be in the neighbours' best interests to grant access to the applicant so the builders could complete the rendering of the walls facing adjoining properties to give them a satisfactory appearance. The design is acceptable. The trees and hedges will be safeguarded. There are no highway objections. The scheme will increase and improve nursing home provision in the northern part of the city for which there will be a growing demand. For these reasons the application is recommended for approval.



**Recommendation**

In respect of the application dated **22/03/2010** and the submitted drawings, **Topographical Survey, P113.100, P113.101A, P113.102A, P1113.103, P1113.104, P113.105, P1113.106A, P1113.107, P1113.108, P1113.109, P1113.110, P1113.11B, P1113.112B, P1113.113B, P1113.114B, P1113.115B, P1113.116B excluding the clear glass to some of the first floor windows, P1113.117A, P1113.118B excluding the clear glass to some of the first floor windows, P1113.119B, P1113.120C, Design and Access Statement, Tree Survey February 2010, Transport Statement and Phase 1 Contamination Survey**

**Amended Plans: Changes to the North West elevation with the removal of windows, addition of rooflights, relocation of the extract flue and chimney from the ground floor lean to extension to protrude through the second storey , 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.

CODE OF PRACTICE

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

Reason:

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

RENEWABLE ENERGY

(3)No work shall begin on the development hereby permitted until a report on on- site renewable production has been submitted to and been approved in writing by the local planning authority for the development. The report shall identify how a minimum of 15% of the carbon emissions for which the development is responsible for the period up to 2016 are off-set by on-site renewable energy production methods for that phase of development. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. If such requirements are to be provided by means of a biomass boiler in full or part, details shall also

be provided to demonstrate that the boiler will be used, which shall include a commitment to maintain the boiler and details of how a long term fuel supply can be secured and delivered. The proposed solutions should be considered in the light of the Derriford Sustainable Energy Strategy. The approved scheme shall then be provided in accordance with these details prior to the occupation of any of the development hereby permitted and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

To provide on site renewable energy production to off-set 15% of predicted carbon emissions to comply with Policy CS20 of the adopted City of Plymouth Core Strategy Development Plan Document 2007

NOISE

(4)All the living rooms/bedrooms shall be constructed so that they meet the good room criteria as set out in BS 8233:1999

Reason: To protect any future occupants from any unwanted noise disturbance to comply with policies CS22 and CS34 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

EXISTING TREE/HEDGEROWS TO BE RETAINED

(5)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 extensions hereby permitted.

(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 Method Statement contained in the Tree Survey dated 4 February 2010 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.

PROVISION OF PARKING AREA

(6) None of the extra bedroom units hereby proposed shall be occupied until each of the 16 off-street car parking spaces have been constructed, drained, surfaced and demarcated in accordance with details to be submitted to and approved in writing by the Local Planning Authority and thereafter those spaces shall not be used for any other purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers, staff or visitors to the Nursing Home to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway to comply with policies CVS28 and CS34 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

CYCLE PROVISION

(7) The development shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority) for 4 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

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

Reason:

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

EXTERNAL MATERIALS

(9) 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.

#### SPECIFIED USE RESTRICTION

(10)The premises shall be used for a nursing/residential home and for no other purposes including any other purpose in Class C2 or C1 of the Schedule to the Town and Country (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason:

The Local Planning Authority considers that, in the particular circumstances of the case, the use of the premises for the purpose specified is appropriate but that a proposal to use the building for any other purposes would need to be made the subject of a separate application to be considered on its merits in accordance with Policies CS34, CS28 and CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### OBSCURE GLASS AND LIMITED OPENING

(11)Notwithstanding drawing numbers P1113.116B and 1113.119B all first floor windows on the north west and north east elevations facing adjoining properties to the north west and north east and the first floor window on the south west elevation serving the corridor shown on drawing number P1113.117A shall be glazed in obscure glass with the lower pane fixed. The top fan light may be opened but fitted with a restrictor to limit the opening to no more than 150mm. Details of the obscure glass shall be submitted to and approved in writing by the local planning authority. The obscure glass shall be installed in accordance with the approved details and remain as such permanently.

Reason:

To protect the residential amenities of adjoining properties and not to prejudice the development potential of adjoining land to comply with policy CS34 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

#### NO ADDITIONAL OPENINGS

(12)No additional openings, windows, doors, rooflights or dormer windows shall be added to the north west, north east and south east elevations facing adjoining properties to the north west, north east and south east other than those shown on drawing numbers P1113.116B, 1113.119B and 1113.118B.

Reason:

To protect the residential amenities of adjoining properties to comply with policy CS34 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

CODE OF PRACTICE  
INFORMATIVE 1

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

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

INFORMATIVE: PROPERTY RIGHTS  
INFORMATIVE 2

Applicants are advised that this grant of planning permission does not override private property rights or their obligations under the Party Wall etc. Act 1996 with particular reference to the boundary with 15 Beatty Close to ensure there is no damage to the boundary wall.

**Statement of Reasons for Approval and Relevant Policies**

Having regard to the main planning considerations, which in this case are considered to be: the planning history of the site; the impact on adjoining properties and the effect on the trees 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
- PPS1 - Delivering Sustainable Development
- CS28 - Local Transport Consideration
- CS34 - Planning Application Consideration
- CS18 - Plymouth's Green Space
- CS22 - Pollution
- CS01 - Sustainable Linked Communities

CS02 - Design  
SPD1 - Development Guidelines

## CITY OF PLYMOUTH

**Portfolio and Holder:** Cllr. Ted Fry

**CMT Member:** Anthony Payne - Director of Development

**Subject:** Objection to Tree Preservation Order  
No.469: 2 St Lawrence Road, Plymouth

**Committee:** Planning

**Date:** 1<sup>st</sup> July 2010

**Author:** Jane Turner- Tree Officer

**Contact:** 4362

**Ref:** DC/T1/2/1

**Part:** I

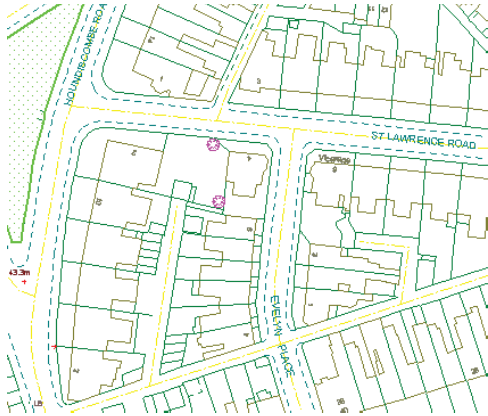
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**Executive Summary****Background**

Under delegated authority, on 29<sup>th</sup> March 2010, an emergency Tree Preservation Order No.469 was made to protect 2 trees, a mature Copper Beech and a Magnolia within the grounds of 2 St Lawrence Road, Plymouth. The adjacent property, 4/5 St Lawrence Road, wished the Copper Beech to be cut back to the boundary line. The owner has in response to their request pruned the tree to give reasonable clearance between the branches and the building. The neighbouring property still wished to prune it back the boundary line. It was therefore considered expedient in the interest of public amenity that a Tree Preservation Order (TPO) be made as such a reduction would have ruined the amenity value of the tree. TPO No.469 was made to protect the the Copper Beech and a mature Magnolia that it was considered may also be subject to inappropriate pruning. We have received one objection to the making of the order from Urban and Rural Planning on behalf of Thompson and Jackson Solicitors who occupy 4/5 St Lawrence Road, and four in support from nearby properties at Sutherland Road, and Houndiscombe Road and the owner of the trees.

Copper Beech (T2) viewed from Evelyn Place and Houndiscombe Road





Location of trees shown in purple

## Objections

The main reasons for objection are summarised as follows and relate to T2 the Copper Beech only (the full letter is available as a background paper):

### Urban and Rural Planning Associates on behalf of Thompson and Jackson-

1. *The position of T2 (Copper Beech) is such that views of the tree could only be had from the rear service lane, glimpses between the gable end of Evelyn Place and the rear of 4 St Lawrence Road, views from St Lawrence Road through T1 and from gardens of those properties surrounding the site. Whilst the tree has a degree of visibility it is felt that this is not significant to the wider public realm and consequently the benefit of protecting the tree is limited as a result.*
2. *Beech trees are commonly found in woodlands rather than urban areas. They can occupy significant areas if they are to grow to their full potential. Given the close proximity to the boundary and 2 adjacent buildings it is considered that his type of tree is not ideally suited to the setting.*
3. *There is a large hollow where the stem divides into two that is often filled with water. This will impact on how long the tree will remain in good health.*
4. *The position of the tree would not allow it to develop to full maturity as it would lead to a nuisance for the occupiers of 4 St Lawrence Road and 12 Evelyn Place.*
5. *Public enjoyment of this woodland tree is very limited*
6. *There is potential for impact on drainage and building foundations..*

1. Urban and Rural Planning associates list many places the Copper Beech can be viewed from which somewhat goes against the argument that the tree has limited amenity value. They state that the tree can only be seen from St Lawrence Road through T1 (the Magnolia) – as the Copper Beech is approximately 17m high and the Magnolia approximately 3m high I think the Copper Beech is very visible by virtue of its height and not hidden by the Magnolia. The tree can also be clearly seen from parts of Houndiscombe Road.
2. Copper Beech is **not** a common woodland tree rather a species much planted in gardens and parks for the colour of its foliage. Although the space this tree has to develop a full crown is limited on one side, the tree has existed in this location for at least 100 years and is already mature with, to our knowledge, no significant issues to date.
3. Where the main trunk divides into two is an area that could potentially lead to decay in the future. I have been shown photos of this area and it would



appear that from these that the area is sound at the moment. The condition of this junction needs to be monitored on a regular basis. No evidence of decay has been submitted with the objection.

4. The Copper Beech is already mature being at least 100 years old. Any nuisance it has caused in the past has been dealt with by sensitive pruning and there is no reason that this cannot continue in the future if it again becomes necessary. Any reasonable application to trim the canopy away from the sides of buildings is unlikely to be refused.
5. Public enjoyment of the tree is not in our opinion very limited. Indeed as some of the letters in support summarised below state, the tree has been and still is enjoyed by local residents and users of St Lawrence Road alike.
6. No evidence of damage to drains or foundation has been submitted to date. If such evidence arises then this would be dealt with on its own merits. With respect to affect on foundations one would have expected there to have been some evidence of this over the long period of time the tree has been in existence. With respect to roots infiltrating drains this can happen at any time and is usually due to a defect/crack in the pipe which the roots then exploit. There are alternative options to removing a tree of this size, drains can be sleeved with plastic or carefully replaced with modern pipes which do not allow the ingress of roots.

**Summary of letters of support:**

***Mr Woolley and Catherine Hennessey***

*The owner of the tree – refers to a report written by Aspect Tree Consultancy that states the Copper Beech undoubtedly provides important public amenity for the immediate area, the tree is a prominent mature specimen visible from St Lawrence Road, Evelyn Place and Houndiscombe Road.*

***Resident of Houndiscombe Road***

*'I very much enjoy the sight of both trees from the public lane at the back of my house .....the colour of the trees is very handsome and because of its size it attracts lots of birds. I also enjoy the smell of the Magnolia when I walk along St Lawrence Road'.*

***Resident of Sutherland Road***

*'I don't know how many times I have walked up and down the street and appreciated the beauty of the Magnolia next to the pavement and the wonderful Copper Beech' 'extremely valuable oasis for insects and birds'*

*'they should be given long-term protection for everybody's benefit'*

The resident also gives detail of all the well documented facts about the environmental and health benefits of trees.

***Resident of St Lawrence Road***

*'We can see the beautiful Magnolia tree directly from our house opposite. Besides the visual beauty of the tree it is regularly visited by a blackbird.....and it also emits a wonderful fragrance when in bloom. We can also see the Beech tree when we walk along Evelyn Place – this is a magnificent specimen, bringing a touch of nature into the vicinity of our city streets which must be appreciated by all those passing by'.*

In view of the above analysis and letters of support, it is considered that the objections to Tree Preservation Order No.469 do not justify the Tree Preservation Order being removed from T2 the Copper Beech as requested by the objector. It is therefore recommended that the order is confirmed without modification.

**Corporate Plan 2008-2011:**

Protecting trees enhances the quality of the City's environment by ensuring long-term tree cover. Trees help to reduce pollution and traffic noise providing cleaner air to breathe thereby helping to achieve the Council's corporate goal to create a healthy place to live and work and accords with its objective to improve health and wellbeing as well as creating a more attractive environment.

**Implications for Medium Term Financial Plan and Resource Implications:  
Including finance, human, IT and land**

The protection of trees by a Tree Preservation Order is a routine exercise for Planning Services. There are no additional financial costs arising from the imposition and administration of the Order that are not included in existing budgets.

**Other Implications: e.g. Section 17 Community Safety, Health and Safety etc:**  
None

**Recommendations & Reasons for recommended action:** To confirm the order without modification. Reason: in order to protect important trees of high public amenity value.

**Alternative options considered and reasons for recommended action:**  
*To confirm the order subject to modification:* this would involve removing the Copper Beech (T2) the subject of the objection from the order. Although the Magnolia is a fine specimen, of the two trees, T2 is the tree that has the highest amenity value by virtue of its size and maturity. This is not therefore considered to be an acceptable compromise.

*To revoke the order:* without a Tree Preservation Order the trees could be removed or have inappropriate works carried out to them without any consent being required from the Local Planning Authority. This would result in the loss of amenity to the local area that has been enjoyed for many years.

**Background papers:**

- Tree Preservation Order No. 469.
- Letter of objection
- Letters of support

**Sign off: Fin: [DevF10110007](#)**

<u>Fin</u>		<u>Leg</u>	JR 1131	<u>HR</u>	-	<u>L.P.</u>	-	<u>IT</u>	
<u>Originating CMF Member</u>					-		-		-



**PLANNING COMMITTEE**

Decisions issued for the following period: 25 May 2010 to 18 June 2010

**Note - This list includes:**

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

**Item No 1**

**Application Number:** 08/01075/FUL **Applicant:** Mr K McShane  
**Application Type:** Full Application  
**Description of Development:** New dwelling adjoining existing terrace  
**Site** 74 SPEEDWELL CRESCENT EGGBUCKLAND PLYMOUTH  
**Case Officer:** Stuart Anderson  
**Decision Date:** 11/06/2010  
**Decision:** Application Withdrawn

**Item No 2**

**Application Number:** 09/00214/OUT **Applicant:** CSSC Limited  
**Application Type:** Outline Application  
**Description of Development:** Outline application for a new health and fitness centre (with associated creche, parking, access and landscaping) and 50 new dwellings; with approval of reserved matters sought for the health and fitness centre (access, appearance, landscaping, layout and scale)  
**Site** CIVIL SERVICE SPORTS CLUB, RECREATION ROAD  
PLYMOUTH  
**Case Officer:** Robert Heard  
**Decision Date:** 04/06/2010  
**Decision:** Refuse

**Item No 3**

**Application Number:** 09/00738/FUL **Applicant:** Mr Sadar Razi  
**Application Type:** Full Application  
**Description of Development:** Change of use from vehicle storage to car wash and valeting centre  
**Site** 4 ST JOHNS BRIDGE ROAD PLYMOUTH  
**Case Officer:** Stuart Anderson  
**Decision Date:** 27/05/2010  
**Decision:** Refuse

**Item No 4**

**Application Number:** 09/00974/EXU **Applicant:** Mrs Sharon Short  
**Application Type:** LDC Existing Use  
**Description of Development:** Use of property as four flats with added fire safety and re-built tenement  
**Site** 33 MOUNT GOULD ROAD PLYMOUTH  
**Case Officer:** Stuart Anderson  
**Decision Date:** 27/05/2010  
**Decision:** Refuse to Issue Cert - (Ex)

**Item No 5**

**Application Number:** 09/01421/FUL **Applicant:** Mr S Austin  
**Application Type:** Full Application  
**Description of Development:** Two storey side extension (amended scheme)  
**Site** 12 TYTHING WALK PLYMOUTH  
**Case Officer:** Thomas Westrope  
**Decision Date:** 28/05/2010  
**Decision:** Grant Conditionally

**Item No 6**

**Application Number:** 09/01569/FUL **Applicant:** Mr J C Reed  
**Application Type:** Full Application  
**Description of Development:** Erection of detached two-storey dwellinghouse  
**Site** LAND ADJACENT TO 1 SALISBURY LODGE, SALISBURY ROAD  
PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 26/05/2010  
**Decision:** Refuse

**Item No 7**

**Application Number:** 09/01573/FUL **Applicant:** Mr Peter Mc Dowell  
**Application Type:** Full Application  
**Description of Development:** Raised vehicle hardstanding and associated vehicular access.  
**Site** 238 SOUTHWAY DRIVE SOUTHWAY PLYMOUTH  
**Case Officer:** Thomas Westrope  
**Decision Date:** 04/06/2010  
**Decision:** Refuse

**Item No 8**

**Application Number:** 09/01807/FUL **Applicant:** College Road Primary School  
**Application Type:** Full Application  
**Description of Development:** Two-storey extension on north elevation and external access  
steps  
**Site** COLLEGE ROAD PRIMARY SCHOOL, COLLEGE ROAD  
KEYHAM  
PLYMOUTH  
**Case Officer:** Thomas Westrope  
**Decision Date:** 07/06/2010  
**Decision:** Application Withdrawn

**Item No 9**

**Application Number:** 09/01897/FUL **Applicant:** Mr Paul Gregory  
**Application Type:** Full Application  
**Description of Development:** Formation of balcony to front  
**Site** 840 WOLSELEY ROAD PLYMOUTH  
**Case Officer:** Thomas Westrope  
**Decision Date:** 25/05/2010  
**Decision:** Grant Conditionally

**Item No 10**

**Application Number:** 09/01910/FUL **Applicant:** Devon and Cornwall  
**Application Type:** Full Application  
**Description of Development:** New Police Station (3 storeys, 1,100sqm, 21 car parking spaces)  
**Site** FORMER ARK ROYAL PUBLIC HOUSE DEVONPORT  
PLYMOUTH  
**Case Officer:** Jeremy Guise  
**Decision Date:** 28/05/2010  
**Decision:** Grant Conditionally

**Item No 11**

**Application Number:** 10/00097/OUT **Applicant:** Mrs P Edgcumbe  
**Application Type:** Outline Application  
**Description of Development:** Outline application to develop side garden by erection of detached two-storey dwellinghouse  
**Site** 241 RIDGEWAY PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 28/05/2010  
**Decision:** Grant Conditionally

**Item No 12**

**Application Number:** 10/00111/FUL **Applicant:** Mr A Budge  
**Application Type:** Full Application  
**Description of Development:** Two-storey rear extension (existing single-storey structure to be removed) and formation of room in roofspace, with rooflights  
**Site** 32 JULIAN STREET PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 25/05/2010  
**Decision:** Application Withdrawn

**Item No 13**

**Application Number:** 10/00184/ADV **Applicant:** Yellowbird Media  
**Application Type:** Advertisement  
**Description of Development:** Advertising board for the display of vinyl posters  
**Site** LONGBRIDGE ROAD PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 14/06/2010  
**Decision:** Grant Conditionally

**Item No 14**

**Application Number:** 10/00195/FUL **Applicant:** St Boniface's College  
**Application Type:** Full Application  
**Description of Development:** Erection of two single-storey extensions to technology block  
**Site** ST BONIFACE CATHOLIC COLLEGE, 21 BONIFACE LANE  
MANADON PARK PLYMOUTH  
**Case Officer:** Janine Warne  
**Decision Date:** 27/05/2010  
**Decision:** Grant Conditionally

**Item No 15**

**Application Number:** 10/00205/FUL **Applicant:** Mr L Butler  
**Application Type:** Full Application  
**Description of Development:** Construction of one additional apartment and reduced sized restaurant (amendment to planning application 06/00711/FUL and appeal decision ref: APP/N1160/A/07/2048170)  
**Site** THE GRAND HOTEL,24 ELLIOT STREET PLYMOUTH  
**Case Officer:** Mark Evans  
**Decision Date:** 03/06/2010  
**Decision:** Grant Conditionally

**Item No 16**

**Application Number:** 10/00206/FUL **Applicant:** Mrs J Healy  
**Application Type:** Full Application  
**Description of Development:** Replacement aluminium windows  
**Site** 30 HARBOURSIDE COURT BARBICAN PLYMOUTH  
**Case Officer:** Thomas Westrope  
**Decision Date:** 01/06/2010  
**Decision:** Refuse

**Item No 17**

**Application Number:** 10/00207/FUL **Applicant:** Mrs C Bennett  
**Application Type:** Full Application  
**Description of Development:** Ground floor and lower ground floor rear extension, incorporating rear stairway and walkway  
**Site** 12 SOUTH DOWN ROAD BEACON PARK PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 04/06/2010  
**Decision:** Grant Conditionally

**Item No 18**

**Application Number:** 10/00208/FUL **Applicant:** Barbican Leisure Bars Ltd  
**Application Type:** Full Application  
**Description of Development:** Extension to external seating area with one new umbrella and screens to match existing  
**Site** BAR RAKUDA, 11 QUAY ROAD BARBICAN PLYMOUTH  
**Case Officer:** Karen Gallacher  
**Decision Date:** 16/06/2010  
**Decision:** Refuse

**Item No 19**

**Application Number:** 10/00223/FUL **Applicant:** Mr & Mrs Dorgan  
**Application Type:** Full Application  
**Description of Development:** Single-storey rear extension and associated balcony, external staircase and screening  
**Site** 29 RIDGE PARK AVENUE PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 01/06/2010  
**Decision:** Grant Conditionally

**Item No 20**

**Application Number:** 10/00225/FUL **Applicant:** Mr and Mrs Paul Jones  
**Application Type:** Full Application  
**Description of Development:** Single-storey extension and alterations to existing dwelling  
**Site** 32 TOR CRESCENT PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 03/06/2010  
**Decision:** Grant Conditionally

**Item No 21**

**Application Number:** 10/00238/FUL **Applicant:** Plymouth Hospitals NHS Trust  
**Application Type:** Full Application  
**Description of Development:** Retrospective planning application for retention of existing car park extension at Derriford Hospital Park and Ride  
**Site** CAR PARKING AREA, BREST ROAD PLYMOUTH  
**Case Officer:** Robert McMillan  
**Decision Date:** 07/06/2010  
**Decision:** Grant Conditionally

**Item No 22**

**Application Number:** 10/00258/FUL **Applicant:** Mr Nick Bishop  
**Application Type:** Full Application  
**Description of Development:** Erection of detached dwellinghouse, with off-street parking  
**Site** LAND ADJ TO 21 MUTLEY ROAD PLYMOUTH  
**Case Officer:** Janine Warne  
**Decision Date:** 26/05/2010  
**Decision:** Application Withdrawn

**Item No 23**

**Application Number:** 10/00263/FUL **Applicant:** Plym Estates  
**Application Type:** Full Application  
**Description of Development:** Installation of communal satellite dish  
**Site** DOLPHIN HOUSE, SUTTON WHARF PLYMOUTH  
**Case Officer:** Janine Warne  
**Decision Date:** 25/05/2010  
**Decision:** Grant Conditionally

**Item No 24**

**Application Number:** 10/00271/TPO **Applicant:** Mr Alan Golden  
**Application Type:** Tree Preservation  
**Description of Development:** Tree maintenance work  
**Site** 6 KINGSWAY GARDENS PLYMOUTH  
**Case Officer:** Chris Knapman  
**Decision Date:** 28/05/2010  
**Decision:** Grant Conditionally



**Item No 25**

**Application Number:** 10/00281/ADV **Applicant:** Mitchell's and Butlers PLC  
**Application Type:** Advertisement  
**Description of Development:** Externally illuminated painted fascia signs  
**Site** 2 DRAKE CIRCUS PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 01/06/2010  
**Decision:** Grant Conditionally

**Item No 26**

**Application Number:** 10/00289/TPO **Applicant:** Sanctuary (Plymouth)  
**Application Type:** Tree Preservation  
**Description of Development:** Cherry tree: Reduction works  
**Site** 47 CHARD BARTON PLYMOUTH  
**Case Officer:** Chris Knapman  
**Decision Date:** 27/05/2010  
**Decision:** Grant Conditionally

**Item No 27**

**Application Number:** 10/00290/FUL **Applicant:** Mr Paul Blake  
**Application Type:** Full Application  
**Description of Development:** Part two-storey, part single-storey rear extension (existing single-storey rear tenement to be removed)  
**Site** 21 LAIRA BRIDGE ROAD PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 26/05/2010  
**Decision:** Grant Conditionally

**Item No 28**

**Application Number:** 10/00293/FUL **Applicant:** Mr K Mollard  
**Application Type:** Full Application  
**Description of Development:** First-floor side extension  
**Site** 49 MOORLAND VIEW DERRIFORD PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 28/05/2010  
**Decision:** Grant Conditionally

**Item No 29**

**Application Number:** 10/00295/FUL **Applicant:** Mr Feri Deacon  
**Application Type:** Full Application  
**Description of Development:** Formation of rooms in roofspace, including provision of rear dormer and two front rooflights, to create two additional student bedrooms  
**Site** 82 NORTH ROAD EAST PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 28/05/2010  
**Decision:** Grant Conditionally

**Item No 30**

**Application Number:** 10/00303/FUL **Applicant:** Mr Richard Nankivell  
**Application Type:** Full Application  
**Description of Development:** Formation of vehicle hardstanding in front garden  
**Site** 16 CHURCH ROAD PLYMSTOCK PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 09/06/2010  
**Decision:** Refuse

**Item No 31**

**Application Number:** 10/00317/FUL **Applicant:** Plymouth Community Homes  
**Application Type:** Full Application  
**Description of Development:** Detached scooter store  
**Site** RON KING HOUSE, PEEL STREET PLYMOUTH  
**Case Officer:** Thomas Westrope  
**Decision Date:** 27/05/2010  
**Decision:** Refuse

**Item No 32**

**Application Number:** 10/00322/FUL **Applicant:** Plymouth City Council  
**Application Type:** Full Application  
**Description of Development:** New children's centre and associated consulting room and offices attached to existing nursery; extensions to and reconfiguration of existing nursery; and provision of new playground and associated soft and hard landscaping works  
**Site** WOODFORD INFANT SCHOOL, LITCHATON WAY PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 28/05/2010  
**Decision:** Grant Conditionally

**Item No 33**

**Application Number:** 10/00323/ADV **Applicant:** Mr Martin Lees  
**Application Type:** Advertisement  
**Description of Development:** Erection of play equipment containing non-illuminated advertisements  
**Site** MUTTON COVE DEVONPORT PLYMOUTH  
**Case Officer:** Karen Gallacher  
**Decision Date:** 18/06/2010  
**Decision:** Grant Conditionally

**Item No 34**

**Application Number:** 10/00336/FUL **Applicant:** Mr Jason Smith  
**Application Type:** Full Application  
**Description of Development:** Insertion of wooden window to basement, lightwell and safety grill  
**Site** 149 DURNFORD STREET PLYMOUTH  
**Case Officer:** Thomas Westrope  
**Decision Date:** 01/06/2010  
**Decision:** Grant Conditionally

**Item No 35**

**Application Number:** 10/00342/FUL **Applicant:** Yacht Havens LTD  
**Application Type:** Full Application  
**Description of Development:** Erection of 14 marine business units with associated car parking and cycle storage  
**Site** YACHT HAVEN BREAKWATER ROAD PLYMOUTH  
**Case Officer:** Robert Heard  
**Decision Date:** 02/06/2010  
**Decision:** Grant Conditionally

**Item No 36**

**Application Number:** 10/00349/FUL **Applicant:** Mr Chowdury  
**Application Type:** Full Application  
**Description of Development:** Installation of external flue  
**Site** 72 HYDE PARK ROAD PLYMOUTH  
**Case Officer:** Janine Warne  
**Decision Date:** 08/06/2010  
**Decision:** Grant Conditionally

**Item No 37**

**Application Number:** 10/00351/FUL **Applicant:** Boots Plc  
**Application Type:** Full Application  
**Description of Development:** Extension to pharmacy  
**Site** 7 CLAREMONT STREET PLYMOUTH  
**Case Officer:** Karen Gallacher  
**Decision Date:** 26/05/2010  
**Decision:** Grant Conditionally

**Item No 38**

**Application Number:** 10/00366/FUL **Applicant:** University Of Plymouth  
**Application Type:** Full Application  
**Description of Development:** Marine engineering research and teaching facility building (6 Storeys) with associated hard and soft landscaping areas, bicycle parking areas etc  
**Site** UNIVERSITY OF PLYMOUTH DRAKE CIRCUS PLYMOUTH  
**Case Officer:** Robert McMillan  
**Decision Date:** 07/06/2010  
**Decision:** Grant Conditionally

**Item No 39**

**Application Number:** 10/00369/FUL **Applicant:** Mr John Hayward  
**Application Type:** Full Application  
**Description of Development:** Hardstand to front of property  
**Site** 276 BEACON PARK ROAD PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 11/06/2010  
**Decision:** Refuse

**Item No 40**

**Application Number:** 10/00385/FUL **Applicant:** Mr Robert Fitzsimmons  
**Application Type:** Full Application  
**Description of Development:** Single-storey and first-floor rear extension to provide annexe accommodation  
**Site** 10 BEDFORD TERRACE PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 01/06/2010  
**Decision:** Grant Conditionally

**Item No 41**

**Application Number:** 10/00392/FUL **Applicant:** Debbie Barber  
**Application Type:** Full Application  
**Description of Development:** Single-storey side extension with new private motor garage  
**Site** 10 TRETOWER CLOSE PLYMOUTH  
**Case Officer:** Stuart Anderson  
**Decision Date:** 04/06/2010  
**Decision:** Grant Conditionally

**Item No 42**

**Application Number:** 10/00404/FUL **Applicant:** Mr Roy Greep  
**Application Type:** Full Application  
**Description of Development:** Rear extension above existing tenements  
**Site** 146 & 148 SALTASH ROAD KEYHAM PLYMOUTH  
**Case Officer:** Thomas Westrope  
**Decision Date:** 10/06/2010  
**Decision:** Refuse

**Item No 43**

**Application Number:** 10/00407/FUL **Applicant:** Mr O Merrick  
**Application Type:** Full Application  
**Description of Development:** Formation of rooms in roofspace with two rear dormers and two front rooflights  
**Site** 3 ARCHER TERRACE STONEHOUSE PLYMOUTH  
**Case Officer:** Stuart Anderson  
**Decision Date:** 04/06/2010  
**Decision:** Grant Conditionally

**Item No 44**

**Application Number:** 10/00415/FUL **Applicant:** Mr J Kelly  
**Application Type:** Full Application  
**Description of Development:** Single-storey rear extension and enlargement of hardstanding  
**Site** 19 LONGACRE PLYMPTON PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 17/06/2010  
**Decision:** Grant Conditionally

**Item No 45**

**Application Number:** 10/00421/FUL **Applicant:** Woolways News  
**Application Type:** Full Application  
**Description of Development:** Single-storey front extension, new shop front and associated alterations  
**Site** 88-90 VICTORIA ROAD ST BUDEAUX PLYMOUTH  
**Case Officer:** Janine Warne  
**Decision Date:** 04/06/2010  
**Decision:** Grant Conditionally

**Item No 46**

**Application Number:** 10/00422/ADV **Applicant:** Woolways News  
**Application Type:** Advertisement  
**Description of Development:** Three non-illuminated fascia signs  
**Site** 88-90 VICTORIA ROAD PLYMOUTH  
**Case Officer:** Janine Warne  
**Decision Date:** 04/06/2010  
**Decision:** Grant Conditionally

**Item No 47**

**Application Number:** 10/00428/FUL **Applicant:** Devonport High School for Girls  
**Application Type:** Full Application  
**Description of Development:** Installation of modular classroom unit (existing modular classroom units to be removed)  
**Site** DEVONPORT HIGH SCHOOL FOR GIRLS, LYNDHURST ROAD PLYMOUTH  
**Case Officer:** Janine Warne  
**Decision Date:** 03/06/2010  
**Decision:** Grant Conditionally

**Item No 48**

**Application Number:** 10/00429/FUL **Applicant:** Tamarside Community College  
**Application Type:** Full Application  
**Description of Development:** Erection of 2.4 metre high security paladin fencing around school campus (excluding Newton Avenue playing field)  
**Site** TAMARSID COMMUNITY COLLEGE, TREVITHICK ROAD ST BUDEAUX PLYMOUTH  
**Case Officer:** Janine Warne  
**Decision Date:** 04/06/2010  
**Decision:** Grant Conditionally

**Item No 49**

**Application Number:** 10/00430/FUL **Applicant:** Tamarside Community College  
**Application Type:** Full Application  
**Description of Development:** Erection of 2.4 metre high security paladin fencing around playing field north of Newton Avenue  
**Site** TAMARSID COMMUNITY COLLEGE, TREVITHICK ROAD ST BUDEAUX PLYMOUTH  
**Case Officer:** Janine Warne  
**Decision Date:** 04/06/2010  
**Decision:** Grant Conditionally

**Item No 50**

**Application Number:** 10/00432/PRD **Applicant:** Mr Alan Nicholls  
**Application Type:** LDC Proposed Develop  
**Description of Development:** Alterations of flat roof to form pitched roof  
**Site** 43 WEIR ROAD PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 01/06/2010  
**Decision:** Issue Certificate - Lawful Use



**Item No 51**

**Application Number:** 10/00433/EXD **Applicant:** Thirst Leisure Ltd  
**Application Type:** LDC Existing Develop  
**Description of Development:** Marquees at front of property  
**Site** 45-46 TAVISTOCK PLACE PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 16/06/2010  
**Decision:** Issue Certificate - Lawful Use

**Item No 52**

**Application Number:** 10/00437/LBC **Applicant:** Mrs Jacqui Bleakley  
**Application Type:** Listed Building  
**Description of Development:** Erection of double private motor garage  
**Site** OLDE CORTE HOUSE, 67 DUNSTONE ROAD PLYMSTOCK PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 26/05/2010  
**Decision:** Grant Conditionally

**Item No 53**

**Application Number:** 10/00446/FUL **Applicant:** Mr & Mrs Malcom Fieldsend  
**Application Type:** Full Application  
**Description of Development:** Single-storey side/rear extension  
**Site** 60 REDDICLIFF CLOSE PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 04/06/2010  
**Decision:** Grant Conditionally

**Item No 54**

**Application Number:** 10/00449/LBC **Applicant:** Mr Bob Summers  
**Application Type:** Listed Building  
**Description of Development:** Internal works to modernise existing ground floor male and female public toilets  
**Site** PLYMOUTH GUILDHALL, ROYAL PARADE PLYMOUTH  
**Case Officer:** Thomas Westrope  
**Decision Date:** 10/06/2010  
**Decision:** Application Withdrawn

**Item No 55**

**Application Number:** 10/00454/FUL **Applicant:** Mr Steve Lidiard  
**Application Type:** Full Application  
**Description of Development:** Two-storey rear extension  
**Site** 6 CLAYTONIA CLOSE PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 28/05/2010  
**Decision:** Grant Conditionally

**Item No 56**

**Application Number:** 10/00455/FUL **Applicant:** Mr Geoff Whinfrey  
**Application Type:** Full Application  
**Description of Development:** Single-storey garage, external alterations and formation of vehicle access  
**Site** 31 ALCESTER STREET PLYMOUTH  
**Case Officer:** Thomas Westrope  
**Decision Date:** 01/06/2010  
**Decision:** Grant Conditionally

**Item No 57**

**Application Number:** 10/00458/TPO **Applicant:** Mr Greeno  
**Application Type:** Tree Preservation  
**Description of Development:** Beech - reduce crown by 15%  
**Site** 13 LITTLE FANCY CLOSE PLYMOUTH  
**Case Officer:** Chris Knapman  
**Decision Date:** 27/05/2010  
**Decision:** Grant Conditionally

**Item No 58**

**Application Number:** 10/00463/TPO **Applicant:** Peter Cuddehay  
**Application Type:** Tree Preservation  
**Description of Development:** Fell - 9 Ash, 2 Cherry, 2 Sycamore, 1 Hornbeam and reduce 1 Sycamore  
**Site** 39 WARLEIGH CRESCENT PLYMOUTH  
**Case Officer:** Jane Turner  
**Decision Date:** 25/05/2010  
**Decision:** Grant Conditionally

**Item No 59**

**Application Number:** 10/00466/FUL **Applicant:** Mr P S Ellis  
**Application Type:** Full Application  
**Description of Development:** Retention of single-storey rear extension incorporating roof balcony (variation to planning permission 06/02068)  
**Site** 30 BIRCH POND ROAD PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 08/06/2010  
**Decision:** Grant Conditionally

**Item No 60**

**Application Number:** 10/00467/OUT **Applicant:** Wharfdale Ltd  
**Application Type:** Outline Application  
**Description of Development:** Outline application for the erection of 9 dwellings (4x2 bed and 5x4 bed) together with associated parking  
**Site** OXFORD HOUSE, 27 OXFORD AVENUE PLYMOUTH  
**Case Officer:** Jeremy Guise  
**Decision Date:** 27/05/2010  
**Decision:** Refuse

**Item No 61**

**Application Number:** 10/00468/TPO **Applicant:** John Page (D & C Housing)  
**Application Type:** Tree Preservation  
**Description of Development:** Crown lift all trees overhanging rear of 22-31 Stott Close to 6m above ground level.  
**Site** 22-33 STOTT CLOSE PLYMOUTH  
**Case Officer:** Jane Turner  
**Decision Date:** 07/06/2010  
**Decision:** Refuse

**Item No 62**

**Application Number:** 10/00469/FUL **Applicant:** Mr C Smith-Avery, Practice  
**Application Type:** Full Application  
**Description of Development:** Erection of single-storey building for use as pharmacy (Use Class A1)  
**Site** KNOWLE HOUSE SURGERY, 4 MEAVY WAY CROWNHILL PLYMOUTH  
**Case Officer:** Janine Warne  
**Decision Date:** 25/05/2010  
**Decision:** Grant Conditionally

**Item No 63**

**Application Number:** 10/00472/PRD **Applicant:** Mrs Alison Ham  
**Application Type:** LDC Proposed Develop  
**Description of Development:** Single storey rear extension  
**Site** 33 VICARAGE GARDENS PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 04/06/2010  
**Decision:** Refuse to Issue Cert - (Ex)

**Item No 64**

**Application Number:** 10/00473/LBC **Applicant:** Network Rail  
**Application Type:** Listed Building  
**Description of Development:** Restoration works including removal of non-original lower diagonal bracing steelwork; corrosion repairs and strengthening of main hangers, track girders, cross girders and other corroded areas, blast remove existing paint work and re-paint two main spans of structure in goose grey  
**Site** ROYAL ALBERT BRIDGE, TAMAR ESTUARY PLYMOUTH  
**Case Officer:** Carly Francis  
**Decision Date:** 25/05/2010  
**Decision:** Grant Conditionally

**Item No 65**

**Application Number:** 10/00475/FUL **Applicant:** Mr and Mrs A Smallshaw  
**Application Type:** Full Application  
**Description of Development:** Two-storey front and side extension and formation of rooms in roofspace including provision of rear dormer and front rooflight  
**Site** 27 MAGDALEN GARDENS PLYMPTON PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 25/05/2010  
**Decision:** Refuse

**Item No 66**

**Application Number:** 10/00476/LBC **Applicant:** Sovereign Housing Group  
**Application Type:** Listed Building  
**Description of Development:** Removal and reinstatement of chapel ceiling  
**Site** ABBEY HOUSE, NORTH ROAD WEST PLYMOUTH  
**Case Officer:** Thomas Westrope  
**Decision Date:** 25/05/2010  
**Decision:** Refuse

**Item No 67**

**Application Number:** 10/00478/FUL **Applicant:** Mr and Mrs K Inch  
**Application Type:** Full Application  
**Description of Development:** Formation of vehicle hardstanding  
**Site** 30 FAIRVIEW AVENUE PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 26/05/2010  
**Decision:** Refuse

**Item No 68**

**Application Number:** 10/00481/FUL **Applicant:** Mr Ian and Mrs Kim Jewell  
**Application Type:** Full Application  
**Description of Development:** Single storey extension to front  
**Site** 26 GOODWIN AVENUE SOUTHWAY PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 10/06/2010  
**Decision:** Grant Conditionally

**Item No 69**

**Application Number:** 10/00484/FUL **Applicant:** Mr Craig Richman  
**Application Type:** Full Application  
**Description of Development:** Demolition of existing garage and store and erection of single-storey building for the provision of ancillary residential accomodation and garage  
**Site** MEADOW HOUSE, HORN LANE PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 26/05/2010  
**Decision:** Grant Conditionally

**Item No 70**

**Application Number:** 10/00485/FUL **Applicant:** Mr Kevin Briscoe  
**Application Type:** Full Application  
**Description of Development:** Erection of a pair of three storey semi-detached dwellings (revision to scheme approved under application 09/01428)  
**Site** RUSSELL AVENUE TENNIS COURTS, RUSSELL AVENUE PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 26/05/2010  
**Decision:** Grant Conditionally

**Item No 71**

**Application Number:** 10/00486/FUL **Applicant:** The Co-operative Group  
**Application Type:** Full Application  
**Description of Development:** Replacement ground-floor windows on Cecil Avenue elevation  
**Site** 56 SALISBURY ROAD PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 07/06/2010  
**Decision:** Grant Conditionally

**Item No 72**

**Application Number:** 10/00487/FUL **Applicant:** S Miller  
**Application Type:** Full Application  
**Description of Development:** Single-storey rear extension (existing outbuilding to be removed)  
**Site** 16 REYNOLDS ROAD PLYMPTON PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 01/06/2010  
**Decision:** Grant Conditionally

**Item No 73**

**Application Number:** 10/00491/LBC **Applicant:** Mrs Sara Plumb  
**Application Type:** Listed Building  
**Description of Development:** Renovation and alteration comprising of: removal of existing first floor bathroom, ground floor kitchen and associated surface mounted wiring and plumbing; repair/replacement of windows to match existing; repair/replacement of guttering and downpipe sections; repairs to roof to match existing to prevent water ingress through roof; alteration of existing wc and boiler room to provide shower and wc; provision of new doorway from ground floor teaching room to passageway; removal of existing paint finish to exterior and replacement with breathable paint; insulation of walls and roof; demolition of existing garage and dog kennel.

**Site** CLITTAFORD COTTAGE, COOMBE LANE PLYMOUTH  
**Case Officer:** Thomas Westrope  
**Decision Date:** 01/06/2010  
**Decision:** Grant Conditionally

**Item No 74**

**Application Number:** 10/00492/FUL **Applicant:** Mr Colin Moist  
**Application Type:** Full Application  
**Description of Development:** Two-storey side extension including private motor garage (existing private motor garage and side structures to be removed)

**Site** 22 GREAT CHURCHWAY PLYMSTOCK PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 01/06/2010  
**Decision:** Grant Conditionally

**Item No 75**

**Application Number:** 10/00493/PRD **Applicant:** Mrs Kate Wells-McCulloch  
**Application Type:** LDC Proposed Develop  
**Description of Development:** Vehicle hardstand  
**Site** 1 COOBAN COURT EGGBUCKLAND PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 28/05/2010  
**Decision:** Issue Certificate - Lawful Use



**Item No 76**

**Application Number:** 10/00494/EXD **Applicant:** Mr Colin Bailey  
**Application Type:** LDC Existing Develop  
**Description of Development:** Use as two bedroom maisonette and self contained one bedroom flat  
**Site** 20 VALLETORT ROAD PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 02/06/2010  
**Decision:** Issue Certificate - Lawful Use

**Item No 77**

**Application Number:** 10/00496/FUL **Applicant:** Mr Enticknap  
**Application Type:** Full Application  
**Description of Development:** Rear conservatory  
**Site** 89 CARNOCK ROAD PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 28/05/2010  
**Decision:** Grant Conditionally

**Item No 78**

**Application Number:** 10/00500/FUL **Applicant:** Mr & Mrs Christopher Wotton  
**Application Type:** Full Application  
**Description of Development:** Single storey side and rear extensions including private motor garage, and additional front dormer to roof void (existing garage and conservatory to be removed, and reduction in size of existing front dormer)  
**Site** 89 ELBURTON ROAD PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 01/06/2010  
**Decision:** Grant Conditionally

**Item No 79**

**Application Number:** 10/00504/FUL **Applicant:** Mr Peter Guilliat  
**Application Type:** Full Application  
**Description of Development:** Two-storey side extension and raised terrace area at rear (existing garage to be removed)  
**Site** 33 GREENACRES PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 01/06/2010  
**Decision:** Grant Conditionally

**Item No 80**

**Application Number:** 10/00509/FUL **Applicant:** Cognita Schools Ltd  
**Application Type:** Full Application  
**Description of Development:** Erection of two-storey school building to provide school hall, nursery and six classrooms with ancillary wc changing and storage facility  
**Site** KINGS SCHOOL, HARTLEY ROAD PLYMOUTH  
**Case Officer:** Carly Francis  
**Decision Date:** 01/06/2010  
**Decision:** Grant Conditionally

**Item No 81**

**Application Number:** 10/00510/FUL **Applicant:** Mrs C Lochhead  
**Application Type:** Full Application  
**Description of Development:** Extension and alteration to existing coach house and garage  
**Site** CRESSWELL, HARTLEY AVENUE PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 03/06/2010  
**Decision:** Grant Conditionally

**Item No 82**

**Application Number:** 10/00511/FUL **Applicant:** Mrs Alison Jones  
**Application Type:** Full Application  
**Description of Development:** Develop side garden by erection of dwellinghouse  
**Site** 44 MEADOW WAY PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 01/06/2010  
**Decision:** Refuse

**Item No 83**

**Application Number:** 10/00512/FUL **Applicant:** Rocnorth Ltd  
**Application Type:** Full Application  
**Description of Development:** Formation of additional self-contained flat in roofspace, including extension of existing rear tenement, erection of rear dormer, oriel side window and juliet balcony  
**Site** 39 HOUNDISCOMBE ROAD PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 01/06/2010  
**Decision:** Grant Conditionally

**Item No 84**

**Application Number:** 10/00514/FUL **Applicant:** Parkhurst Hill Accountants  
**Application Type:** Full Application  
**Description of Development:** Erection of rear split-level extension to form stores (existing store building to be demolished)  
**Site** 56 NORTH ROAD EAST PLYMOUTH  
**Case Officer:** Stuart Anderson  
**Decision Date:** 10/06/2010  
**Decision:** Grant Conditionally

**Item No 85**

**Application Number:** 10/00515/FUL **Applicant:** Matrix Plymouth SA  
**Application Type:** Full Application  
**Description of Development:** Formation of a new boundary fence adjacent four former ward buildings in a mixture of steel railings and chain link fencing.  
**Site** FORMER WARD BLOCKS, THE MILLFIELDS STONEHOUSE PLYMOUTH  
**Case Officer:** Jeremy Guise  
**Decision Date:** 03/06/2010  
**Decision:** Refuse

**Item No 86**

**Application Number:** 10/00520/FUL **Applicant:** Mr David Knight  
**Application Type:** Full Application  
**Description of Development:** Two-storey extension to side and rear and single-storey front extension  
**Site** THE COTTAGE, 20 HILL LANE HARTLEY PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 03/06/2010  
**Decision:** Grant Conditionally

**Item No 87**

**Application Number:** 10/00530/TPO **Applicant:** Mr James Cockburn  
**Application Type:** Tree Preservation  
**Description of Development:** Lime - remove 2 large branches over garage and raise side branches over garage and road to 5m above ground level  
**Site** 62 MILEHOUSE ROAD PLYMOUTH  
**Case Officer:** Jane Turner  
**Decision Date:** 01/06/2010  
**Decision:** Grant Conditionally

**Item No 88**

**Application Number:** 10/00531/ADV **Applicant:** Co-operative Group  
**Application Type:** Advertisement  
**Description of Development:** Fascia and projecting signage  
**Site** 147 EGGBUCKLAND ROAD PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 10/06/2010  
**Decision:** Grant Conditionally

**Item No 89**

**Application Number:** 10/00532/FUL **Applicant:** Mrs Fiona Johnson  
**Application Type:** Full Application  
**Description of Development:** Rear extension and chimney  
**Site** 891 WOLSELEY ROAD PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 10/06/2010  
**Decision:** Grant Conditionally

**Item No 90**

**Application Number:** 10/00535/FUL **Applicant:** Mr Paul Chapple  
**Application Type:** Full Application  
**Description of Development:** First-floor rear extension including rear dormer; three rear rooflights and one front rooflight; and rear decking  
**Site** 41 UNDERWOOD ROAD PLYMPTON PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 07/06/2010  
**Decision:** Refuse

**Item No 91**

**Application Number:** 10/00536/FUL **Applicant:** Mr R Smythe  
**Application Type:** Full Application  
**Description of Development:** Two-storey side and rear extension and single-storey front extension  
**Site** 75 LANCASTER GARDENS WHITLEIGH PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 04/06/2010  
**Decision:** Grant Conditionally

**Item No 92**

**Application Number:** 10/00540/TPO **Applicant:** Mr Robert Clifton  
**Application Type:** Tree Preservation  
**Description of Development:** Various tree works  
**Site** 188 DUNRAVEN DRIVE PLYMOUTH  
**Case Officer:** Jane Turner  
**Decision Date:** 01/06/2010  
**Decision:** Grant Conditionally

**Item No 93**

**Application Number:** 10/00543/FUL **Applicant:** Mr Gary Johnson  
**Application Type:** Full Application  
**Description of Development:** Formation of enlarged rooms in roofspace including rear dormer  
**Site** 21 FIRST AVENUE BILLACOMBE PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 07/06/2010  
**Decision:** Refuse

**Item No 94**

**Application Number:** 10/00547/FUL **Applicant:** Mrs Richards  
**Application Type:** Full Application  
**Description of Development:** PVCu replacement windows and patio doors  
**Site** 131 WHITE FRIARS LANE ST JUDES PLYMOUTH  
**Case Officer:** Thomas Westrope  
**Decision Date:** 07/06/2010  
**Decision:** Grant Conditionally

**Item No 95**

**Application Number:** 10/00548/FUL **Applicant:** Mr Dave Woolley  
**Application Type:** Full Application  
**Description of Development:** Change of use and conversion of workshop to form dwellinghouse with integral private motor garage  
**Site** 17 HAROLDSLEIGH AVENUE PLYMOUTH  
**Case Officer:** Karen Gallacher  
**Decision Date:** 07/06/2010  
**Decision:** Refuse

**Item No 96**

**Application Number:** 10/00549/FUL **Applicant:** Mr Christopher Burch  
**Application Type:** Full Application  
**Description of Development:** Formation of rooms in roofspace including construction of gable end, front dormer and two rear rooflights  
**Site** 8 CRABTREE VILLAS, PLYMOUTH ROAD PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 07/06/2010  
**Decision:** Refuse

**Item No 97**

**Application Number:** 10/00551/FUL **Applicant:** Mr B Smith-Wightman  
**Application Type:** Full Application  
**Description of Development:** Rear raised decking (amended scheme)  
**Site** 204 KINGS TAMERTON ROAD PLYMOUTH  
**Case Officer:** Thomas Westrope  
**Decision Date:** 09/06/2010  
**Decision:** Grant Conditionally

**Item No 98**

**Application Number:** 10/00552/ADV **Applicant:** Home Retail Group Ltd  
**Application Type:** Advertisement  
**Description of Development:** Illuminated free-standing and fascia signage, and non-illuminated poster frames  
**Site** ARGOS, TRANSIT WAY PLYMOUTH  
**Case Officer:** Stuart Anderson  
**Decision Date:** 03/06/2010  
**Decision:** Grant Conditionally

**Item No 99**

**Application Number:** 10/00554/FUL **Applicant:** Mr and Mrs K Saunders  
**Application Type:** Full Application  
**Description of Development:** Erection of detached bungalow with attached double private motor garage  
**Site** LAND ADJACENT TO 32 LONGBRIDGE ROAD PLYMOUTH  
  
**Case Officer:** Janine Warne  
**Decision Date:** 18/06/2010  
**Decision:** Refuse

**Item No 100**

**Application Number:** 10/00557/FUL **Applicant:** Mr D Sayers  
**Application Type:** Full Application  
**Description of Development:** Single storey rear extension (for use as annex for dependant relative)  
**Site** 11 COLERIDGE AVENUE PLYMOUTH  
  
**Case Officer:** Louis Dulling  
**Decision Date:** 03/06/2010  
**Decision:** Grant Conditionally

**Item No 101**

**Application Number:** 10/00558/FUL **Applicant:** Mr E Kamaie  
**Application Type:** Full Application  
**Description of Development:** Develop vacant land by erection of detached dwelling  
**Site** LAND ADJACENT TO FREEDOM HOUSE 45 GREENBANK TERRACE PLYMOUTH  
  
**Case Officer:** Jon Fox  
**Decision Date:** 08/06/2010  
**Decision:** Grant Conditionally



**Item No 102**

**Application Number:** 10/00569/FUL **Applicant:** Mr S Wyatt  
**Application Type:** Full Application  
**Description of Development:** Single-storey side extension (existing garage and store to be removed)  
**Site** 2 BIRKBECK CLOSE PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 11/06/2010  
**Decision:** Grant Conditionally

**Item No 103**

**Application Number:** 10/00570/FUL **Applicant:** Mr and Mrs James Stevenson  
**Application Type:** Full Application  
**Description of Development:** First floor extension to rear and single storey side extension  
**Site** 4 CRANMERE ROAD PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 03/06/2010  
**Decision:** Grant Conditionally

**Item No 104**

**Application Number:** 10/00572/FUL **Applicant:** Mr and Mrs J Ghirigato-Patchett  
**Application Type:** Full Application  
**Description of Development:** First-floor rear extension  
**Site** CORDOVA,50 ROCKY PARK ROAD PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 11/06/2010  
**Decision:** Grant Conditionally

**Item No 105**

**Application Number:** 10/00573/PRD **Applicant:** Mr and Mrs Knott  
**Application Type:** LDC Proposed Develop  
**Description of Development:** Alterations to roof including change from hip to gable end and a rear dormer  
**Site** 15 TOR ROAD PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 04/06/2010  
**Decision:** Issue Certificate - Lawful Use

**Item No 106**

**Application Number:** 10/00578/FUL **Applicant:** Mr Tony Jamieson  
**Application Type:** Full Application  
**Description of Development:** Erection of detached house  
**Site** 15A ALFRED ROAD PLYMOUTH  
**Case Officer:** Karen Gallacher  
**Decision Date:** 11/06/2010  
**Decision:** Refuse

**Item No 107**

**Application Number:** 10/00579/FUL **Applicant:** The Co-operative Group  
**Application Type:** Full Application  
**Description of Development:** Proposed refrigeration plant within existing external plant enclosure  
**Site** 45 WHITLEIGH GREEN PLYMOUTH  
**Case Officer:** Thomas Westrope  
**Decision Date:** 14/06/2010  
**Decision:** Grant Conditionally

**Item No 108**

**Application Number:** 10/00580/FUL **Applicant:** Mrs W Turner  
**Application Type:** Full Application  
**Description of Development:** Rear conservatory  
**Site** 49 HOWARD ROAD PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 10/06/2010  
**Decision:** Grant Conditionally

**Item No 109**

**Application Number:** 10/00581/FUL **Applicant:** Mr and Mrs J Skinner  
**Application Type:** Full Application  
**Description of Development:** Two storey side extension and single storey rear extension  
**Site** 89 COMPTON AVENUE PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 04/06/2010  
**Decision:** Grant Conditionally

**Item No 110**

**Application Number:** 10/00582/FUL **Applicant:** Mr Max Clift  
**Application Type:** Full Application  
**Description of Development:** Erection of dwelling  
**Site** LAND REAR OF 59 AND 57 VALLETORT ROAD PLYMOUTH

**Case Officer:** Karen Gallacher  
**Decision Date:** 16/06/2010  
**Decision:** Refuse

**Item No 111**

**Application Number:** 10/00584/FUL **Applicant:** Mr and Mrs Spargo  
**Application Type:** Full Application  
**Description of Development:** Two storey extension to side of dwelling  
**Site** 4 FOXWOOD GARDENS TAMERTON FOLIOT PLYMOUTH

**Case Officer:** Louis Dulling  
**Decision Date:** 11/06/2010  
**Decision:** Grant Conditionally

**Item No 112**

**Application Number:** 10/00586/PRD **Applicant:** Mr Michael Sibley  
**Application Type:** LDC Proposed Develop  
**Description of Development:** Formation of rooms in roofspace with rear dormer and front rooflights  
**Site** 3 ALEXANDRA TERRACE FORD PLYMOUTH

**Case Officer:** Stuart Anderson  
**Decision Date:** 04/06/2010  
**Decision:** Issue Certificate - Lawful Use

**Item No 113**

**Application Number:** 10/00588/FUL **Applicant:** Bargain Booze  
**Application Type:** Full Application  
**Description of Development:** Part perforated roller shutter to replace existing solid roller shutter  
**Site** 90 EMBANKMENT ROAD PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 14/06/2010  
**Decision:** Refuse

**Item No 114**

**Application Number:** 10/00589/ADV **Applicant:** Bargain Booze  
**Application Type:** Advertisement  
**Description of Development:** Retention of externally illuminated fascia sign  
**Site** 90 EMBANKMENT ROAD PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 14/06/2010  
**Decision:** Grant Conditionally

**Item No 115**

**Application Number:** 10/00590/PRD **Applicant:** Mr & Mrs Edgar  
**Application Type:** LDC Proposed Develop  
**Description of Development:** Rear conservatory, single-storey side extension and front porch  
**Site** 37 THORNYVILLE VILLAS PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 14/06/2010  
**Decision:** Refuse to Issue Cert - (Ex)

**Item No 116**

**Application Number:** 10/00591/LBC **Applicant:** South West RDA  
**Application Type:** Listed Building  
**Description of Development:** Replacement of defective limestone  
**Site** MELVILLE BUILDING, ROYAL WILLIAM YARD STONEHOUSE  
PLYMOUTH  
**Case Officer:** Karen Gallacher  
**Decision Date:** 11/06/2010  
**Decision:** Grant Conditionally

**Item No 117**

**Application Number:** 10/00593/TCO **Applicant:** Mr Nigel Pulley  
**Application Type:** Trees in Cons Area  
**Description of Development:** Conifer - fell  
**Site** ROSEDEW HOUSE, FORE STREET TAMERTON FOLIOT  
PLYMOUTH  
**Case Officer:** Jane Turner  
**Decision Date:** 25/05/2010  
**Decision:** Grant Conditionally

**Item No 118**

**Application Number:** 10/00596/FUL **Applicant:** Mr Jeff Cretch  
**Application Type:** Full Application  
**Description of Development:** Two storey side extension and loft conversion with provision of a  
side dormer  
**Site** 20 BEACON DOWN AVENUE BEACON PARK PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 10/06/2010  
**Decision:** Refuse

**Item No 119**

**Application Number:** 10/00597/FUL **Applicant:** Mr A Kalum  
**Application Type:** Full Application  
**Description of Development:** Three-storey rear extension (following refusal of 09/01827/FUL)  
**Site** 47 LOCKINGTON AVENUE HARTLEY PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 14/06/2010  
**Decision:** Refuse

**Item No 120**

**Application Number:** 10/00598/FUL **Applicant:** Mr A Ojo  
**Application Type:** Full Application  
**Description of Development:** Change of use and conversion of dwelling house to form three flats with provision of car parking, cycle storage and bin storage to rear (renewal of 07/01941)  
**Site** 35 PEVERELL PARK ROAD PEVERELL PLYMOUTH  
**Case Officer:** Janine Warne  
**Decision Date:** 04/06/2010  
**Decision:** Grant Conditionally

**Item No 121**

**Application Number:** 10/00602/PRD **Applicant:** Mrs Heather Hearson  
**Application Type:** LDC Proposed Develop  
**Description of Development:** Loft conversion, with rear dormer and front rooflights  
**Site** 35 COLESDOWN HILL PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 15/06/2010  
**Decision:** Issue Certificate - Lawful Use

**Item No 122**

**Application Number:** 10/00610/FUL **Applicant:** Mr Graham Lane  
**Application Type:** Full Application  
**Description of Development:** Private motor garage (resubmission of 10/00126/FUL following refusal)  
**Site** KINGSLAND HOUSE, 46 THORNHILL WAY PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 11/06/2010  
**Decision:** Refuse

**Item No 123**

**Application Number:** 10/00611/FUL **Applicant:** Plymouth Waterfront Development  
**Application Type:** Full Application  
**Description of Development:** Creation of clubhouse (one to three storeys) with balconies and vertical wind turbine (for use in association with new marina)  
**Site** HOWARDS QUAY, FINNIGAN ROAD PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 11/06/2010  
**Decision:** Application Withdrawn

**Item No 124**

**Application Number:** 10/00624/FUL **Applicant:** Mr D Bird  
**Application Type:** Full Application  
**Description of Development:** Installation of disabled access lift with associated platforms and handrails  
**Site** 21 MOUNT GOULD AVENUE PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 15/06/2010  
**Decision:** Grant Conditionally

**Item No 125**

**Application Number:** 10/00629/FUL **Applicant:** Mr Martin O'Donovan  
**Application Type:** Full Application  
**Description of Development:** Change of use from dwelling house (C3) to house in multiple occupation (C4)  
**Site** 20 WHITTINGTON STREET PLYMOUTH  
**Case Officer:** Karen Gallacher  
**Decision Date:** 16/06/2010  
**Decision:** Grant Conditionally

**Item No 126**

**Application Number:** 10/00631/FUL **Applicant:** Mr A Allwood  
**Application Type:** Full Application  
**Description of Development:** Rear single storey extension alongside tenement  
**Site** 35 VALLETORT ROAD PLYMOUTH  
**Case Officer:** Harry Sedman  
**Decision Date:** 18/06/2010  
**Decision:** Grant Conditionally

**Item No 127**

**Application Number:** 10/00632/CAC **Applicant:** Mr Alex Allwood  
**Application Type:** Conservation Area  
**Description of Development:** Rear single storey extension alongside tenement  
**Site** 35 VALLETORT ROAD PLYMOUTH  
**Case Officer:** Harry Sedman  
**Decision Date:** 18/06/2010  
**Decision:** CAC Not Required

**Item No 128**

**Application Number:** 10/00634/FUL **Applicant:** Mr and Mrs Clive Skingle  
**Application Type:** Full Application  
**Description of Development:** First-floor and single-storey side extension  
**Site** 7 BAYLYS ROAD PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 17/06/2010  
**Decision:** Grant Conditionally



**Item No 129**

**Application Number:** 10/00635/TCO **Applicant:** Allan Cooper  
**Application Type:** Trees in Cons Area  
**Description of Development:** Reduce tree to 4 metres above ground level  
**Site** 26 RIVERSIDE WALK PLYMOUTH  
**Case Officer:** Chris Knapman  
**Decision Date:** 28/05/2010  
**Decision:** Grant Conditionally

**Item No 130**

**Application Number:** 10/00636/FUL **Applicant:** Plymouth City Council  
**Application Type:** Full Application  
**Description of Development:** Relocation of waste glass deposit/handling bays within the Chelson Meadow recycling park and materials recovery complex (provision of hard standing, 4 glass bays, extension to existing internal access road, surface water drainage including new outfall to River Plym)  
**Site** CHELSON MEADOW WASTE RECYCLING PARK, THE RIDE PLYMOUTH  
**Case Officer:** Alan Hartridge  
**Decision Date:** 08/06/2010  
**Decision:** Grant Conditionally

**Item No 131**

**Application Number:** 10/00639/PRD **Applicant:** Mr and Mrs R Needham  
**Application Type:** LDC Proposed Develop  
**Description of Development:** Front porch  
**Site** 29 CARNOCK ROAD PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 18/06/2010  
**Decision:** Issue Certificate - Lawful Use

**Item No 132**

**Application Number:** 10/00641/FUL **Applicant:** Mr and Mrs S Sidibeh  
**Application Type:** Full Application  
**Description of Development:** Two storey side extension  
**Site** 52 WESTON PARK ROAD PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 16/06/2010  
**Decision:** Grant Conditionally

**Item No 133**

**Application Number:** 10/00642/FUL **Applicant:** Mr Julian Carr  
**Application Type:** Full Application  
**Description of Development:** Two-storey side extension  
**Site** 24 DEVERON CLOSE PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 17/06/2010  
**Decision:** Grant Conditionally

**Item No 134**

**Application Number:** 10/00647/EXD **Applicant:** Mr C Stonehouse  
**Application Type:** LDC Existing Develop  
**Description of Development:** Conservatory and decking  
**Site** 9 DUNCLAIR PARK PLYMOUTH  
**Case Officer:** Harry Sedman  
**Decision Date:** 17/06/2010  
**Decision:** Issue Certificate - Lawful Use

**Item No 135**

**Application Number:** 10/00661/FUL **Applicant:** Mr and Mrs Gallagher  
**Application Type:** Full Application  
**Description of Development:** Three storey side extension  
**Site** 120 DONNINGTON DRIVE PLYMOUTH  
**Case Officer:** Harry Sedman  
**Decision Date:** 11/06/2010  
**Decision:** Grant Conditionally

**Item No 136**

**Application Number:** 10/00662/ADV **Applicant:** Co-op Group  
**Application Type:** Advertisement  
**Description of Development:** Illuminated fascia and projecting signs  
**Site** 21 MUTLEY PLAIN PLYMOUTH  
**Case Officer:** Harry Sedman  
**Decision Date:** 17/06/2010  
**Decision:** Grant Conditionally

**Item No 137**

**Application Number:** 10/00663/FUL **Applicant:** Mr Norris  
**Application Type:** Full Application  
**Description of Development:** Variation of condition on 09/01612/PRDE to retain white PVC cladding to rear dormer  
**Site** 43 SOUTH DOWN ROAD BEACON PARK PLYMOUTH  
**Case Officer:** Harry Sedman  
**Decision Date:** 11/06/2010  
**Decision:** Refuse

**Item No 138**

**Application Number:** 10/00665/ADV **Applicant:** Co-op Group  
**Application Type:** Advertisement  
**Description of Development:** Illuminated and non-illuminated fascia signs and illuminated projecting sign  
**Site** CO-OP FOOD STORE, 42 SPRINGFIELD ROAD PLYMOUTH  
**Case Officer:** Harry Sedman  
**Decision Date:** 17/06/2010  
**Decision:** Grant Conditionally

**Item No 139**

**Application Number:** 10/00684/FUL **Applicant:** Mr Michael Stonehouse  
**Application Type:** Full Application  
**Description of Development:** Renewal of planning permission 07/00954/FUL for single-storey detached building in rear garden for use as annex accommodation (existing double garage to be removed)  
**Site** 19 CHADDLEWOOD CLOSE PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 16/06/2010  
**Decision:** Grant Conditionally

**Item No 140**

**Application Number:** 10/00696/FUL **Applicant:** Wharfdale Ltd  
**Application Type:** Full Application  
**Description of Development:** Extension (to former public house) to provide an additional 6 units of student accommodation with communal facilities, amenity area and 2 off street parking spaces  
**Site** PENNYCOMEQUICK, CENTRAL PARK AVENUE PLYMOUTH  
**Case Officer:** Jeremy Guise  
**Decision Date:** 11/06/2010  
**Decision:** Refuse

**Item No 141**

**Application Number:** 10/00721/FUL **Applicant:** Ian Carr  
**Application Type:** Full Application  
**Description of Development:** Replace existing garage roof with pitched roof  
**Site** 6 MOORLAND DRIVE PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 17/06/2010  
**Decision:** Grant Conditionally

**Item No 142**

**Application Number:** 10/00732/FUL **Applicant:** Mr Lee Rymell  
**Application Type:** Full Application  
**Description of Development:** Lower ground floor rear extension (in association with using lower ground floor as habitable accommodation, with new window and external door)  
**Site** 20 FAIRVIEW AVENUE PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 17/06/2010  
**Decision:** Grant Conditionally

**Item No 143**

**Application Number:** 10/00761/FUL **Applicant:** WK Developments  
**Application Type:** Full Application  
**Description of Development:** Single-storey rear extension  
**Site** 12 ROBOROUGH AVENUE PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 11/06/2010  
**Decision:** Grant Conditionally

**Item No 144**

**Application Number:** 10/00769/TCO **Applicant:** Jennifer Patternoster  
**Application Type:** Trees in Cons Area  
**Description of Development:** Pollard Willow Tree  
**Site** 55 FORE STREET PLYMPTON PLYMOUTH  
**Case Officer:** Chris Knapman  
**Decision Date:** 01/06/2010  
**Decision:** Grant Conditionally

**Item No 145**

**Application Number:** 10/00771/TPO **Applicant:** Mr and Mrs Bayliss  
**Application Type:** Tree Preservation  
**Description of Development:** Prune Sweet Chestnut by 2-3 metres adjacent bedroom windows  
**Site** 25 NEWNHAM ROAD PLYMOUTH  
**Case Officer:** Chris Knapman  
**Decision Date:** 18/06/2010  
**Decision:** Grant Conditionally

**Item No 146**

**Application Number:** 10/00786/TCO **Applicant:** Mrs J Day  
**Application Type:** Trees in Cons Area  
**Description of Development:** Tree maintenance works  
**Site** WOODBINE, SEYMOUR ROAD MANNAMEAD PLYMOUTH  
**Case Officer:** Chris Knapman  
**Decision Date:** 16/06/2010  
**Decision:** Grant Conditionally

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

Application Number **08/02268/OUT**  
Appeal Site **BOSTONS MARINE LTD, BAYLYS ROAD PLYMOUTH**  
Appeal Proposal Outline application (with all matters reserved for later consideration) for the erection of 118 residential units, A2 (offices), A3 (restaurants/cafes) and B1 (businesses) units, water taxi pontoon and new buildings for existing GEOSA Oceanographic business.  
Case Officer Jeremy Guise

Appeal Category  
Appeal Type  
Appeal Decision Dismissed  
Appeal Decision Date 01/04/2010  
Conditions  
Award of Costs Awarded To

Appeal Synopsis

The Inspector commented that Policy CS05 (Development of Existing Sites) was not applied correctly and that there was no reasonable planning policy justification for the site remaining in employment use. However, he also commented that the application would generate a significant number of additional trips at the site which would be detrimental to local highway safety and the appeal was therefore dismissed on highways grounds. Costs were awarded to the appellant mainly on the grounds that the Council sought to safeguard the site unreasonably for employment purposes and did not apply Policy CS05 correctly.

Application Number **09/00453/LBC**  
Appeal Site **7 THE ESPLANADE PLYMOUTH**  
Appeal Proposal Internal and external alterations including replacement of windows and thermal insulation works  
Case Officer Janine Warne

Appeal Category  
Appeal Type Written Representations  
Appeal Decision Dismissed  
Appeal Decision Date 08/06/2010  
Conditions  
Award of Costs Awarded To

Appeal Synopsis

The Inspector noted that PPG15 'Planning and the Historic Environment', upon which the Council relied in part, was replaced in March 2010 by PPS5, of the same title, and its associated 'Historic Environment Planning Practice Guide'. These new documents were considered fully by the Inspector.

The larger window profiles proposed, and particularly the glazing bars, would be quite apparent from ground floor level in important views of the building and therefore would be particularly harmful to the character and quality of the elevations. As a result, the Inspector concluded that the replacement of the windows in the manner proposed would undermine the historic and cultural value of the terrace, lessen its special interest and diminish its significance as a valuable heritage asset. The alteration would not preserve the listed building and it would lessen its group value as part of the important group of planned terraces. It would also reduce the contribution made to the quality of the conservation area.

The Inspector also noted that it would be reasonable to require details of matching sash window to the lightwell by an appropriate condition on any consent, so this matter was taken no further. In addition, although the Council had agreed in principle to the removal and replacement of the internal lath and plaster, the Inspector did not accept this. In this respect, he stated that the removal of the internal lath and plaster wall finish would result in a major loss of original fabric and a consequent loss of significance. Furthermore, any replacement would not sufficiently mitigate the loss. The Inspector concluded that this was a matter on which consent could hinge, and therefore this too counted against the proposal and resulted in the failure of the appeal.

Application Number **09/01060/OUT**  
Appeal Site **FORMER BAYLYS YARD, BAYLYS ROAD ORESTON PLYMOUTH**  
Appeal Proposal Outline application (with all matters reserved for future consideration) for the erection of 96 residential units, B1 (A and B) units, D1 units, new buildings for existing geosocioceanographic business and new water taxi pontoon with ancillary café (A3).  
Case Officer Robert Heard  
Appeal Category REF  
Appeal Type  
Appeal Decision Dismissed  
Appeal Decision Date 01/04/2010  
Conditions  
Award of Costs Awarded To

Appeal Synopsis

The Inspector commented that Policy CS05 (Development of Existing Sites) was not applied correctly and that there was no reasonable planning policy justification for the site remaining in employment use. However, he also commented that the application would generate a significant number of additional trips at the site which would be detrimental to local highway safety and the appeal was therefore dismissed on highways grounds. Costs were awarded to the appellant mainly on the grounds that the Council sought to safeguard the site unreasonably for employment purposes and did not apply Policy CS05 correctly.

Application Number **09/01342/FUL**  
Appeal Site **88 OLD LAIRA ROAD PLYMOUTH**  
Appeal Proposal Retention of raised timber sun decking to rear  
Case Officer

Appeal Category  
Appeal Type Written Representations  
Appeal Decision Dismissed  
Appeal Decision Date 20/04/2010  
Conditions  
Award of Costs Awarded To

Appeal Synopsis

The Inspector judged that the balcony would allow overlooking at very close quarters of the first floor windows and rear garden of number 90. It was also judged that the structure would take light and sunlight from the nearest lower-ground-floor windows of this property. The Inspector did not consider that this harm could be mitigated through the use of screening as this would affect the outlook of no.90. The proposed balcony is therefore contrary to policy CS34 of the Core Strategy 2007. Appeal dismissed.



Application Number 09/01400/FUL

Appeal Site

LAND BOUNDED BY PLYMBRIDGE LANE, DERRIFORD ROAD AND HOWESON LANE  
DERRIFORD PLYMOUTH

Appeal Proposal

Erection of student accommodation for 123 students organised around 16 communal dining/living spaces in two blocks and associated access, parking and landscaping

Case Officer

Robert McMillan

Appeal Category

REF

Appeal Type

Written Representations

Appeal Decision

Allowed

Appeal Decision Date

18/05/2010

Conditions

Award of Costs

Awarded To

#### Appeal Synopsis

The application was refused permission for three reasons: 1) harm to visual amenity by reason of the height, bulk and massing of the development; 2) harm to residential amenity from the likely noise and disturbance generated by such a large number of students on a small piece of land; and 3) inadequate on-site parking.

The Inspector considered the main issues to be: "whether the proposal would firstly, accord with the Plymouth Core Strategy Area Vision for Derriford in terms of the scale and nature of use; and secondly, provide for sustainable travel means."

He surmised that it was in accordance with the Core Strategy and that existing character of Derriford and around the appeal site will have to change over time. The three houses to the north "will appear increasingly incongruous compared with the emerging scale of development around."

He did not consider the proposed three and four storey main elevations to Plymbridge Lane as excessive in their context and as compared with the later scheme permitted by the Council, reference 09/01888.

He fully accepted the need for and advantages of the provision of managed student accommodation at Derriford to serve the new Dental School. He stated that: "There is no evidence for me to accept the assumption that unruly behaviour in the neighbourhood would be a consequence."

He did not object to the limited on-site parking and observed that the site is well placed to encourage the students to travel by walking, cycling and use of public transport. He had no evidence that students would park on surrounding streets to an excessive degree to cause danger or inconvenience. The appellant had submitted a Unilateral Undertaking to establish a car club and other sustainable travel initiatives. This does not vest money with the Council unlike the Obligation with the later permitted scheme. The Council submitted this in evidence asking the Inspector to substitute it for the Unilateral Undertaking. He did not and considered that any deficiency in the Undertaking is outweighed by the significant advantages of the proposal.

He concluded that the development is acceptable and allowed the appeal. He attached the 28 conditions suggested by the Council.

#### Comment

The main lesson to learn is that when an application that is undergoing Section 106 Agreement discussions is refused, the Council loses its control in the negotiation process when the applicant appeals. This can result in the terms in any Unilateral Undertaking being less robust than those that could be secured in a negotiated Section 106 Obligation. It is a risk and material consideration for members and officers to take into account when determining such applications.

#### Note:

Copies of the full decision letters are available to the press and public at the First Stop Reception.

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