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

www.plymouth.gov.uk/democracy

Date: 14/09/10 Telephone Enquiries 01752 304469 / 01752 307815 Fax 01752 304819
Please ask for Ross Jago / Katey Johns e-mail ross.jago@plymouth.gov.uk / katey.johns@plymouth.gov.uk

PLANNING COMMITTEE

DATE: THURSDAY 23 SEPTEMBER 2010
TIME: 1.00 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 - 12)

The Committee will be asked to confirm the minutes of the meeting held on 26 August 2010.

4. CHAIR'S URGENT BUSINESS

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

5. QUESTIONS FROM MEMBERS OF THE PUBLIC

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

6. PLANNING APPLICATIONS FOR CONSIDERATION

(PAGES 13 - 14)

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. 217 EGGBUCKLAND ROAD, PLYMOUTH.
10/01176/FUL

(PAGES 15-18)

Applicant:	Miss. L Evans
Ward:	Compton
Recommendation:	Grant Conditionally

- 6.2. LAKE HOUSE, 78 RADFORD PARK ROAD,
PLYMOUTH. 10/01052/FUL **(PAGES 19-26)**
- Applicant: Mr and Mrs Stephen Shirley
Ward: Plymstock Radford
Recommendation: Grant Conditionally
- 6.3. 3 DEVONPORT ROAD, PLYMOUTH.
10/00961/FUL **(PAGES 27-32)**
- Applicant: Mrs J Burridge
Ward: Stoke
Recommendation: Grant
- 6.4. THE GOLDMINE, 50 BUTT PARK ROAD,
PLYMOUTH. 10/01337/FUL **(PAGES 33-44)**
- Applicant: Mr Ian Hosking
Ward: Honicknowle
Recommendation: Grant Conditionally
- 6.5. CLYDE QUAY, PLYMOUTH. 10/01270/FUL **(PAGES 45-54)**
- Applicant: English Cities Fund
Ward: St Peter & The Waterfront
Recommendation: Grant Conditionally
- 6.6. LAND BOUNDED BY PLYMBRIDGE LANE,
DERRIFORD ROAD AND HOWESON LANE,
DERRIFORD, PLYMOUTH. 10/01140/FUL **(PAGES 55-74)**
- Applicant: The Lozenge LLP
Ward: Moor View
Recommendation: Grant Conditionally subject to the completion of a section 106 with delegated authority to refuse if not complete by the 27/10/2010.
- 6.7. AREA 1B, CLITTAFORD ROAD, SOUTHWAY,
PLYMOUTH. 10/00844/FUL **(PAGES 75-82)**
- Applicant: Taylor Wimpey (UK) Ltd
Ward: Southway
Recommendation: Grant Conditionally subject to the completion of a section 106 with delegated authority to refuse if not complete by the 18/10/2010.
- 6.8. NORTH WEST QUADRANT, DERRIFORD ROAD,
PLYMOUTH. 10/01047/FUL **(PAGES 83-104)**

Applicant: Wharfside Regeneration (Devon) Ltd Plymouth
Ward: Moor View
Recommendation: Grant Conditionally

7. PLANNING APPLICATION DECISIONS ISSUED (PAGES 105-156)

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 17 August 2010 to 13 September 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 157-158)

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 26 August 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.

Also in attendance: Peter Ford, Lead Officer, and Mark Lawrence, Legal Representative.

The meeting started at 1pm and finished at 4.20pm.

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.

27. DECLARATIONS OF INTEREST

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

Name	Minute No. and Subject	Reason	Interest
Councillors Wheeler, Vincent, Stevens, Mrs. Foster and Tuohy.	31.10 – Land at Bell Close (East of Parkstone Lane), Newnham Industrial Estate, Plympton, Plymouth 10/00174/FUL	Own a nominal shareholding in the Co-op who are objecting to the application as an adjacent landowner	Personal

28. MINUTES

Agreed the minutes of the meeting held on 29 July, 2010.

29. CHAIR'S URGENT BUSINESS

There were no items of Chair's urgent business.

30. QUESTIONS FROM MEMBERS OF THE PUBLIC

In accordance with Part 2, Paragraph 10, of the Constitution, the following question was submitted –

Question No. 01 10/11

<p>Question by: Mr. Brown</p>
<p>Will the Council confirm:</p> <p>That the modelling/studies have proved that:</p> <ul style="list-style-type: none">a. Richmond Walkb. The roundabout from Richmond Walk onto Devonport Hill/Stonehouse Bridge <p>Can take the extra traffic they will experience during the build and then ongoing load from the new housing planned in the southern section of the proposed build.</p> <p>Planning Application 10/01271/OUT</p>
<p>Response:</p>
<p><u>Richmond Walk</u></p> <p>Based upon the level of trip generation associated with the existing uses on the site (which includes the use of an existing 60 space car park) along with a programme of highway alterations to provide improved access for both vehicles and pedestrians , a total of 91 units could be permitted to be accessed off Richmond Walk. Of those 91 units only 49 can be accommodated before improvement works to Richmond Walk are required as set out in the application and required under the previous decision.</p> <p>With regard to the issue of construction traffic, that particular issue is addressed through a Code of Practice during Construction condition. As with any new development there will undoubtedly be a certain amount of disruption arising from the development works but we can control/monitor this through the above-mentioned condition.</p> <p><u>Stonehouse Bridge/Devonport Hill Junction</u></p> <p>The Transport Assessment submitted in support of the planning application highlighted that the roundabout will operate satisfactorily in both the am and pm peak traffic hours with a 2-lane discharge from the junction. PCC has since commissioned a study which produced a revised layout plan for the roundabout which indicates that a suitable layout can be provided which does not impact upon highway safety requirements yet can accommodate the planned increase in development traffic arising from South Yard Enclave, Mount Wise and part of the Millbay Developments.</p>

Agreed that a copy of the written response, as outlined above, be provided to the elector.

31. **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 31.9, 31.10, 31.12, 31.14, 31.15, 31.16, 31.17 and 31.18.

**31.1 49 LYMPNE AVENUE, ERNESETTLE, PLYMOUTH
09/01832/FUL**

(Mr. Steve Gascoyne)

Decision:

Application **GRANTED** conditionally.

31.2 61 GREEN PARK ROAD, PLYMOUTH 10/01234/FUL

(Mr. & Mrs. J. James)

Decision:

Application **GRANTED** conditionally.

31.3 7 TORR VIEW AVENUE, PLYMOUTH 10/00951/FUL

(Mr. D. Boseley)

Decision:

Application **GRANTED** conditionally.

31.4 11 GLENEAGLE ROAD, PLYMOUTH 10/00915/FUL

(Mr. M. Willcox)

Decision:

Application **GRANTED** conditionally.

31.5 11 ORESTON ROAD, PLYMOUTH 10/01077/FUL

(Dr. & Mrs. J. Chilton)

Decision:

Application **GRANTED** conditionally.

**31.6 93 ROCHFORD CRESCENT, ERNESETTLE, PLYMOUTH
10/01200/FUL**

(Mr. & Mrs. Davies)

Decision:

Application **GRANTED** conditionally.

31.7 1 ARLINGTON ROAD, PLYMOUTH 10/01180/FUL

(Mrs. Sherain Al Subiai)

Decision:

Application **GRANTED** conditionally.

31.8 5 MAIDENWELL ROAD, PLYMOUTH 10/01035/FUL

(Mr. Stephen Foster)

Decision:

Application **GRANTED** conditionally.

31.9 25 COLTNESS ROAD, PLYMOUTH 10/00776/REM

(Mr. A. Nutbean)

Decision:

Application **GRANTED** conditionally, including the additional conditions (3) and (4) and the informative set out in the addendum report.

**31.10 LAND AT BELL CLOSE (EAST OF PARKSTONE LANE),
NEWNHAM INDUSTRIAL ESTATE, PLYMPTON, PLYMOUTH
10/00174/FUL**

(Mr. & Mrs. S. Rowland)

Decision:

Application **REFUSED** on the grounds that the development would result in the loss of existing industrial land and therefore contrary to Core Strategy Policy CS05 (Development of existing sites) and provide an unacceptable living environment by virtue of the new and existing industrial uses. Therefore the development is also contrary to Core Strategy Policies CS22(1) (Pollution) and CS34 (4) (Planning application considerations).

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

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

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

(Councillors Wheeler, Vincent, Stevens, Mrs. Foster and Tuohy declared personal interests in respect of the above item).

**31.11 LAND TO THE REAR OF 7-11 UNDERWOOD ROAD,
PLYMOUTH 10/00711/OUT**

(South-West Property Developments Ltd.)

Decision:

Application **REFUSED**.

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

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

(Councillor Wheeler abstained from voting on the above item).

31.12 FORMER TOTHILL SIDINGS, LAND SOUTH OF KNIGHTON ROAD, PLYMOUTH 10/00851/OUT

(Mr. H. Shibl)

Decision:

Application **GRANTED** conditionally, including the additional conditions (21) and (22) set out in the addendum report, subject to S106 Obligation, delegated authority to refuse if not signed by 31 August, 2010.

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

31.13 FROBISHER HOUSE AND FLEET HOUSE, 64-66 EBRINGTON STREET AND 15 HEWERS ROW, PLYMOUTH 10/00847/FUL

(Saltire Property Developments Ltd.)

Decision:

Application **GRANTED** conditionally subject to S106 Obligation, delegated authority to refuse if not signed by 27 August, 2010.

31.14 FORMER SITE OF BARNE BARTON PRIMARY SCHOOL, POOLE PARK ROAD, PLYMOUTH 10/00681/FUL

(BDW Trading Ltd.)

Decision:

Application **GRANTED** conditionally subject to S106 Obligation, delegated authority to refuse if not signed by 27 August, 2010.

31.15 THE FELLOWSHIP INN, TREVITHICK ROAD, PLYMOUTH 10/00853/FUL

(Colourcolt Ltd.)

Decision:

Application **GRANTED** conditionally subject to S106 Obligation, delegated authority to refuse if not signed by 10 September, 2010.

Members requested that officers investigate the installation of signage at the entrance to Bayard Close to warn drivers of its narrowness and of the fact that it was not a through road.

31.16 23 MARLBOROUGH STREET, PLYMOUTH 10/01022/FUL

(Mr. M. O'Brien)

Decision:

Application **GRANTED** conditionally.

(Councillor Mrs. Bowyer abstained from voting on the above item).

31.17 FORMER MOD SITE, MOUNT WISE, PLYMOUTH 10/00670/OUT

(Mount Wise (Guernsey) Ltd.)

Decision:

Application **GRANTED** conditionally subject to S106 Obligation, delegated authority to refuse if not signed by 15 October, 2010.

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

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

(This item and the following item were considered together).

31.18 FORMER MOD SITE, MOUNT WISE, DEVONPORT, PLYMOUTH 10/01271/OUT

(Mount Wise (Guernsey) Ltd.)

Decision:

Application **GRANTED** conditionally subject to S106 Obligation, delegated authority to refuse if not signed by 15 October, 2010.

(This item and the item above were considered together).

31.19 FORMER MOD SITE, MOUNT WISE, DEVONPORT, PLYMOUTH 10/00671/LBC

(Mount Wise (Guernsey) Ltd.)

Decision:

Application **GRANTED** conditionally.

(This item and the following item were considered together).

31.20 FORMER MOD SITE, MOUNT WISE, DEVONPORT, PLYMOUTH 10/01272/LBC

(Mount Wise (Guernsey) Ltd.)

Decision:

Application **GRANTED** conditionally.

(This item and the above item were considered together).

32. PLANNING APPLICATION DECISIONS ISSUED

The Committee received a report of the Assistant Director of Development (Planning Services) on decisions issued for the period 20 July to 16 August, 2010, including –

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

33. **APPEAL DECISIONS**

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

34. **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 – 26 AUGUST, 2010

SCHEDULE OF VOTING

Minute No. & Application	Voting For	Voting Against	Abstained	Excluded from voting due to Interest Declared	Absent
31.1 49 Lympne Avenue, Ernesettle, Plymouth 09/01832/FUL	Unanimous				
31.2 61 Green Park Road, Plymouth 10/01234/FUL	Unanimous				
31.3 7 Torr View Avenue, Plymouth 10/00951/FUL	Unanimous				
31.4 11 Gleneagle Road, Plymouth 10/00915/FUL	Unanimous				
31.5 11 Oreston Road, Plymouth 10/01077/FUL	Unanimous				
31.6 93 Rochford Crescent, Ernesettle, Plymouth 10/01200/FUL	Unanimous				
31.7 1 Arlington Road, Plymouth 10/01180/FUL	Unanimous				
31.8 5 Maidenwell Road, Plymouth 10/01035/FUL	Unanimous				
31.9 25 Coltness Road, Plymouth 10/00776/REM	Unanimous				
31.10 Land at Bell Close (East of Parkstone Lane), Newnham Industrial Estate, Plympton, Plymouth 10/00174/FUL	Councillors Tuohy and Vincent	Councillors Delbridge, Mrs. Bowyer, Browne, Mrs. Foster, Mrs. Stephens, Thompson, Stevens, Wheeler, Lock and Roberts			
31.11 Land to the rear of 7-11 Underwood Road, Plymouth 10/00711/OUT	Councillors Delbridge, Mrs. Bowyer, Browne, Mrs. Foster, Mrs. Stephens, Thompson, Stevens, Tuohy, Vincent, Lock and Roberts		Councillor Wheeler		

Minute No. & Application	Voting For	Voting Against	Abstained	Excluded from voting due to Interest Declared	Absent
31.12 Former Tothill Sidings, Land south of Knighton Road, Plymouth 10/00851/OUT	Unanimous				
31.13 Frobisher House and Fleet House, 64-66 Ebrington Street and 15 Hewers Row, Plymouth 10/00847/FUL	Unanimous				
31.14 Former Site of Barne Barton Primary School, Poole Park Road, Plymouth 10/00681/FUL	Unanimous				
31.15 The Fellowship Inn, Trevithick Road, Plymouth 10/00853/FUL	Unanimous				
31.16 23 Marlborough Street, Plymouth 10/01022/FUL	Councillors Delbridge, Browne, Mrs. Foster, Mrs. Stephens, Thompson, Stevens, Tuohy, Vincent, Wheeler, Lock and Roberts		Councillor Mrs. Bowyer		
31.17 Former MOD Site, Mount Wise, Plymouth 10/00670/OUT (This item was <u>considered together with the following item</u>).	Councillors Delbridge, Mrs. Bowyer, Browne, Mrs. Foster, Mrs. Stephens, Thompson, Tuohy, Vincent, Wheeler, Lock and Roberts				Councillor Stevens
31.18 Former MOD Site, Mount Wise, Devonport, Plymouth 10/01271/OUT (This item was <u>considered together with the item above</u>).	As above				As above

Minute No. & Application	Voting For	Voting Against	Abstained	Excluded from voting due to Interest Declared	Absent
<p>31.19 Former MOD Site, Mount Wise, Devonport, Plymouth 10/00671/LBC</p> <p><u>(This item was considered together with the following item).</u></p>	<p>Councillors Delbridge, Mrs. Bowyer, Browne, Mrs. Foster, Mrs. Stephens, Thompson, Tuohy, Vincent, Wheeler, Lock and Roberts</p>				<p>Councillor Stevens</p>
<p>31.20 Former MOD Site, Mount Wise, Devonport, Plymouth 10/01272/LBC</p> <p><u>(This item was considered together with the item above).</u></p>	<p>As above</p>				<p>As above</p>

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PLANNING APPLICATIONS FOR CONSIDERATION

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

Addendums

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

Public speaking at Committee

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

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

- Ward Member
- Objector
- Supporter

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

Committee Request for a Site Visit

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

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

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

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

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

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

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

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

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

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

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

Decisions contrary to Officer recommendation

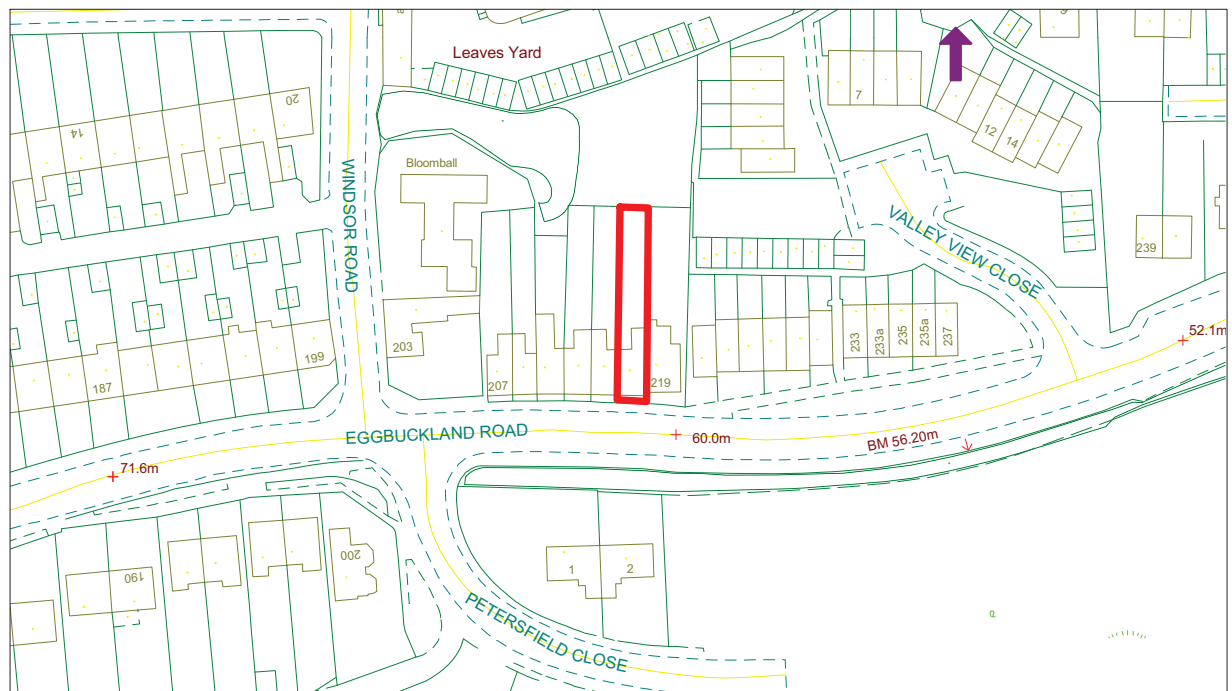
1. If a decision is to be made contrary to the Head of Planning and Regeneration recommendation, then the Committee will give full reasons for the decision, which will be minuted.
2. In the event that the Committee are minded to grant an application contrary to Officers recommendation then they must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

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

ITEM: 1

Application Number:	10/01176/FUL
Applicant:	Miss L Evans
Description of Application:	Single-storey rear extension (existing bathroom extension to be removed)
Type of Application:	Full Application
Site Address:	217 EGGBUCKLAND ROAD PLYMOUTH
Ward:	Compton
Valid Date of Application:	27/07/2010
8/13 Week Date:	21/09/2010
Decision Category:	Member/PCC Employee
Case Officer :	Kirsty Barrett
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk

Insert map for committee.



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OFFICERS REPORT

This application is brought to committee as the applicant is a Plymouth City Council employee

Site Description

217 Eggbuckland Road is a mid terrace property situated in Compton area of Plymouth. The properties rear garden is of lower ground level than the road level to the front of the property.

Proposal Description

Single-storey rear extension (existing bathroom extension to be removed)

The rear extension will include the removal a smaller extension which is currently used as a bathroom. The new extension is measured at 4.7 metres in depth and 4.7 metres in length spanning the rear elevation. The extension will have a sloping roof in line with the neighbouring extensions.

Relevant Planning History

91/00951/FUL- 215 Eggbuckland Road- Single storey rear extension- Granted

Consultation Responses

None received

Representations

None received

Analysis

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

The single storey extension measures at 4.7 metres in width which spans the rear façade of the house. The property already has an existing single storey extension which will be removed. The extension has a sloping roof which measures at 4.6 metres at its highest point and slopes forward to a height of 2.5 metres. The roof slope will also have two rooflights to maximise light for the proposed kitchen area.

With regard to the neighbouring amenity, the extension will have little impact on either of the neighbouring properties. Both neighbours have single storey extensions that project to the same line the extension. The neighbouring

properties will not experience loss of light to any windows and in addition the gardens face north which would mean the impact to daylight will be minimal. The outlook and privacy of the neighbouring properties will not be adversely impacted.

The materials that are to be used are to match the existing of the property so therefore will not harmfully affect the visual appearance or character of the area.

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

Section 106 Obligations

None

Equalities & Diversities issues

None

Conclusions

This application is recommended to Grant Conditionally

Recommendation

In respect of the application dated **27/07/2010** and the submitted drawings, **page 1, page 2, page 3, page 4, page 5**, it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

Statement of Reasons for Approval and Relevant Policies

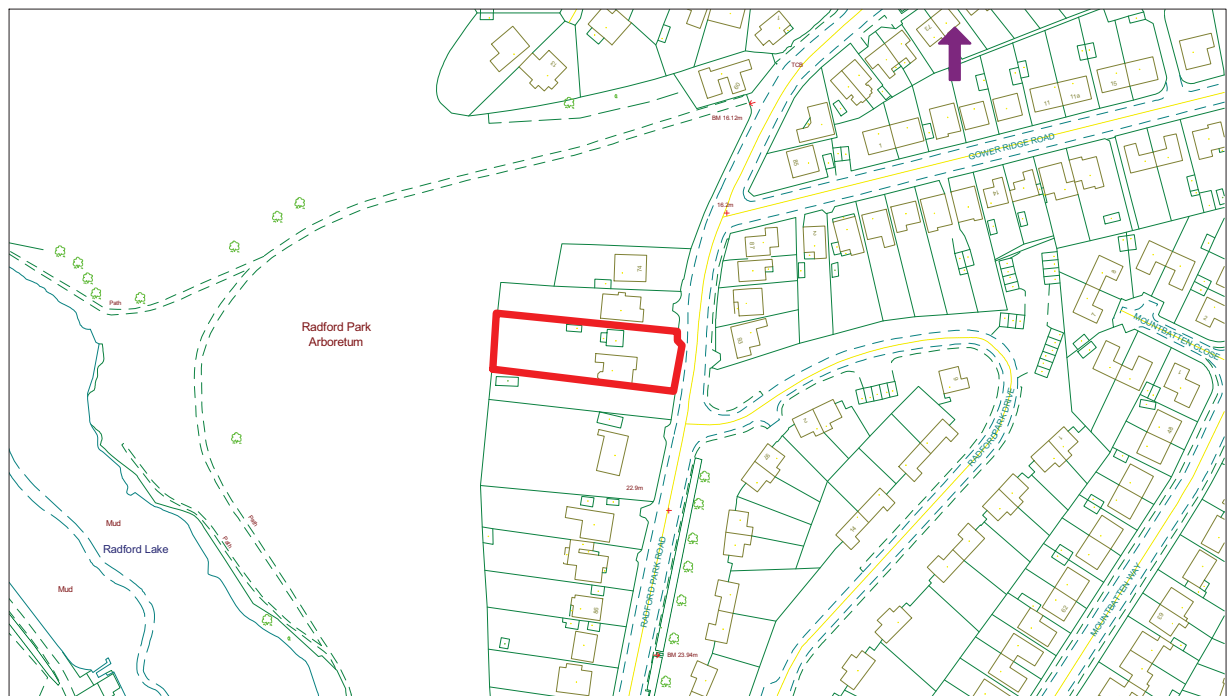
Having regard to the main planning considerations, which in this case are considered to be: impact upon neighbouring amenity and surrounding streetscene, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified 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 (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

CS34 - Planning Application Consideration

SPD1 - Development Guidelines

ITEM: 2

Application Number:	10/01052/FUL
Applicant:	Mr and Mrs Stephen Shirley
Description of Application:	First-floor rear extension and re-locate existing balcony; part two-storey, part-single storey side extension including swimming pool, plant room and gym (existing garage to be removed)
Type of Application:	Full Application
Site Address:	LAKE HOUSE, 78 RADFORD PARK ROAD PLYMOUTH
Ward:	Plymstock Radford
Valid Date of Application:	25/06/2010
8/13 Week Date:	20/08/2010
Decision Category:	Member Referral
Case Officer :	Kate Saunders
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



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OFFICERS REPORT

This application is being brought before committee as a result of a member referral from Councillor Ken Foster. Councillor Foster considers that the site has been developed enough, the proposal will have an impact on Radford Park and it will set an unwelcome precedent.

Site Description

No 78 Radford Park Road is a two-storey detached dwellinghouse in the Plymstock area of the city. The property has recently been extended to the rear, by way of planning permission 05/01252/FUL. This east-facing property benefits from a large, leafy garden which projects approximately 35m from the rear of the dwellinghouse, overlooking Radford Park to the west. Part of this garden (south of the dwellinghouse) is being developed by erection of a single dwelling – approved under planning application 09/00697/FUL.

Proposal Description

A first-floor rear extension to enlarge a bedroom, with the re-location of existing balcony; and a part two-storey, part single-storey side extension including swimming pool, plant room, gym and two single private motor garages. The existing double garage is to be removed.

The proposed side extension projects approximately 9m from the side elevation of the original dwellinghouse and measures approximately 29.3m in depth (total).

Relevant Planning History

09/01600/FUL - First floor rear extension and first floor side extension and single storey rear extension including swimming pool, plant room and gym – Refused

09/00697/FUL - Construction of single-storey dwellinghouse (with rooms in the roof) incorporating front dormer windows, rooflights, integral private motor garage and rear conservatory (revisions to previously approved scheme 04/00811) - Permitted

09/00268/FUL – Part two, part first-floor side extension and single-storey rear extension including swimming pool and gym – Permitted

08/01844/FUL – Part two storey, part first floor side extension and single storey rear extension including swimming pool and gym – Withdrawn (prior to intended refusal)

08/00234/OPR – Alleged non-compliance with approved development
05/01252- rear extension – Enforcement investigation

05/01252/FUL – Two-storey rear extension with balcony and terrace (existing rear structures to be removed) – Permitted

04/02110/FUL – Two-storey rear extension with balcony and terrace (existing rear structures to be removed) – Refused

04/00811/FUL – Develop part of garden (south of existing dwelling) by erection of a single-storey dwelling, with formation of new vehicular access and parking and turning area – Permitted

03/01265/OUT – Outline application to develop part of garden by erection of a dwelling, with details of siting (south of existing dwelling) and means of access – Permitted

03/00378/OUT – Outline application to develop part of garden by erection of two dwellings, with details of siting (one each side of existing dwelling) and means of access – Refused

Consultation Responses

Highways Authority – No objections, with suggested conditions

Public Protection Service – No objections, with suggested condition

Representations

One letter of objection has been received from 80 Radford Park Road.
Objections:

- Overdevelopment and out of scale
- Highway considerations including distraction to motorists
- Impact on “Conservation Area” (Radford Park)
- Covenant restrictions (not a material planning consideration)
- Private property concerns (not a material planning consideration)

A large majority of the letter refers to the approved development of the new dwelling within the grounds of the original house. This development has planning permission and no concerns regarding the new dwelling can be considered as part of this application.

Analysis

This application turns upon policies CS02 and CS34 of the Core Strategy (2006-2021) 2007 and the Council's Supplementary Planning Document (SPD) – 'Development Guidelines'.

This application is an amended version of a previously refused scheme (09/01600), although permission was previously granted for the majority of the proposal in application 09/00268. The main differences from the scheme that was previously refused include the removal of the proposed part-two storey, part single storey rear extension to the main dwelling. This has been replaced with a proposed small first-floor extension. In addition, some of the proposed roof alterations which formed part of the previous application have also been removed.

Impact on no.76 Radford Park Road

The development does not meet the '45 degree guidance' in the SPD in respect of no.76. The proposed projection, together with the proximity to the shared boundary, results in a potentially dominant and overbearing façade (north elevation on plan) which would cause a loss of outlook to the occupiers of the neighbouring bungalow. However, in this case, the proposal site is screened by the existing boundary treatment (vegetation). Furthermore, the proposal is not considered to have a significantly greater or lesser impact on the amenities of no.76 than that of the approved scheme. Therefore, it is considered that the impact could not warrant the refusal of this planning application. Additionally, no letter of representation objecting to the scheme has been received from the occupier of no.76.

Impact on no.80 Radford Park Road

Notwithstanding the submitted letter of representation from the occupier of no.80 Radford Park Road, it is considered that the proposed development will not compromise the amenities of this neighbouring property. The proposal site is located north of application property, approximately 20m away from the shared boundary with no.80. Furthermore, a detached dwelling is currently under construction between nos.78 and 80.

Impact on the approved dwelling under construction

The proposed extensions are not considered to have an adverse impact on the amenities of the approved dwelling currently under construction in terms of loss of outlook and sunlight daylight due to the distance between the proposals and the property. The removal of the rear extension and associated balcony/terrace which formed part of the previous application has removed overlooking concerns. The small first-floor rear extension measures just 1 metre deep and the same roof line will be retained. The limited nature of the extension will ensure the impact on the approved dwelling is minimal.

Design

The properties in the area are varied and have a range of design features. The proposal will significantly alter the visual appearance of the application property. Prior to approval of the previous scheme, the scale of the scheme was recognised, but it was considered that the extension was sympathetic in form, retained a coherent design, and did not detract from the high aesthetic quality of the area or overdevelop the site.

The additions then detailed in the refused scheme lead to a lack of cohesion in terms of the design with a hotchpotch of different features which unreasonably detracted from the appearance of the rear of the dwellinghouse. The removal of the rear extension and amendments to the roof have simplified the design and they are now more in line with the previously approved scheme. Although the rear of the property is visible from Radford Park, there is a hedge and a number of trees which will offer a good level of screening. It is not considered that the proposal will adversely affect the visual quality of Radford Park.

Highway Considerations

Notwithstanding the submitted letter of representation, the highways officer considers that the proposal will improve highway safety at the property. The proposal involves enlarging the existing turning area which will allow a car to enter and leave the site in a forward gear. The highways officer recommends two conditions; however as these were not imposed on the previous approval, and as this element of the application has remained the same, such conditions are not considered appropriate.

Noise

The Public Protection Service has recommended a condition to cover noise from the plant room. This is considered necessary to protect the amenities of neighbouring properties. A code of practice condition was also imposed on the previous approval and, given the scale of the works, a similar condition is considered appropriate in this case.

Human Rights Act

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

Equalities & Diversities issues

No equality and diversity issues.

Conclusions

It is considered that the application has been suitably amended following the previous refusal to address the concerns raised. The proposal will not be detrimental to neighbouring properties - in respect of no.76 this conclusion has regard to the presence of screening vegetation and to the impact of the previously approved scheme. The proposal would also have an acceptable impact on the character and appearance of the area. The application is therefore recommended for conditional approval.

Recommendation

In respect of the application dated **25/06/2010** and the submitted drawings, **1077.LP, 1077.05J, 1077.01J, 1077.06, 1077.07J, 1077.08D, and accompanying design and access statement** , it is recommended to:
Grant Conditionally

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

CODE OF PRACTICE DURING CONSTRUCTION

(2) 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.

PLANT ROOM

(3) Any noise emitted from the plant room hereby approved shall not be audible at the boundary of the property.

Reason:

In order to protect neighbours' amenities in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE: CODE OF PRACTICE DURING CONSTRUCTION

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

- a. Hours of deliveries and location of construction traffic parking; and
- b. Hours of site operation, dust suppression measures, and noise limitation measures.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: effect on neighbouring properties and the impact on the character and appearance of the area, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents 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 (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

CS34 - Planning Application Consideration

CS22 - Pollution

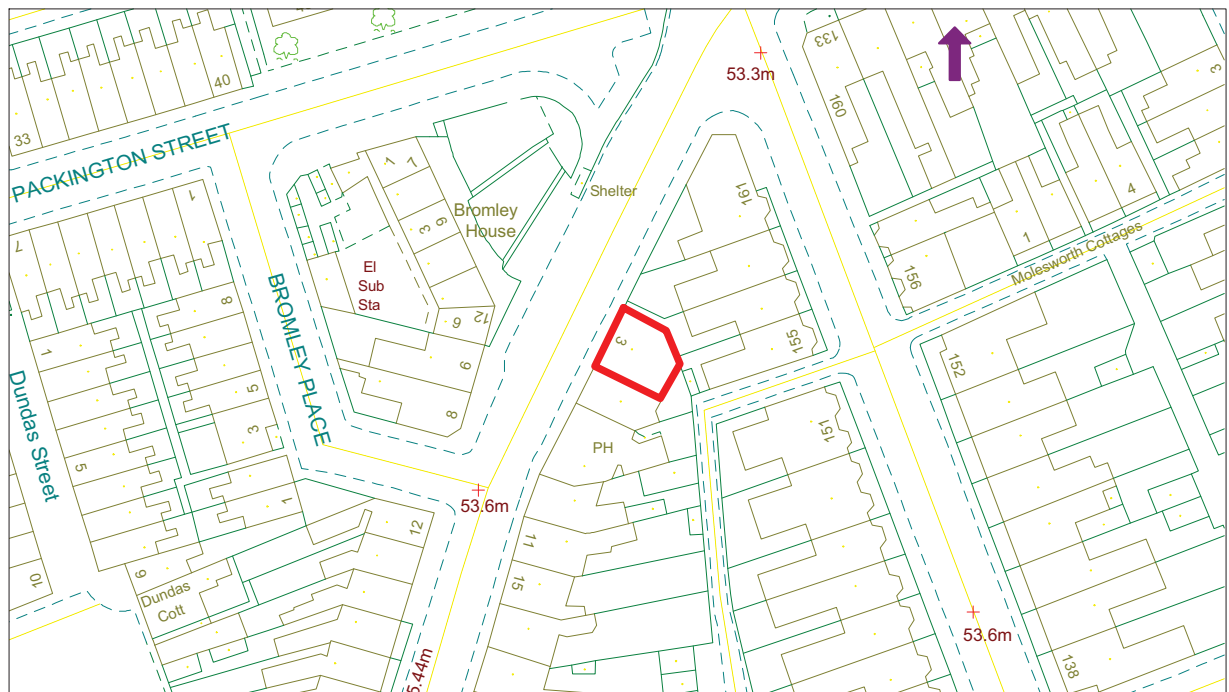
CS02 - Design

SPD1 - Development Guidelines

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ITEM: 3

Application Number:	10/00961/FUL
Applicant:	Mrs J Burridge
Description of Application:	Retention of use of premises as office (Use Class A2) from previous use as shop (Use Class A1)
Type of Application:	Full Application
Site Address:	3 DEVONPORT ROAD PLYMOUTH
Ward:	Stoke
Valid Date of Application:	06/07/2010
8/13 Week Date:	31/08/2010
Decision Category:	Member Referral
Case Officer :	Karen Gallacher
Recommendation:	Grant
Click for Application Documents:	www.plymouth.gov.uk



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OFFICERS REPORT

This application is being brought before committee as a result of a member referral from Councillor Mrs Dolan. Mrs Dolan is concern about the balance of A1 and office use in the shopping centre, a previous decision to refuse permission for A2 at the site, the retrospective nature of the application and the level of parking and refuse storage.

Site Description

The site is a unit within the Devonport Local Shopping Centre. The lawful use is A1, but it is currently occupied as an estate agents. It is within the shopping centre but not part of the prime frontage. It is the last shop on this section of Devonport Road, but there is one more shop on the corner with Molesworth Road. There is an adjacent shop at number 5 and 2 shops on the opposite site of the road.

Proposal Description

The proposal is a retrospective application to change the use of the shop and first floor to an A2 office use (estate agent)

Relevant Planning History

98/00324/FUL change of use to A3 refused due to car parking, impact on neighbours and insufficient detail to assess shopfront changes in conservation area.

There have been other similar refusals for A3 uses.

85/00250/FUL – change of use to A2 from shop – was recommended for approval, but overturned by planning committee and refused on grounds of inadequate parking and loss of retail.

Consultation Responses

Transport advise no consultation response required

Representations

There has been one letter of objection from the Stoke Village Traders Association. The objections are as follows:

- Loss of A1 would upset the balance of A1 uses
- It is believed that the property was not advertised for rent for A1 use.
- No pre application advice was sought.
- Hot Homes staff park illegally outside the unit and cause obstruction to the bus bay.

Analysis

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

The main consideration is whether the loss of the shop unit would harm the shopping function of the local centre and whether there would be an impact on highway safety.

Loss of shop

In order to assess whether the loss of the shop is acceptable it is necessary to assess the application against policy CS11. This means looking at whether the proposal would maintain the primary function of the centre, provide a complimentary role for the centre, result in an over concentration of non A1 uses and whether it would help to meet the day to day needs of the community

Firstly therefore, does the proposal maintain the primary function of the centre? To maintain this role it is necessary to consider carefully all applications for a change of use from A1. The policy advises taking into account the unit's prominence, size and whether it is in the prime frontage to assess this issue. In this instance the property is in a peripheral location well outside the prime retail frontage and whilst it is larger than the average unit it is not considered to be prominent. Judged on these criteria it is not considered that the change of use would upset the function of the centre.

The proposed use as an estate agent, being an A2 use is one which is expected to be found in a shopping centre and as such provides a complimentary function and helps meet the day to day needs of the community.

Finally it is necessary to look at the concentration of A1 uses. The policy states that it is better to have non retail uses spread though out a centre. In this centre the spread of non A1 uses is reasonable and there is a good presence of A1 at this end of the centre. The proposal would not result in an over concentration of non A1 uses within the frontage as there is A1 use adjacent and on the corner of the road. In addition the concentration of A1 uses at this end of the centre is acceptable given that there are 2 on the opposite side of the road.

Having considered all the criteria, the proposal is not considered to conflict with policy CS11.

Highways

With regard to transport issues, the Highway Authority were consulted, but responded that no consultation response would be required. This is because the parking requirements for A2 uses are less than for A1 and there is a car park for the centre, which at the time of the case officer's site visit had free spaces. The proposal is not considered therefore to conflict with policy CS34 or CS28 in this respect.

Other issues raised by LOR and member referral

The applicant confirms that the unit was empty for 2 to 3 months, and that the applicant did not realise that permission was required for the new use. This has meant that there was no pre application enquiry or marketing of the site and the application has been considered on this basis, but is not considered to outweigh the above considerations and justify refusal of the application.

The letter of representation has been passed to the Highway Authority in order to highlight the alleged traffic infringements.

The member referral refers to permission having previously been refused for A2 on this site reference 85/00250. This application was recommended for approval and there was no objection from the highway authority or on policy grounds because of the peripheral location of the site. The application was refused by the committee on lack of parking and loss of retail. Since that time however the change of use to A3 was not resisted because of the loss of A1.

The member referral also expresses concern about the lack of refuse storage. The use by an estate agent is not considered to require any more refuse storage than was available to the shop. The applicant has confirmed that the only waste generated is paper waste, which is shredded and recycled and kept within the building.

These additional issues are not considered to be contrary to the policies of the core strategy and are not therefore considered to be sufficient justification to refuse the application.

Equalities & Diversities issues

There is no conflict with CS34 in this respect.

Section 106 Obligations

There is no Section 106 obligation in respect of this application.

Conclusions

The proposed office use is not considered to harm the retail function of the centre or be detrimental to highway safety. It is considered that there is no conflict with CS11 or CS28.

Recommendation

In respect of the application dated **06/07/2010** and the submitted drawings, **site plan** , it is recommended to: **Grant**

Statement of Reasons for Approval and Relevant Policies

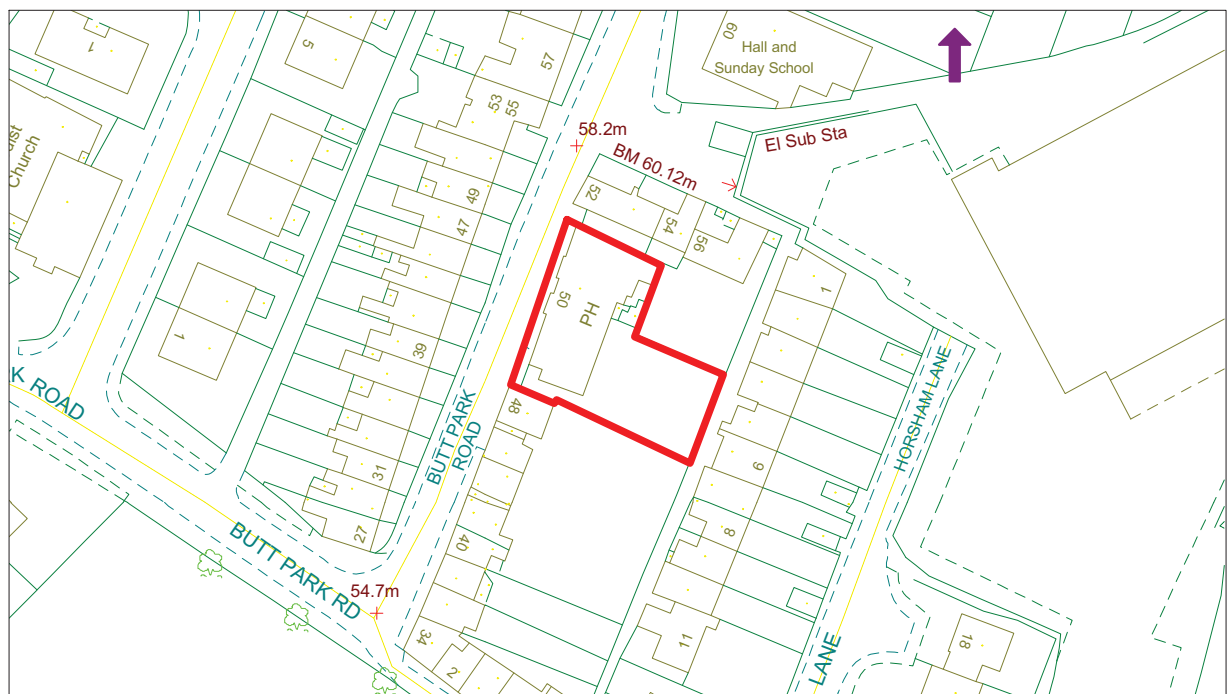
Having regard to the main planning considerations, which in this case are considered to be: impact on the shopping centre and highway safety, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents 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, and (b) relevant Government Policy Statements and Government Circulars, as follows:

- CS28 - Local Transport Consideration
- CS34 - Planning Application Consideration
- CS11 - Change of Use in District/Local Centres

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ITEM: 4

Application Number:	10/01337/FUL
Applicant:	Mr Ian Hosking
Description of Application:	Change of use and conversion and alteration of public house to form a house in multiple occupation (10 bedrooms) and formation of vehicle parking to rear
Type of Application:	Full Application
Site Address:	THE GOLDMINE, 50 BUTT PARK ROAD PLYMOUTH
Ward:	Honicknowle
Valid Date of Application:	03/08/2010
8/13 Week Date:	28/09/2010
Decision Category:	Member/PCC Employee
Case Officer :	Janine Warne
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



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OFFICERS REPORT

This application is being brought before committee as a result of a member referral from Councillor Nicky Williams. Councillor Williams considers that the proposed change of use will be out of character with the area and will compromise conditions of highway safety.

Site Description

Currently the site is occupied by a large building that was formerly the Goldmine public house. The building is arranged over 2 storeys with associated residential accommodation above the former pub.

Proposal Description

The application seeks consent for the change of use, conversion and alterations of the public house to form a house in multiple occupation (ten bedrooms) and the formation of vehicle parking to the rear.

Relevant Planning History

10/00583/FUL – Change of use, conversion and alteration of public house to form a house in multiple occupation (8 bedrooms) and two separate self-contained residential units – Withdrawn.

08/00550/FUL – Redevelopment of site to provide 5 residential units including parking area, cycle and bin store, communal garden, patio and drying areas (demolition of existing Public House) – Permitted.

07/01487/FUL – Redevelopment of site to provide 5 residential units – Withdrawn.

Consultation Responses

Transport – No objections, subject to recommended conditions.

Environmental Services – No objections, subject to recommended conditions.

Housing – No objections; observations received.

Representations

Ten individual letters of representation have been received and one standardised letter signed by fourteen individuals.

The material planning objections have been summarised below:

- Inadequate parking provision
- Inadequate turning provision
- Proposed junction is unsafe and impractical; limited visibility, narrow road
- Inadequate cycle storage
- Noise and fumes from proposed car park
- Close proximity to neighbouring properties
- Overcrowding

Other objections have been raised in the submitted letters of representation; these primarily relate to anti-social behaviour associated with the former unauthorised use of the building as a HMO. However these additional issues are not material planning considerations and therefore are beyond the remit of this application. It should be noted that the unauthorised use as a HMO ceased following a planning enforcement investigation.

Analysis

Introduction

As stated above, this application proposes the change the use and conversion of a public house to form a house in multiple-occupation at the former Goldmine Public house – a disused pub located on Butt Park Road. This application turns upon CS01, CS15, CS28, and CS34 of the Council's Core Strategy, adopted April 2007 and the Development Guidelines Supplementary Planning Document. The primary planning considerations are discussed below.

Loss of Community Facility

The public house has been closed for in excess of two years and is currently in a state of disrepair. The previous planning permission (ref. 08/00550/FUL) accepted the loss of the existing public house and its redevelopment for five residential units. There is therefore no objection, in principle, to the residential use of the site. The approved scheme can still be implemented and therefore it would not be prudent to refuse the application on this basis.

The draft Honicknowle Sustainable Neighbourhood Assessment does not explicitly refer to the public house, however it does confirm that Honicknowle benefits from a good range of community facilities and a moderate range of places to meet and socialise for all age groups and interest groups. Therefore it is considered that there are no overriding policy constraints seeking the retention of this public house and none of the letters of representation have called for its retention as a community facility. For these reasons the loss of community facility is not considered to be harmful or contrary to policy CS01.

Residential Amenity

The application proposes ten bedrooms to be used as a house in multiple occupation. Access to the property can be gained from Butt Park Road, via a communal hallway. Two communal living rooms, a shared kitchen, utility and larder and three bathrooms/shower rooms are proposed. The planning case officer has visited the property and carried out an inspection of all rooms.

Whilst there is no specific *planning* policy which sets minimum room size standards for HMOs, Policy CS15 of the LDF Core Strategy (Status -Adopted April 2007) is relevant. Point is 5 which states:-

5. All new dwellings must be of sufficient size to provide satisfactory levels of amenity for future occupiers and respect the privacy and amenity of existing occupiers.

This is supplemented by guidance provided in section 2.3 of the Development Guidelines SPD (Current Status: adopted April 2010) and guidance in Licensing of Housing Multiple Occupation which relates to Housing legislation. The latter contains a section on space standards including the size of 6.5sqm.

As all of the proposed rooms exceed 6.5sqm in size (the smallest being approximately 10.8sqm) the proposal meets the minimum requirements. Therefore it is considered that each bedroom is of an acceptable size to provide adequate standard of living.

All bedrooms and communal living rooms have sufficient day- and sun-light through existing and proposed windows. Although the ground-floor kitchen is served solely by two rooflights, this room will primarily be used for food preparation and, in this case, is not deemed to be a primary habitable room. Therefore, it is considered that this could not warrant the refusal of planning consent.

The application provides limited external amenity space in the old beer garden, for drying washing, refuse and cycle storage. This space can be easily accessed via the rear of the property. Although this outdoor space is dominated by the proposed parking and turning area, it is deemed sufficient for this type of shared residential accommodation.

A privacy screen is proposed to the rear to protect the ground-floor habitable room windows.

Transport

As noted above, Transport have not raised any objections in principal to the proposal to convert the former public house to a ten bedroom HMO, although the proposed use might be considered somewhat unusual given the location. The application property is a good distance from the City Centre and the university therefore it would be less likely to be occupied by students, but rather by other transitory residents.

Butt Park Road is an old Classified Road with two-way traffic flows, although vehicular traffic flows may be reduced in the future with the initiative to seek and implement a Traffic Regulation Order, to ban right turns at the junction of

Butt Park Road and Crownhill Road. Butt Park Road is sub-standard in width which restricts and hampers vehicle and pedestrian movements, although at the same time this tends to restrict vehicle speeds significantly. Butt Park Road is subject of a street widening order under Section 30 of the Public Health Act 1925 (Order No 66, 13/5/1932), however the proposed conversion of the property to a HMO, rather than redevelopment, would not trigger the Section 30 widening order. Therefore there would not be any desirable upgrades to the width and utility of the street at the front of the application property, where footway provision in particular remains poor. However from a Transport perspective it is considered that when the property operated as a public house it would have given rise to a significant level of traffic movements including deliveries, and other comings-and-goings by both vehicles and pedestrians, although it is accepted that movement patterns would differ between the two uses.

The application site is located within a wider area that is made up of residential estates, and is in the order of approximately 5.5 kilometers distant by the most direct road route and public transport corridor from the city centre and the university. The Council's 'Development Guidelines' SPD on parking standards, adopted as part of the Local Development Framework, indicates that the application site has an accessibility level of in the order of approximately 65%. In accordance with adopted guidance this Authority would seek to control car use rather than car ownership, in order to support the creation of sustainable high quality residential neighbourhoods by reducing adverse impacts of residential parking in the public realm.

Due to the out-of-town location of the application site and the level of accessibility Transport would seek off-street car parking to support the change to residential occupation. This application would provide off-street car parking in accordance with policy recommendations, with 6 parking spaces at the rear of the property to support the proposed ten bedrooms. The car parking spaces would need to be managed by the property agent, and it is recommended that this should be conditionally secured and reserved solely for the parking of cars.

Vehicle access and egress to the car parking area would be via a previously, but now disused, access way leading into the rear of the property, which at an earlier time would have been wide enough to accommodate a vehicle. Although inter-visibility is lesser than the recommended standard, vehicle speeds are generally low. This previously existing access route along the side of the building would be improved and widened to assist ease of access for cars. The access is shown having inset gates for security purposes, and notwithstanding the detail shown on the application drawings, the gates should be necessarily and conditionally inset into the property by at least 4.8 metres to allow a car to stand clear of the carriageway so as not to obstruct vehicle flow whilst the gates are being opened.

Whilst cycle storage is proposed for ten cycles, and cycle storage is considered necessary as a means of encouraging cycling as a sustainable means of transport, it is considered that the cycle storage shown and

indicated in the application is likely to be unsuitable, and further details should be required to be submitted by the applicant to ensure cycle storage would be provided to a satisfactory standard. To encourage cycling, the storage provision needs to be high quality, secure, weather-proof, well overlooked and preferably well integrated, to provide the necessary level of comfort to residents that cycles are secure and safe; and individually secure weather-proof internal cage type lockers might be considered for this purpose. High quality cycle storage is required to help mitigate against car parking demand associated with the necessary car use that would be generated by residential development.

Neighbouring Amenity

In planning terms, it is considered that the proposed development would not materially or adversely affect neighbouring residential amenity.

The premises has operated as a public house, with associated residential accommodation, for many years. The site is surrounded by residential properties, which are overlooked by existing first-floor windows. Although the proposed residential use is more intense, given the established relationship the Local Planning Authority consider that the impact of the proposed change of use will not be significant.

The proposed car park to the rear is not deemed demonstrably harmful to neighbouring amenity given its former use as a beer garden.

Although not a material planning consideration, neighbours have raised concerns relating to future occupiers and anti-social behaviour. Therefore in the interest of neighbouring amenity, the case officer recommends that a restrictive condition should be placed on any grant of planning consent seeking a management plan for the operation of the proposed accommodation, this shall include contact details of the person to be contacted regarding any issues arising from the use of the building.

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

Section 106 Obligations

In accordance with the LDF Planning Obligations and Affordable Housing Supplementary Planning Document adopted August 2010 no tariff is sought in this case; table 3.1 of the adopted SPD confirms the new threshold for HMOs is ten bed spaces.

Equalities & Diversities issues

There are no additional issues to be discussed here.

Conclusions

The application is considered to perform well against the planning policies defined in the Core Strategy, and, for the reasons outlined above, it is considered that permission should be granted, subject to a series of recommended conditions.

Recommendation

In respect of the application dated **03/08/2010** and the submitted drawings, **591/330, 591-331 Rev.P1, 591-332 Rev.P2, 591-333 Rev.P2 and accompanying Design and Access Statement** , it is recommended to:
Grant Conditionally

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

CYCLE PROVISION

(2) The House in Multiple Occupation hereby approved shall not be occupied until space has been laid out within the site in accordance with further details previously submitted to and approved in writing by the Local Planning Authority for a minimum of 5 bicycles to be stored.

Reason:

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

CYCLE STORAGE

(3) The secure area for storing cycles shown on the plans approved in accordance with condition 2 of this consent 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.

COMMUNAL CAR PARKING PROVISION

(4) The House in Multiple Occupation hereby approved shall not be occupied until space has been laid out within the site in accordance with the approved plan for a maximum of 6 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear.

Reason:

Although some provision needs to be made, the level of car parking provision should be limited in order to assist the promotion of sustainable travel choices.

PROVISION OF PARKING AREA

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

Reason:

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

LAND QUALITY

(6) Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved (other than that required to be carried out as part of an approved scheme of remediation) shall not commence until conditions 7 to 9 have been complied with. If unexpected contamination is found after the development hereby approved has commenced, development shall be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 10 has been complied with in relation to that contamination.

Reason:

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

SITE CHARACTERISATION

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

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,

- adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s). This shall be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason:

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

SUBMISSION OF REMEDIATION SCHEME

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

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2206-2021) 2007.

IMPLEMENTATION OF APPROVED REMEDIATION SCHEME

(9) The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out shall be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:

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

REPORTING OF UNEXPECTED CONTAMINATION

(10) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 7, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 8, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 9.

Reason:

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

FURTHER DETAILS

(11) 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:- position of inset gates to rear parking and amenity area. 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.

MANAGEMENT PLAN

(12) No unit shall be occupied until a management plan for the operation of the accommodation, which shall include contact details of the person to be contacted regarding any issues arising from the use of the building, has been submitted to and approved in writing by the Local Planning Authority and the management plan shall thereafter be adhered to.

Reason:

In the interests of neighbours' amenities and to provide a ready point of contact for any person who needs to address an issue in relation to the use of the property.

CODE OF PRACTICE

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

Reason:

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

INFORMATIVE - THE MANAGEMENT OF HOUSES IN MULTIPLE OCCUPATION

(1) This property will not require an HMO licence under the mandatory licensing scheme. However it will still be an HMO and will be subject to The Management of Houses in Multiple Occupation (England) Regulations 2006.

INFORMATIVE - LAND CONTAMINATION

(2) Having reviewed the Preliminary Risk Assessment and Desk Study Site Reconnaissance for this application Public Protection Service notes that intrusive investigation is recommended. Therefore conditions 6 to 10 seek to secure the necessary additional investigation.

INFORMATIVE - CODE OF PRACTICE

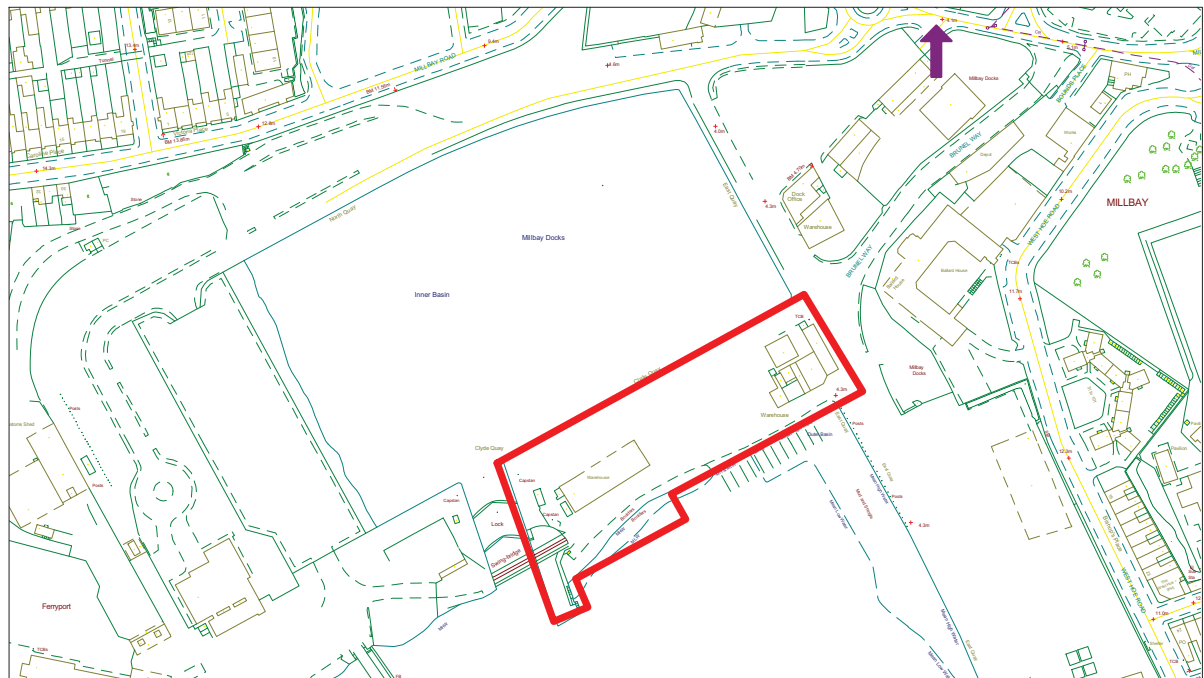
(3) The management plan required by condition 13 shall be based upon the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web-pages, and shall include sections on the following:

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

Statement of Reasons for Approval and Relevant Policies

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

- CS28 - Local Transport Consideration
- CS34 - Planning Application Consideration
- CS01 - Sustainable Linked Communities
- CS15 - Housing Provision
- SPD1 - Development Guidelines

ITEM: 5**Application Number:** 10/01270/FUL**Applicant:** English Cities Fund**Description of Application:** Change of use of Quay from commercial use to public use incorporating construction of new pedestrian access routes, associated surfacing works and landscaping, construction of seating and information boards (temporary 5 year consent)**Type of Application:** Full Application**Site Address:** CLYDE QUAY PLYMOUTH**Ward:** St Peter & The Waterfront**Valid Date of Application:** 23/07/2010**8/13 Week Date:** **22/10/2010****Decision Category:** Major Application**Case Officer :** Mark Evans**Recommendation:** Grant Conditionally**Click for Application Documents:** www.plymouth.gov.uk

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OFFICERS REPORT

Site Description

The application site comprises an unkempt, derelict area of redundant quay within the Millbay basin. The site area is 1.3 hectares.

Proposal Description

Change of use of Quay from commercial use to public use incorporating construction of new pedestrian access routes, associated surfacing works and landscaping, construction of seating and information boards (temporary 5 year consent).

Relevant Planning History

09/01507/FUL – Engineering operations for the repair and refurbishment of quay walls and revetments at the Millbay inner basin and Clyde Quay - APPROVED

06/01533/OUT – A mixed-used development comprising residential development (Use Class C3) of up to 1,232 dwellings, in the form of townhouses and apartments; up to 39 live/work units, maximum of 4,095 sqm; employment use (Use Class B1) up to 40,206 sqm; retail (Use Class A1) up to 9,026 sqm; food and drink (Use Classes A3 & A4) up to 13,824 sqm; hotel use (Use Class C1) up to 9,209 sqm; associated alterations to the Arena retained within Plymouth Pavilions (Use Class D2) up to 10,448 sqm; ground remediation, highway improvements and associated landscaping – APPROVED

Consultation Responses

Highway Authority
No Objections

Public Protection

No Objections subject to two conditions regarding “Developer’s Code of Construction” and “Land Quality”.

Representations

No letters of representation received.

Analysis

The key issues are:

1. The impact of the proposal on the appearance and character of the Area and adjoining Grade II Listed quay walls;
2. The impact of the proposal upon neighbouring properties;

The application should be assessed primarily against adopted Local Development Framework Core Strategy. This report therefore has due regard to the following policies: CS01 (Sustainable Linked Communities); CS02 (Design); CS03 (Historic Environment); CS34 (Planning Application Considerations).

Consideration should also be given to PPS1 - Delivering Sustainable Development, PPS5 – Historic Environment, PPS23 – Pollution Control, adopted Design Supplementary Planning Document (2009) and the adopted Development Guidelines Supplementary Planning Document (2009).

The impact of the development on the appearance and character of the Area and adjoining Grade II Listed quay walls

The proposed development will visually improve the appearance and character of the area by enabling the existing unkempt, derelict area of this redundant quay to be attractively landscaped with a public access route around the quay edge and a large expanse of level area laid to grass creating an open amenity area in the centre of the quay, prior to the future development of the site and wider area as part of the wider Milbay re-development as approved under planning consent (06/01533/OUT).

The refurbishment of the quay will enhance the setting of the adjoining Grade II Listed quay walls.

The development is fully in accordance with adopted Local Development Framework policies CS01, CS02, CS03, CS18 and CS34, together with the Council's adopted Design Supplementary Planning Document (2009), adopted Development Guidelines Supplementary Planning Document (2009) and Government guidance contained in PPS1 and PPS5.

The impact of the proposal upon neighbouring properties

The proposed use of the quay by the public and associated landscaping improvements will not have a material impact upon the residential amenity of neighbouring properties. The development is therefore acceptable and accords with adopted Core Strategy policies CS02 and CS34 and Government guidance contained in PPS1.

Human Rights Act

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

Section 106 Obligations

Not applicable in this case.

Equalities & Diversities issues

The benefits to all groups will be positive as the development will provide accessible public access to the quayside benefitting all equality groups.

No negative impact on any of the equality groups is therefore anticipated.

Conclusions

The provision of fully accessible public use of the quayside is fully supported and the associated landscaping, surfacing materials and finish of the proposed temporary quay refurbishment are considered to be acceptable and would visually enhance the appearance and character of the site and wider area in the interim period prior to its future re-development.

The re-development of this site would not have a significant adverse impact upon neighbouring properties and will contribute to the regeneration of the area as a whole. It is therefore recommended that the development be conditionally approved.

Recommendation

In respect of the application dated **23/07/2010** and the submitted drawings, **414.2318.0001.GA.001, 414.2318.0001.GA.003, Plan 1 (Proposed Furniture Suite)**, 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 DURING CONSTRUCTION

(2) 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.

LAND QUALITY

(3) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until points 1 to 3 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until point 4 has been complied with in relation to that contamination.

1. Site Characterisation

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

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

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

2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority.

The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

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

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

4. Reporting of Unexpected Contamination

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

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with point 3.

Reason:

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

LANDSCAPE DESIGN PROPOSALS

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

Notwithstanding the submitted design and materials of the proposed litter bins, no litter bin shall be placed on site until details of the siting, design and an appropriate flame retardant material have been submitted to and agreed in writing with the Local Planning Authority. Such agreed details to be strictly adhered to during the course of development.

Reason:

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

SOFT LANDSCAPE WORKS

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

Reason:

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

MAINTENANCE SCHEDULE

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

Reason:

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

TEMPORARY USE: REINSTATEMENT

(7) The use hereby permitted shall be discontinued and the land restored to its former condition on or before five years from the date of this permission in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority before any works commence on site.

Reason:

In the opinion of the Local Planning Authority the temporary use to which this permission relates will by the said date have fulfilled its required purpose. This condition is imposed to comply with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE - CODE OF PRACTICE DURING CONSTRUCTION

(1) The management plan required in connection with the "Code of Practice During Construction" Condition should be based upon the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web-pages, and shall include sections on the following:

- a. Site management arrangements including site office, developer contact number in event of any construction/demolition related problems, and site security information.
- b. Construction traffic routes, timing of lorry movements, weight limitations on routes, initial inspection of roads to assess rate of wear and extent of repairs required at end of construction/demolition stage, wheel wash facilities, access points, hours of deliveries, numbers and types of vehicles, and construction traffic parking.
- c. Hours of site operation, dust suppression measures, and noise limitation measures.
- d. details of an area to be created within the site or on an adjoining area for the parking of contractor's equipment and materials.

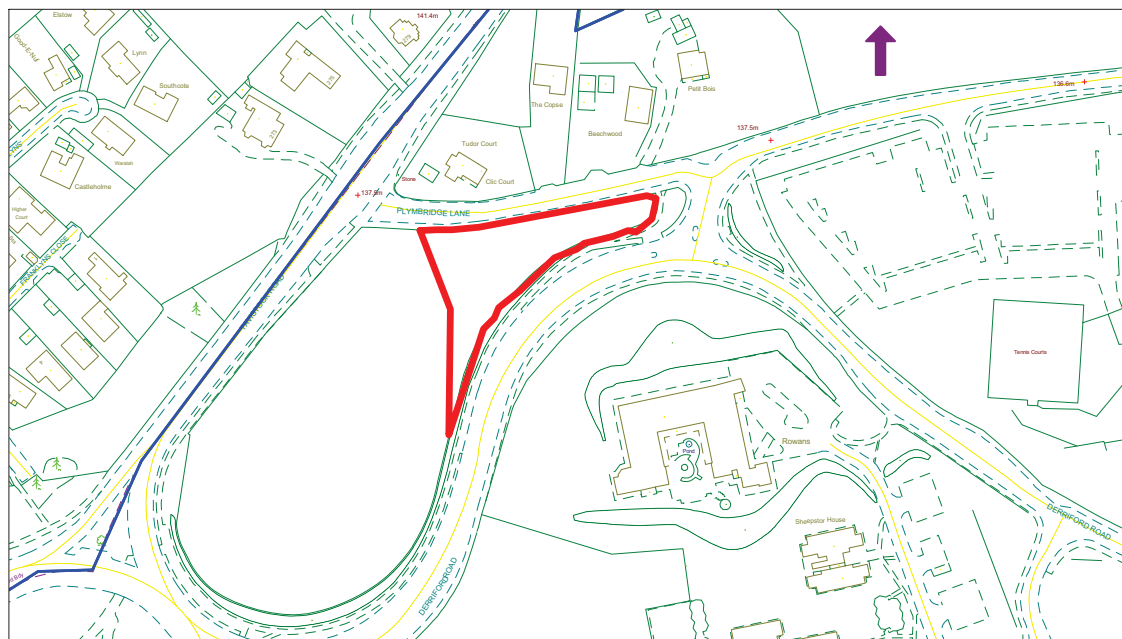
INFORMATIVE - LISTED QUAY WALLS

(2) For the avoidance of doubt, this permission does not authorise any works to the adjoining Listed quay walls and is not a grant of Listed Building Consent. Under Section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990 it is an offence to execute or cause to execute any works for the demolition of the listed structure or its alteration or extension in any manner which would affect its character as a building/structure of special architectural or historic interest, unless the works are authorised by and executed in accordance with the terms of a Listed Building Consent and any conditions attached to it.

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 appearance and character of the area and adjoining Grade II Listed quay walls; The impact of the development upon neighbouring properties, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (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 (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

PPS1 - Delivering Sustainable Development
CS34 - Planning Application Consideration
CS18 - Plymouth's Green Space
CS03 - Historic Environment
CS01 - Sustainable Linked Communities
CS02 - Design
SPD1 - Development Guidelines
SPD3 - Design Supplementary Planning Document
PPS5 - Planning for the Historic Environment

ITEM: 6**Application Number:** 10/01140/FUL**Applicant:** The Lozenge LLP**Description of Application:** Erection of student accommodation for 123 students organised around 16 communal dining/living spaces in two blocks and associated access, parking and landscaping: minor material amendments to the application granted on appeal, refs 09/01400, APP/N1160/A/10/2121534**Type of Application:** Full Application**Site Address:** LAND BOUNDED BY PLYMBRIDGE LANE, DERRIFORD ROAD AND HOWESON LANE
DERRIFORD PLYMOUTH**Ward:** Moor View**Valid Date of Application:** 28/07/2010**8/13 Week Date:** **27/10/2010****Decision Category:** Major Application**Case Officer :** Robert McMillan**Recommendation:** Grant conditionally subject to the completion of a Section 106 with delegated authority to refuse if not complete by 27/10/2010**Click for Application Documents:** www.plymouth.gov.uk

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OFFICERS REPORT

Site Description

The site is an island plot surrounded by Plymbridge Lane, Derriford Road and Howeson Lane. It has an area of 0.17 hectare and frontages with Plymbridge Lane of 55 metres and Derriford Road of 98 metres. It is the remainder of the old Lozenge site that was developed in the early 2000's for a hotel, pub and car dealership that lie to the south west. There are houses to the north and the new accommodation for Derriford staff to the northeast, next is the part of the airport to be developed for housing with the Devonshire Raquet club to the east. The former "Rowans", hospital accommodation and car park are to the south east that now forms part of the North West Quadrant development site.

The land is unkempt and is made up ground. The land slopes from north to south with a maximum fall of 3 metres.

Proposal Description

The proposal is to develop the site for student housing in two buildings. These are at right angles to each other forming a small parking courtyard facing Derriford Road. There is accommodation for 123 occupiers grouped around 16 kitchen/living areas. Block A is on the western part of the site would front Howeson Lane, It would be mainly four storeys but would drop down to three storeys at the northern end facing Plymbridge Lane. At the southern part fronting Derriford Road it is five storeys owing to the drop in levels across the site. It is 39 m long by 11m wide. The height would vary: at the northern end it is 9m rising to 11m. At the southern part it is 14.5m and in the central part containing the stairwell, lift housing and plant room is 14m. There is solar shading at southern end attached to a mast like structure.

It would provide space for 68 students grouped around nine kitchen/living areas including one accessible study bedroom, a laundry room and a cycle store room.

Block B fronts Plymbridge Lane and is a three/four storey building. It is 39m long by 11m wide. The three storey part is 9m high, the four storey element is 11m and the stairwell, lift housing, plant room is 12m. There are 55 study bedrooms grouped round seven kitchen/living areas with one accessible room. There is solar shading at eastern end attached to a mast like structure.

Access is from Plymbridge Lane to a courtyard with parking for two disabled spaces, and two spaces for the car club. Either side of the entrance are two areas to be used mainly for loading and unloading purposes. There is also a bin storage compound. Landscaping would be provided in the three corners and along the Derriford Road frontage.

The materials are shown to be coloured render, timber boarding, grey cladding, aluminium cladding and roof and aluminium windows doors and curtain walling. Officers had previously negotiated the use of natural stone to add local distinctiveness that should be provided.

Relevant Planning History

Application site

09/01888 – FULL - Erection of one three-five storey building and one three storey building for student accommodation for 107 occupiers, arranged around 14 communal dining/living spaces, access, parking and landscaping GRANTED subject to a Section 106 Agreement.

09/01400 - Erection of student accommodation for 123 students organised around 16 communal dining/living spaces in two blocks and associated access, parking and landscaping – REFUSED – APPEAL ALLOWED.

09/01088 - Erection of student accommodation for 132 students organised around 17 communal dining/living spaces in two blocks and associated access, parking and landscaping – WITHDRAWN.

Adjoining land on the developed part of the Lozenge site

Mercedes-Benz dealership

04/04/00722 – RESERVED MATTERS - Detached building for use as motor vehicle dealership with associated workshop stores, valet and MOT testing facility, showroom and car parking/landscaping – APPROVED.

02/ 01026 – RESERVED MATTERS - Erection of a part single/part 2 storey building for a motor dealership and workshop and parking and display areas - APPROVED.

01/00489 – OUTLINE - Erection of a motor garage and car showroom, with vehicular and pedestrian access off Plymbridge Lane, and a bus lane - GRANTED CONDITIONALLY

Hotel and pub

03/01193 – RESERVED MATTERS - Erection of a hotel (revised scheme) - APPROVED.

02/01005 – RESERVED MATTERS - Erection of a hotel, pub/restaurant, parking, access and landscaping - APPROVED.

02/01004 - Variation of a condition to allow work to begin on the hotel and pub/restaurant in advance of the highway works - GRANTED.

01/00490 – OUTLINE - Erection of a pub and restaurant – GRANTED

01/00488 – OUTLINE - Erection of hotel and restaurant together with new vehicular and pedestrian access off Plymbridge Lane and a bus lane - GRANTED CONDITIONALLY

Unimplemented permissions on the Lozenge

01/00485 – OUTLINE - Erection of offices (class B1), with vehicular and pedestrian access off Plymbridge Lane and a bus lane -GRANTED CONDITIONALLY.

01/00486 – OUTLINE - Erection of creche and nursery, with vehicular and pedestrian access off Plymbridge Lane, and a bus lane - GRANTED CONDITIONALLY.

Consultation Responses

Highways Agency

No objections.

Plymouth City Airport

No objections.

Environment Agency

No objections subject to conditions on surface water drainage and contaminated land.

Highway Authority

No objection subject to standard highway conditions.

Public Protection Services

No objection subject to standard environmental conditions.

Representations

None.

Analysis

The main issue with this application is the effect of the changes to the development allowed on appeal earlier this year references, 09/01400, APP/N1160/A/10/2121534.

The main policies in the Local Development Strategy that relate to this development are: Area Vision 9 Derriford / Seaton and the emerging Area Action Plan, CS01 Development of Sustainable Linked Communities, CS14 New Education Facilities, CS15 Overall Housing Provision, CS16 Spatial Distribution of Housing Sites, CS02 Design, CS34 Planning Application Considerations, CS28 Local Transport Considerations, CS33 Community Benefits / Planning Obligations and the Planning Obligations and Affordable Housing SPD.

Background

A similar application for student accommodation for 123 residents was refused permission last year for three reasons relating to harm to visual amenity, an adverse impact on residential amenity and insufficient off-street parking. The applicants appealed and the Inspector allowed the appeal earlier this year. In the period between the refusal and appeal the applicant applied for a smaller scheme for 107 students that was granted permission in March 2010.

The principle of development has been established by the appeal decision which is an important material consideration and the permission for the smaller scheme.

The Appeal decision

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 stated 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 as it became a new mixed use urban centre. 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 agreed with the appellant that the scheme should be a car free development with very few on site spaces. 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. He 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 conditionally.

The main changes to the approved development

Following the appeal decision the applicant appointed new agents who have looked at the scheme afresh. They will now use a timber frame construction that has led to changes to the scheme. The scale, footprint, height, bulk and massing is the same. The number of residents remains at 123 students. There are several detailed changes. The main ones are:

- Blocks A and B are now both the same length and width;
- The internal refuse storage areas are removed and located in an enclosure in the courtyard;
- The courtyard provides four parking spaces and two loading/unloading areas;
- The external cycle storage areas are removed and provided in block A;
- The third floor kitchen/living area is moved to the second floor;
- The curved walls to the kitchen living areas are squared off;
- Removal of small end parapets; and
- Rationalisation of the stair glazing.

These are all of a minor detailed nature and do not fundamentally change the design or appearance of the approved scheme. The one exception is the change to the courtyard caused mainly by the need to have an external bin store because of the change to a timber frame construction method. This involved officers in considerable negotiation to reach a satisfactory compromise.

Following the appeal decision the application the proposal is acceptable and complies with area vision AV9 and policies CS01, CS02, CS28 and CS34.

Transport

The previous approved scheme had a total of 7 off-street parking spaces. This level of car parking has been retained although the 3 'standard' parking spaces associated with the previous scheme have now been provided in the form of loading/unloading areas (which was the primary function of these spaces in any case). These spaces will ensure that there are adequate facilities available for drop-off/collection at the beginning/end of term time.

Suitable signing and lining will be required within the site to highlight the differences between the various car parking spaces (car club and disabled) and loading/unloading areas. A condition is attached relating to the need for a Car Parking Management Strategy for the site.

Following problems with access in respect of the previous scheme, the applicant has now managed to provide all of the cycle parking within the lower ground floor area of Block A. This is a significant improvement upon the previous scheme and will ensure that the cycle parking is both secure and covered. The applicant has also provided details of the rack cycle parking system that will allow a total of 30 cycles. The Highway Authority consider that this number of spaces is more than adequate for the site.

A key aspect with the previous schemes is the need for a car club to mitigate the effect of the limited on site parking. The local planning authority had secured this through a section 106 agreement including a financial contribution for the car club and subsidized bus travel with planning permission 09/01888. At the appeal the applicant offered to provide these measures by a unilateral undertaking without reference to a specific amount. The Planning Inspector accepted that while the Unilateral Undertaking was less strict than the section 106 agreement it was outweighed by the significant advantages of the proposal. The applicant has offered a similar unilateral undertaking with this application and officers accept the approach adopted by the Inspector and the proposal complies with policy CS28.

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

Section 106 Obligations

The applicant has submitted a unilateral undertaking to provide: a travel plan that is regularly reviewed a car club for two vehicles to operate for a minimum of three years and travel passes.

To comply with the Community Infrastructure Levy (CIL) Regulations a section 106 obligation must comply with three tests.

Test One: The obligation is necessary to make the development acceptable in planning terms.

The provision for the car club and travel passes is necessary given the limited on site parking provision to encourage sustainable means of travel and to prevent undue on-street parking in the local area. These are standard planning objectives.

Test Two: The obligation is directly related to the development.

The obligation is directly related to the development because the car club will be based on site for use by the students living in the accommodation. The travel passes will be for these same students.

Test Three: The obligation is fairly and reasonably related in scale and kind to the development.

A subsidised car club of two cars to run for a minimum period of three years that the applicant previously estimated would cost about £52,900 and the provision of travel passes in the region of £4,490 is not excessive and fairly and reasonably relates in scale and kind to the development.

Equalities & Diversities issues

The likely users of the development are students mainly aged 18 – 25 years. It will be available to men and women, people of all faith and race groups and there are two rooms for people with disabilities. The building will be designed to be fully accessible. There is no requirement for Lifetime Homes given its specialized target group. As the site is close to family houses it is essential that the facility is properly run and there is a robust management agreement to ensure that existing residents do not suffer from any undue nuisance and disturbance. It will not have a negative impact on any group.

Conclusions

The principle of the use and design and appearance of the development has been set by the recent appeal decision. This application for a number of minor amendments does not fundamentally change the approved scheme and the alterations to the courtyard and parking arrangements are acceptable. For the reasons set out it is recommended that conditional permission is granted subject to the unilateral undertaking.

Recommendation

In respect of the application dated **28/07/2010** and the submitted drawings, **10792.SD01F, 10792.SD02D, 10792.SD03B, 10792.SD04C, 10792.SD05B, 10792.SD06A, 10792.SD07B, design and access statement and draft unilateral undertaking**

Amended Site Address - Site address on previous notification was incorrect , it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

FLOOD RISK

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

1. Details of the drainage during the construction phase;
2. A timetable of construction;
3. A construction quality control procedure
4. Details of the final drainage scheme;
5. Provision for overland flow routes; and
6. A plan for the future maintenance and management of the system.

Prior to operation of the site it shall be demonstrated to the satisfaction of the

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

Reason:

To prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal to comply with policy CS21 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

LAND QUALITY

(3) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until sections 1 to 3 of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until section 4 has been complied with in relation to that contamination.

1. Site Characterisation

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

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

(ii) an assessment of the potential risks to:

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

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

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

2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The

scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as 2009 contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

4. Reporting of Unexpected Contamination

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

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with section 3.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors to comply with policies CS34 and CS22 of the Adopted Plymouth Core Strategy Development Plan Document.

CODE OF PRACTICE

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

Reason:

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

NOISE ATTENUATION

(5) All bedrooms and living spaces should be designed to meet the 'Good Room Criteria' as set out in BS8233:1999. Particular attention should be paid to the roof structure and the level of mitigation required to achieve this standard on the higher floors given the close proximity to the nearby airport which is a source of high noise levels. Details showing how this standard can be achieved shall be submitted to and approved in writing by the local planning authority before work begins on the superstructure of the development hereby permitted. The development shall be completed in accordance with the approved details.

Reason:

To ensure that the proposed dwellings achieve a satisfactory living standard and do not experience unacceptable levels of noise disturbance to comply with policies CS22 and CS34 of the adopted City of Plymouth Core Strategy Development Plan Document 2007.

STREET DETAILS

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

Reason:

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

ACCESS (CONTRACTORS)

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

Reason:

To ensure an adequate road access at an early stage in the development in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CAR PARKING PROVISION

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

Reason:

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

CYCLE PROVISION

(9) No dwelling shall be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for 30 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

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

Reason:

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

TRAVEL PLAN

(11) The development hereby permitted shall not be occupied until a Travel Plan (TP) has been submitted to and approved in writing by the Local Planning Authority. The said TP shall seek to encourage residents to use modes of transport other than the private car to get to and from the premises. It shall also include measures to control the use of the permitted car parking areas; arrangements for monitoring the use of provisions available through the operation of the TP; 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 TP.

Reason:

In the opinion of the Local Planning Authority, such measures need to be taken in order to reduce reliance on the use of private cars (particularly single occupancy journeys) and to assist in the promotion of more sustainable travel choices in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LANDSCAPE DESIGN PROPOSALS

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

these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc., indicating lines, manholes, supports etc.).

Reason:

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

SOFT LANDSCAPE WORKS

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

Reason:

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

LANDSCAPE WORKS IMPLEMENTATION

(14) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason:

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

DETAILS OF FLOODLIGHTING

(15) Details of any floodlighting shall be submitted to and approved in writing by the Local Planning Authority before the buildings are occupied. Development shall be carried out in accordance with the approved details.

Reason:

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

LANDSCAPE MANAGEMENT PLAN

(16) A landscape management plan, including long term objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be

submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason:

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

STOCKPILING/PROT. OF EXISTING TOPSOIL

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

Reason:

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

DETAILS OF BOUNDARY TREATMENT

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

Reason:

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

EXTERNAL MATERIALS

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

Reason:

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

SURFACING MATERIALS

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

Reason:

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

OCCUPANCY RESTRICTION

(21) The premises shall only be occupied by students in full-time education, a warden (who may not be in full-time education) and by delegates attending conferences or courses during vacation periods and for no other purpose. No such delegate shall occupy the premises for more than four weeks in any calendar year.

Reason:

The proposed development has been designed for the specific use as student accommodation. It is not suited to other residential uses without substantial alterations given the limited internal space per unit, lack of amenity space and limited on-site car parking to comply with policy CS34 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

MANAGEMENT ARRANGEMENTS

(22) The buildings shall not be occupied until details of the arrangements by which the approved student accommodation is to be managed, are submitted to and approved in writing by the local planning authority. Thereafter the property shall continue to be managed permanently in accordance with the agreed management arrangements.

Reason:

To protect the residential amenities of the area to comply with policy CS34 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

RENEWABLE ENERGY

(23) 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 that phase. The report shall identify how a minimum of 10% of the carbon emissions are off-set by on-site renewable energy production methods. 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 building within

that phase of development 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 10% to 15% of predicted carbon emissions comply with Policy CS20 of the adopted City of Plymouth Core Strategy Development Plan Document 2007.

FURTHER DETAILS

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

OBSCURE GLAZING

(25) The subordinate windows in the kitchen/living areas on the northern elevation of Block A shall be glazed in obscure glass with a minimum level of obscuration of level four and be fixed and non-opening.

Reason:

To protect the residential amenities of nearby properties by preventing overlooking and undue disturbance to comply with policy 34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PARKING MANAGEMENT STRATEGY

(26) Prior to the occupation of the buildings a Car Parking Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. The said strategy shall provide information in relation to the control and management of the on-site car parking areas on the site.

Reason:-

To ensure that the use of the limited number of car parking spaces is adequately controlled in order to support the aims and objectives of the Travel Plan in securing modal shift towards the use of sustainable modes of transport and hence reduce the number of single occupancy car journeys being made on the local highway network in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy adopted April 2007.

BREEAM STANDARD

(27) No work shall start on the development hereby permitted until a BREEAM Design Stage Report has been submitted to and approved in writing by the local planning authority demonstrating how the development will achieve the BREEAM Very Good rating. Before either building is occupied a BREEAM

Completion report shall be submitted to and approved in writing by the local planning authority demonstrating that the development has achieved the BREEAM Very Good rating.

Reason:

To ensure that the design of the development includes features that: reduce energy consumption; ensure that water resources are conserved; waste is minimized; and recycling is facilitated to comply with policy CS20 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

USE OF LOADING AREAS

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

Reason:

To ensure that space is available at all times to enable such vehicles to be loaded and unloaded off the public highway so as to avoid:- a. damage to amenity; b. prejudice to public safety and convenience, and c. interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE 1: CODE OF PRACTICE

The management plan required by condition 4 shall be based upon the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web-pages, and shall include sections on the following:

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

INFORMATIVE 2: DETAILS OF THE MANAGEMENT ARRANGEMENTS

The applicant is hereby advised that the management details to be submitted and agreed under condition 22 should comprise the following elements :-

- 1 - At all times to restrict the occupation of the property to bona-fide students who are currently undertaking full time education, a warden who may not be in full-time education and delegates attending conferences or courses during the vacations.
- 2 - To employ a warden who is resident at the property.
- 3 - To include in any tenancy agreement between the owners and student

tenant terms which clearly state the expected standard of conduct including the need to have due consideration to the amenities of the nearby properties and that failure to comply with those requirements may result in the termination of the tenancy and the form of such a tenancy agreement shall be supplied to the Council on request.

4 - To circulate to all premises adjoining the property annually with details of the name, address and telephone number of the person responsible for the management of the property.

5 - The owners shall impose on the person responsible for the management of the property; a strict timescale to include an investigation of any complaint within twenty four hours and a written response within three working days and shall take such steps as are necessary to ensure that the timescale is adhered to.

Statement of Reasons for Approval and Relevant Policies

The proposed residential use is at a sustainable location for students based in the Derriford area and complies with AV9 of the adopted Core Strategy and policies CS01, CS14, CS15 and CS16 and the emerging Derriford and Seaton Area Action Plan. The scale of building is higher than surrounding buildings but is considered acceptable at this prominent 'island' site where a greater density of development is proposed as part of the growth strategy for Derriford. The fear of disturbance from the occupiers of the proposal will be mitigated as the premises will be run as a managed hall of residence with management arrangements to be approved by the local planning authority that will include an on-site warden. The design is satisfactory and would not cause undue harm to visual or residential amenity to comply with policies CS02 and CS34. The parking shortfall will be mitigated by appropriate transport measures including a car club and some bus vouchers as part of the section 106 unilateral undertaking to reduce the pressure of on-street parking on surrounding roads to comply with policies CS28 and CS33 and the Planning

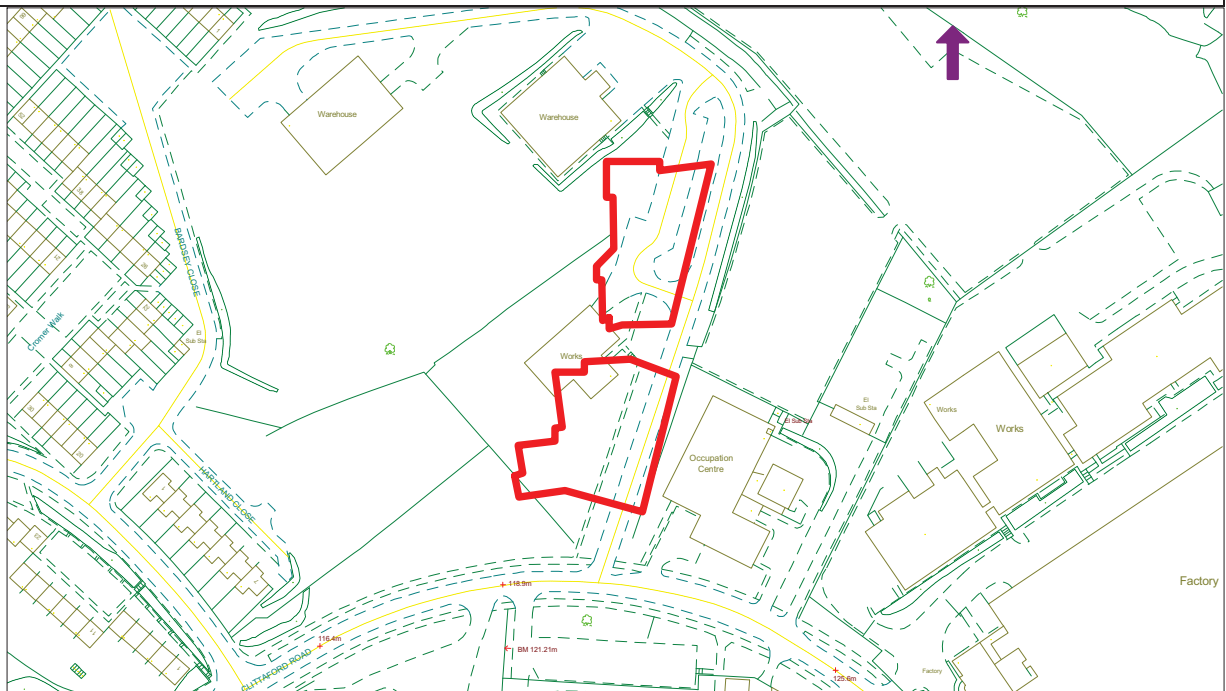
Obligations and Affordable Housing SPD. For these reasons the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (1) policies of the 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:

INFORMATIVE 3 - BREEAM STANDARD

The applicant/developer is advised to make best endeavours to achieve the BREEAM Excellent rating.

PPG13 - Transport
PPS3 - Housing
PPS1 - Delivering Sustainable Development
CS28 - Local Transport Consideration
CS32 - Designing out Crime
CS33 - Community Benefits/Planning Obligation
CS34 - Planning Application Consideration
CS22 - Pollution
CS19 - Wildlife
CS20 - Resource Use
CS21 - Flood Risk
CS22 - Pollution
CS01 - Sustainable Linked Communities
CS02 - Design
CS15 - Housing Provision
CS16 - Housing Sites
SO11 - Delivering a sustainable environment
SO1 - Delivering Plymouth's Strategic Role
SO2 - Delivering the City Vision
SO3 - Delivering Sustainable Linked Communities
SO4 - Delivering the Quality City Targets
SO10 - Delivering Adequate Housing Supply Targets
SO13 - Delivering Sustainable Waste Management Targets
SO14 - Delivering Sustainable Transport Targets
SO15 - Delivering Community Well-being Targets
CS26 - Sustainable Waste Management
SPD2 - Planning Obligations and Affordable Housing
SPD1 - Development Guidelines
SPD3 - Design Supplementary Planning Document

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ITEM: 7**Application Number:** 10/00844/FUL**Applicant:** Taylor Wimpey (UK) Ltd**Description of Application:** Substitution of house types on plots 19-26 and 43-50 approved under reserved matters approvals 08/00474 and 09/00245, and the addition of two extra dwellings, increasing the number over the whole site from 156 to 158 dwellings**Type of Application:** Reserved Matters**Site Address:** AREA 1B CLITTAFORD ROAD SOUTHWAY
PLYMOUTH**Ward:** Southway**Valid Date of Application:** 19/07/2010**8/13 Week Date:** **18/10/2010****Decision Category:** Major Application**Case Officer :** Robert McMillan**Recommendation:** Grant conditionally subject to the completion of a Section 106 with delegated authority to refuse if not complete by 18/10/2010**Click for Application Documents:** www.plymouth.gov.uk

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OFFICERS REPORT

Site Description

The site is part of the former Paper Converting land on the north side of Clittaford Road also known as Phase 1B. It is being developed for housing with several properties occupied in the new street Whitehaven Way. It is the eastern part of the site. There is woodland to the north with Atlantic Inertial Systems (formerly BAE Systems) and PLUSS employment sites to the east, the other part of the former Paper Converting site to the south and housing to the west. The development area as a whole is 3.38 hectares and has a frontage with Clittaford Road of 108 metres. The current application site has an area of 0.335 hectares.

Proposal Description

The proposal is for a substitution of house types and the addition of two dwellings increasing the total for the whole site from 156 to 158. The affected plots are 19 – 26 and 43 – 50. These change from three storeys to two storeys but remain as 13 three bedroom houses and 3 four bedroom properties. There is one additional three bedroom house and a garage building has a second floor added to create a two bedroom flat above. The palette of materials is the same as the existing development comprising, render, timber cladding and some natural stone under slate roofs.

Relevant Planning History

09/00245 – RESERVED MATTERS - Revisions to house types on plots 82 and 110; revisions to layout for plots 92, 93, 116, 117, 121-124 and 153-156 to provide 12 units (instead of 8) and other minor revisions – APPROVED

08/00474 – Reserved matters for the erection of 152 dwellings with associated car parking, access roads and public open space pursuant to outline permission 05/01085 - APPROVED.

05/01085 - Outline application for redevelopment of employment land involving demolition of the former Paper Converting buildings and part of the BAE building and the provision of: 490 dwellings, retention of manufacturing land, business units and live/work units, space for community uses, open spaces and a green 'corridor', a public transport terminal/information point, highways, means of accesses, cycle ways, footways and parking – GRANTED subject to a section 106 agreement.

Consultation Responses

Plymouth City Airport

No objection.

Highway Authority

No objection.

Public Protection Services

No comment.

Representations

None.

Analysis

The main issues with this application are: the principle of increasing the number of dwellings from 156 to 158; and the impact on the design of the estate and visual and residential amenities of the area.

The applicant has changed the house types because it has difficulty selling three storey houses and potential buyers in this part of the city prefer two storey houses. The houses face a landscaped route that links Clittaford Road to a proposed small playground at the northern part of the site. The approved design was for three terraces and three detached houses punctuated with two gaps for gardens. The applicant has closed the gaps by widening the house types and adding a property. There are now four pairs of semi-detached houses and two terraces of three. This creates a more formal street elevation.

The reduction in height does not harm the visual amenity of the area which is characterised by two storey houses.

The other dwelling has been created by adding a floor to the garage building to the rear of plot 157 fronting the main east west street. There is sufficient space between the plots so as not to cause harm to the residential amenity of plot 157 from undue over-dominance and as there are no side windows there is no loss of privacy.

The local highway authority is satisfied that the development and surrounding highways can cater for this slight increase in houses. Housing Services do not object as the applicant agrees to provide an additional affordable house at plot 19 to comply with policy CS15. There also need to be some Lifetime Homes to accord with this policy and officers are negotiating on detailed design matters to meet the required standards.

This is the second application to alter the original approved scheme for the site in 2008, 08/00474. The number of dwelling has increased incrementally from 152 to 158. Officers believe the applicant has now exhausted the scope to add any further properties to this site.

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

Section 106 Obligations

The full tariff is not applicable as 16 of the 18 dwellings are substitute house types that were subject to the section 106 agreement for the outline permission, 05/01085. The applicant agrees to the provision of an additional affordable house at plot 19 to comply with policy CS15.

To comply with the Community Infrastructure Levy (CIL) Regulations a section 106 obligation must comply with three tests.

Test One: The obligation is necessary to make the development acceptable in planning terms.

The provision of one affordable home is necessary in planning terms to comply with policy CS15 and PPS3 to maintain a supply of affordable housing to meet demand.

Test Two: The obligation is directly related to the development.

The obligation is directly related to the development because the proposal creates two additional dwellings on the Phase 1B site that requires one affordable home and this will be provided on the application site.

Test Three: The obligation is fairly and reasonably related in scale and kind to the development.

The provision of one affordable home is fairly and reasonably related to the scale and type of development and complies with policy CS15 and PPS3.

Equalities & Diversities issues

The houses will be available for all equality groups. The developer needs to provide four Lifetime Homes and officers were still negotiating on this aspect when the report was prepared to ensure these needs are met. There is no negative impact on any group.

Conclusions

The changes will not harm the overall design concept for the development or the visual or residential amenities of the area. The proposals are acceptable in accordance with policy complying with policies CS01, CS02, CS15, CS28 and CS34 and the Design and Development Guidelines SPDs.

Recommendation

In respect of the application dated **19/07/2010** and the submitted drawings, **0288-100/Replan, 0288-101/Replan, 0288-102/1/E, 0288-103/Replan, 0288-104/1/Replan, 0288-104/2/Replan, 0288-105/1/Replan, 0288-105/2/Replan, 0288-106/Replan, 0288-108/Replan, 0288-256-258/Replan, design and access statement, addendum transport statement and addendum flood risk assessment** , it is recommended to: **Grant conditionally subject to S106 Obligation**

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.

LANDSCAPE WORKS IMPLEMENTATION

(2) All hard and soft landscape works shall be carried out in accordance with the details approved in compliance with outline planning permission 05/01085 and reserved matters approval 08/00474. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason:

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

LANDSCAPE MANAGEMENT PLAN

(3)The landscape management plan approved pursuant to outline planning permission 05/01085 and reserved matters approval 08/00474 shall be carried out in accordance with the approved schedule.

Reason:

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

MAINTENANCE SCHEDULE

(4)The development shall be carried out in accordance with the maintenance schedule approved pursuant to outline planning permission 05/01085 and reserved matters approval 08/00474.

Reason:

To ensure that satisfactory landscaping works are carried out to comply with policies CS02 and CS34 of the approved City of Plymouth Core Strategy Development Plan Document 2007.

PROVISION OF PARKING AREA

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

Reason:

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

(6) The palette of materials for the external walls shall be as specified on the Materials Plan, drawing number 0288/108/REPLAN.

Reason:

For the avoidance of doubt and to ensure the materials are in keeping with the character and appearance of the area to comply with policies CS02 and CS34 of the approved City of Plymouth Core Strategy Development Plan Document 2007.

RESTRICTIONS ON PERMITTED DEVELOPMENT

(7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order or the 1995 Order with or without modification), no windows or openings shall be created in the eastern flank wall of plot 158 facing plot 157 unless, upon application, planning permission is granted for the development concerned.

Reason:

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

SURFACING MATERIALS

(8) The surfacing materials used in the development shall be the same as those approved carried out in accordance with the details approved pursuant to outline planning permission 05/01085 and reserved matters approval 08/00474.

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

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

Reason:

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

INFORMATIVE 1: CODE OF PRACTICE

The management plan required by condition 4 shall be based upon the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web-pages, and shall include sections on the following:

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

Statement of Reasons for Approval and Relevant Policies

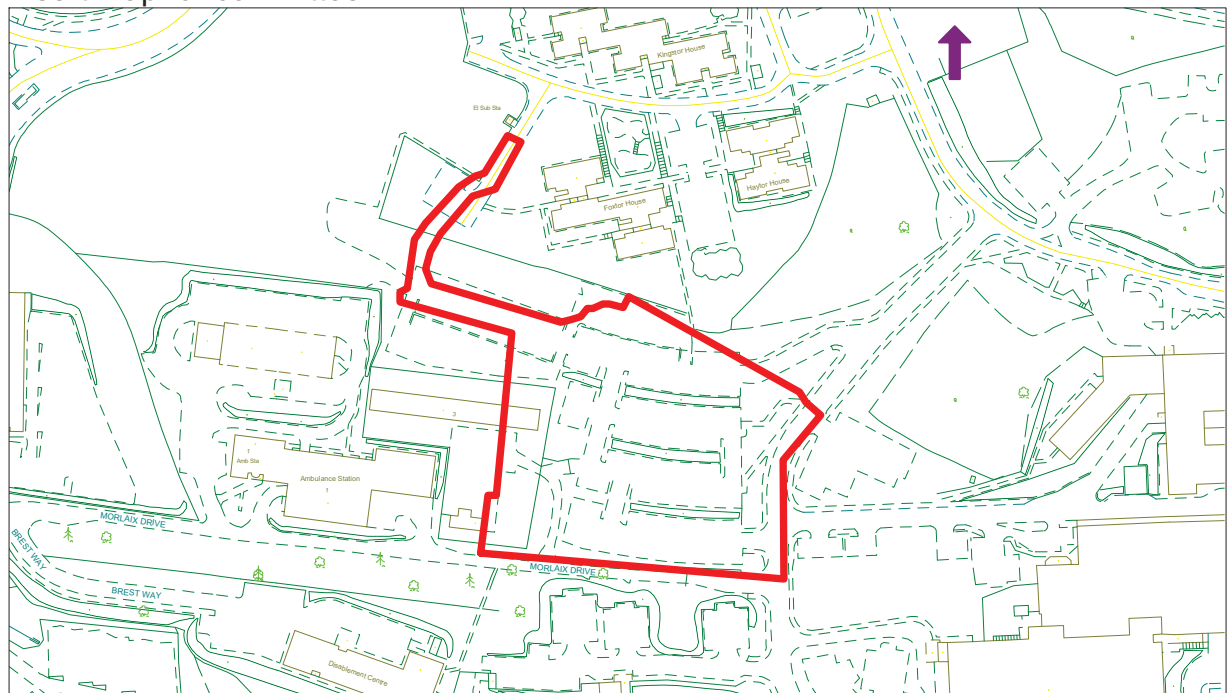
Having regard to the main planning considerations, which in this case are considered to be: the principle of increasing the number of dwellings from 156 to 158 and the impact on the design of the estate and visual and residential amenities of the area, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents 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 (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

PPG13 - Transport
PPS3 - Housing
PPS1 - Delivering Sustainable Development
CS28 - Local Transport Consideration
CS32 - Designing out Crime
CS34 - Planning Application Consideration
CS03 - Historic Environment
CS01 - Sustainable Linked Communities
CS02 - Design
CS15 - Housing Provision
SO1 - Delivering Plymouth's Strategic Role
SO2 - Delivering the City Vision
SO3 - Delivering Sustainable Linked Communities
SO10 - Delivering Adequate Housing Supply Targets
SO14 - Delivering Sustainable Transport Targets
SO15 - Delivering Community Well-being Targets
SPD1 - Development Guidelines
SPD3 - Design Supplementary Planning Document

ITEM: 8

Application Number:	10/01047/FUL
Applicant:	Wharfside Regeneration (Devon) Ltd Plymouth
Description of Application:	Erection of a multi-storey carpark for 627 spaces, B1 Offices, retail units entrance foyer, temporary access and widening of Morlaix Drive. (Amended scheme of planning permission 08/01418)
Type of Application:	Full Application
Site Address:	NORTH WEST QUADRANT, DERRIFORD ROAD PLYMOUTH
Ward:	Moor View
Valid Date of Application:	08/07/2010
8/13 Week Date:	07/10/2010
Decision Category:	Major Application
Case Officer :	Robert McMillan
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk

Insert map for committee.



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OFFICERS REPORT

Site Description

The site is one of the car parks (car park E – lower) that is formed in a series of terraced levels to the west of the main hospital building. It is bounded by the hospital perimeter road, Morlaix Drive, a band of trees and the access road to this car park and other car parks to the north and west. The site area is 0.97ha. The frontage with Morlaix Drive is 111 metres and 75 metres with the perimeter road. It was formerly part of Plymouth Hospitals NHS Trust's (PHT) estate but has been sold to Wharfside Regeneration (Devon) Limited the developers of the North West Quadrant of which this site forms a part. Wharfside Regeneration is contracted to provide the multi storey car park (MSCP) for PHT. There is a car park, former residential blocks and a copse to the north, the cleared copse, small car park to the north-east which form the site for the proposed new entrance, reference 08/0971, and the main hospital building on the east, the Glenbourne Unit to the south, former PHT offices and the ambulance station to the west. The land falls 7m from north to south. There is also a pending major application for the mixed use redevelopment of the NWQ also made by the Wharfside Regeneration, reference, 09/01899.

Proposal Description

Permission was granted for a similar proposal last year, 08/01418. The applicant is re-applying because PHT is not going ahead with the children's nursery on the first floor. This has led to changes to some of the use of the building, while still remaining primarily as a multi storey car park (MSCP) There are alterations to the appearance and the northern access from the High Street.

The proposal is to build a multi-storey car park with over 600 spaces in a broadly rectangular shape with a wider western side (a trapezium). The floor plan at its largest on the first floor would be 68 metres by 72 metres (57 metres on the east). Owing to the slope across the site from north to south and the varying roof heights the height of the building above ground level would vary from 19 metres at the southern elevation to 11 metres on the northern facade.

The proposal comprises:

- A seven storey multi storey car park (MSCP) providing approximately 627 car parking spaces. This would include 44 disabled parking, 70 cycle parking spaces and 24 motorcycle spaces. The proposals will not increase the overall car parking numbers spaces at the hospital;
- A total of 820 sq m gross external of active ground floor commercial units within Use Classes A1: Retail, A2: Financial Services and A3: Restaurant/Café. These ancillary uses are incorporated on the northern and western elevations of the car park.;

- 1,053 sq m of B1 offices on the fourth floor (first floor from the High Street);
- A large foyer area for the MSCP is located on the north eastern elevation to connect with the proposed pedestrian crossing serving the new main hospital entrance;
- Other functional space relating to the MSCP including a manager suite, public toilet, plant, refuse and foyer area;
- There are two vehicular accesses on the north and south elevations. The northern one served by the perimeter road and the new “High Street” and the southern one from the widened Morlaix Drive;
- A public terraced area along the western boundary of the MSCP that fronts onto the future landscaped green link. This is at ground floor level at its northern end and 1-2 floor height at the southern end. It is 7.5 – 9 metres wide. It wraps around the southern and eastern elevations into a narrow footway 1.6 metres wide providing an alternative route to the main hospital entrance;
- There are three lift and stair well cores in the north west, north east and south west corners and two pedestrian accesses from the terrace on the second floor;
- The main materials are “green walls” which comprise Boston Ivy planting around steel wires, powder coated steel bars and timber cladding. The shop fronts on the northern and western elevations would be glazed as would the offices above fronting the High Street;
- There would be a part green sedum roof performing the functions of surface water attenuation and drainage, recreational, ecological and visual enhancement.; and
- Landscaping will be provided around the edges of the site.

Relevant Planning History

Application site

08/01418 – FULL - Erection of a multi-storey car park for 627 spaces a children's day nursery, retail units a temporary access and widening of Morlaix Drive – GRANTED.

North West Quadrant

09/01899 – OUTLINE - mixed use development including: 356 dwellings, D1 non residential institutions including healthcare, C2 residential institutions, A1 retail foodstore, smaller A1 shops, A2 financial and professional services, A3 restaurants and cafes, A4 bars, A5 hot food takeaways, B1 offices, C1 hotel, car parking, highways and accesses, public open space, landscaping, transport infrastructure and pedestrian links and cycle provision – PENDING DETERMINATION.

Derriford Hospital

08/00971 - Erection of a new western main entrance and bridge link to the hospital and reconfigured public transport drop-off and new vehicle drop off area – GRANTED subject to a Section 106 Agreement. This is still to be implemented but the bus lane the subject of the section 106 agreement has been constructed.

Consultation Responses

Highways Agency

No objection and directs that a condition be attached requiring a construction management plan.

Environment Agency

No objection subject to conditions relating to surface water management, contaminated land and avoidance of pollution during construction.

Highway Authority

No objection subject to conditions.

Public Protection Services

No objection subject to conditions relating to the reporting of unexpected contamination and a code of practice.

Representations

None.

Analysis

The main issues with this application relate to: relationship with the phased development of the North West Quadrant (NWQ); relationship with Derriford Hospital; design; traffic movement and parking; nature conservation; and sustainability

Background

This application must be considered in the context of its relationship with the North West Quadrant and Derriford Hospital particularly the proposed new western entrance. It is similar to the multi storey car park (MSCP) members granted permission last year – 08/01418.

Main changes from the previous scheme

The main differences have been brought about as Plymouth Hospitals Trust (PHT) no longer wish to use part of the building for a children's nursery together with other changes. These comprise:

1. Substitution of the nursery space with 1053 sq m of B1 office space on the northern side of the fourth floor (first floor from the High Street);
2. Increase in the A1 – A3 shops, financial and business services and restaurant and café floorspace by 150 sq m from 670 sq m to 819.7 sq m;
3. Car park entrance from the northern 'high street' widened from two to three lanes;

4. Addition of a plant room to the fifth floor on the north side;
5. Changes to the northern elevational treatment from the patterned metal work to glazing given the change from nursery to offices; and
6. Changes to the internal layout and servicing arrangements.

North West Quadrant

The joint applicant and developer, Wharfside Regeneration acquired the North West Quadrant site (NWQ) from the Plymouth Hospitals Trust (PHT), the other joint applicant. This land comprises former staff accommodation, The Rowans and car parks. It is the land bounded by Derriford Road, the hospital western loop and perimeter roads, Morlaix Drive, the Ambulance station and the Norwich Union building. The application site for the Multi Storey Car Park (MSCP) is in the south east corner of the NWQ site opposite the main hospital building and close to the proposed new main entrance.

Wharfside Regeneration has a contractual obligation with Trust to provide the car park for the Trust originally by 2010 which presumably has been extended. It is the first phase of the development of the NWQ. The applicant made an the outline application for the masterplan development of the NWQ wider area last year – 09/01899. It has been deferred at the applicant's request and in response to a holding direction from the Highways Agency until November 2010. This is sensible as the Council are preparing a revised version of the Derriford and Seaton Area Action Plan Issues and Preferred Option (DSAAP) that as anticipated to be reported to Cabinet at the end of the year. The current proposals are for a major strategic mixed use development of housing, medical and health care related uses commercial and retail. If it obtained permission and given the current economic circumstances, it would built in phases.

The design of the MSCP is influenced by the emerging masterplan especially in terms of the structure of spaces, street hierarchy, movement and access, design and landscaping to ensure that this proposal is fully integrated with the wider masterplan. This is why there are active frontage on the northern and western facades and the routes to the MSCP and accesses are where they are.

Further development above the MSCP

It is important that members appreciate that this is the first phase not only of the wider NWQ area but of this building too. The applicant intends to extend over the roof of the car park on the western and eastern sides by an additional four to five storeys. The current intended uses would be a nursing/care home, flats and/or offices. This would be subject to a separate planning application.

Relationship with Derriford Hospital

The MSCP will be built by the developer but managed on behalf of PHT and will be the main public car park for patients and visitors to the hospital. It is a key component of the PHT's development programme and is closely related to the proposed new entrance nearby. This was granted permission last year but the start has been delayed.

These two proposals are closely inter-related. The access to and from the car park and hospital entrance must be considered comprehensively. The area will undergo major change within the next 15 years, not least with fundamental modifications to the highway network including a re-modelling of the Derriford roundabout junction and routes in and around the area. The details of these will emerge in the evolving Derriford and Seaton Action Area Plan (DSAAP). New temporary and permanent solutions will be needed to cope with the new developments. One of these includes the new bus lane constructed from the proposed public transport interchange (PTI) to Derriford Road alongside the western loop road. The PTI formed part of the scheme for the new hospital entrance. The bus lane was an obligation in the section 106 agreement for the new hospital entrance affecting land owned by both applicants. The access arrangements, bus movements, pedestrian and cyclist facilities must be considered jointly by Wharfside Regeneration, PHT and PCC to ensure that workable solutions are achieved.

Principle

The principle of the mixed use development including a modest amount A1-A3 shop, financial and professional services and restaurant/café uses around some of the edges of the building is established by the existing permission. This accords with the current DSAAP in paragraphs 4.51-4.52 which proposes a local centre at the NWQ of no more than 2,300 sq m so as not to conflict with the proposed district centre at Derriford.

The offices are a new element but comply with the economic strategy in the Core Strategy as Strategic Objective 6.5 promotes the development of a 'bi-polar' economy with strong and complementary employment centres at the City Centre and Derriford. Policy CS04.4&5 emphasises the importance of Derriford as a strategic employment area to enable it to become the City's secondary office location. The current draft DSAAP sets a figure of 1.200 sq m of business floorspace within the Central Area of which this site forms a part. If permitted it would leave a balance of 146 sq m. This amount could be reviewed in the forthcoming version of the DSAAP.

Design

The broad principles of the design of the the MSCP in terms of layout, bulk, height, massing and appearance are established by the existing permission. This followed considerable debate and negotiation on design matters with that proposal. Officers had urged the applicant to provide more active frontages to the southern and eastern elevations. This accords with The English Partnerships document "Car parking, what works where", endorsed by CABE. Such an approach contributes to a more lively street scene and provides more overlooking to improve security.

The applicants have provided active frontages on the northern and western elevations the foyer on the north eastern corner and shop/A2 office/café use in the south west corner. More active frontage would improve the scheme but officers believe there is sufficient active frontages to comply with policy CS02.

The main changes from the approved scheme are:

- The widening of the northern vehicular entrance from two lanes to three lanes;
- Alterations to the elevational treatment on the northern elevation; and
- Treatment of the plant room on the sixth floor

The northern entrance has been widened to increase the capacity to reduce the level of queuing that would cause congestion on the 'High Street' and perimeter road. In design terms this does create a conflict with pedestrians using the footway on the south side of the 'High Street' but there will be a footway on the north side with crossings provided. This is unfortunate but to be expected as the main function of the development is as a car park. In the future the Morlaix Drive entrance could become the major entrance. If that happened there could then be scope possibly to reduce the width of the northern entrance.

The sedum roof of a covered play area on the sixth floor has been replaced with a plant room. Officers have negotiated with the applicants to screen the plant room with timber cladding which will provide an acceptable appearance.

The northern façade was proposed to have an interesting treatment for the nursery of part glazing and part patterned perforated screen panels. Now the use has changed to offices the treatment will be glazing. This is not as imaginative as the previous proposal particularly at the north east corner but is functional.

Officers are still negotiating on these three issues and will update members at the committee meeting.

The principle of the design and imaginative use of materials for a building with a main use as a car park is satisfactory and complies in general with policies CS01, CS02 and CS34.

Transport

The main change from the previous application in transport terms is the change of use of the nursery to offices. This generates less traffic generation so there are no objections in principle.

The parking charging regime shall be managed so that it does not encourage all-day parking by people working in the offices. The new lane at the northern entrance from the 'High Street' is acceptable in highway terms. The dedicated loading/unloading bay on the High Street will require a Traffic Regulation Order.

The drawings must be consistent with those prepared by the applicants' consultants for the discharge of conditions relating to the access arrangements on Morlaix Drive for the existing permission as this part of the development has not changed. The five cycle spaces serving the offices should be secure and located together and only accessible for staff at the offices. The proposal subject to conditions is acceptable and complies with conditions CS27, CS28 and CS34.

Nature conservation and trees

The hedgebank and trees to the west of the site will have to be removed owing to a gas main passing through the land and the need for soakaways and further drainage infrastructure for this scheme and later phases of the NWQ development. It is used as a flight path and foraging area for bats. A nature conservation and landscape mitigation programme was agreed for the recent permitted development. This will be in two phases. Phase one includes a new hedgeline of native species north of the protected Plymouth Pear. Phase two will be further landscaping after the drainage infrastructure has been installed and will be provided as part of the larger NWQ development. If this development does not happen condition 8 safeguards its implementation.

The mitigation measures and planting will mature over time to improve the quality of the green space, retain the protected bats' habitat and provide biodiversity enhancement to comply with policies CS18 and CS19.

Sustainability

With the approved scheme applicants agreed to providing 10% on site renewable energy for the shop and nursery uses but not to the car park which would be lit and ventilated but not heated. Neither did the applicants agree to make a contribution for off site renewable energy schemes in accordance with policy CS20 on grounds of viability. The local planning authority agreed to this approach.

With the current proposal the applicants are still proposing to provide 10% on site renewable energy production for the non-car park uses. But they have reduced the amount of photovoltaic panels and provided air source heat pumps but these are not recognised by this authority as full on site renewable energy production. Also the percentage requirement has now increased from 10% to 15%. The on-site renewable energy production issue still needs to be resolved and it is proposed to do this by condition in order not to delay the decision.

This was a controversial matter as there are no exceptions and the policy if strictly applied relates to all non-residential developments over 1,000 sq m. But the applicant's position is understood. Car parks in city centres such as London and Bristol can command high values and profitable revenue streams. This is less so in suburban locations for a hospital car park for mainly public

use. It is a sensitive issue with hospital parking where charges must be set at reasonable rates. This case can be distinguished from commercial uses and will not set a precedent for future commercial and residential schemes at the NWQ. In these special circumstances a relaxation of the policy is considered to be acceptable.

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

Section 106 Obligations

None required as the applicants have provided the bus lane in the section 106 agreement attached to the permission for the new hospital entrance and public transport interchange, 08/00971.

Equalities & Diversities issues

The development will be available for all equality groups and will have full accessibility and provides 44 parking spaces for people with disabilities. It will not have a negative impact on any group.

Conclusions

This application for a multi storey car park (MSCP) is another key development in the Derriford area as the first phase of the North West Quadrant (NWQ) site. It is integral to Plymouth Hospitals Trust's ambitious development programme and the new main entrance to the hospital. It has been developed to ensure that it fits in and complements the masterplan for the NWQ with the High Street on its northern side with retail units that will draw people from the hospital up the street to other retail and commercial uses that will be provided in later phases. It complements the proposed new hospital entrance and the links and routes will be strengthened when the pedestrian crossings across the roads have been fully designed and installed.

The design would have been improved further if the applicant had been able to provide more active frontages on the southern and eastern elevations but the applicant believes it has provided sufficient activity under the constraints of the site and PHT's requirements. The treatment of the southern façade and most of the eastern elevation has not changed from the approved scheme and is satisfactory. The skilful and imaginative use of materials will soften the impact of a large MSCP and the design is acceptable. The proposal will have little or no effect on traffic generation on the congested Derriford road network. But the change in flows with much more traffic using the western junction with Derriford Road would have local impacts especially on buses unless mitigation measures are provided. The applicants have provided a new bus lane from the proposed public transport interchange to Derriford Road.

This has improved the bus services at the hospital by reducing delays and queuing. A signing strategy and possible detailed changes at the High Street entrance should ease movements in busy times when queuing could occur.

In summary the benefits of the application particularly in relation to PHT's development programme and integration with the proposed future phased development of the NWQ outweigh the sustainability shortcomings and the application is acceptable.

Recommendation

In respect of the application dated **08/07/2010** and the submitted drawings, **1200-10-001, 1200-11-001, 1200-11-002, 1200-11-003, 1200-11-004, 1200-11-005, 1200-11-006, 1200-11-007, 1200-11-008, 1200-11-009, 1200-12-001, 1200-12-002, 1200-12-003, 1200-12-004, 1200-12-005, 1200-11-010-landscape plan, 1200-11-011-landscape plan, 1200-13-001, 1200-13-002, 1200-13-004, 1200-13-005, addendum to previous design and access statement, addendum letter to previous flood risk assessment, addendum to previous energy statement** , it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

SURFACE WATER DRAINAGE

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

- the drainage scheme layout
- provision for overland flow routes
- details of the drainage during the construction phase
- a construction quality control procedure
- a timetable of construction
- a plan for the future maintenance and management of the system.

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

Reason:

To prevent the increased risk of flooding by ensuring the provision of a

satisfactory means of surface water disposal to comply with policy CS21 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

UNIDENTIFIED CONTAMINATION

(3) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason:

To prevent pollution of the water environment. Although the intrusive investigation has not revealed significantly elevated contaminant concentrations, a small risk remains that contamination not previously identified will be encountered during construction to comply with policy CS22 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

CONSTRUCTION MANAGEMENT PLAN

(4) The construction of the development hereby permitted shall not commence until there has been submitted to and approved in writing by the local planning authority (in consultation with the Secretary of State for Transport and Plymouth City Council) a construction management plan. The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice and a scheme to encourage the use of Public Transport amongst contractors. The development plan shall be carried out strictly in accordance with the approved construction management plan.

Reason:

In the interests of highway safety and the efficient operation of the trunk road network to comply with policies CS27 and CS28 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

LANDSCAPE DESIGN PROPOSALS

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

Reason:

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

SOFT LANDSCAPE WORKS

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

Reason:

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

LANDSCAPE WORKS IMPLEMENTATION

(7) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason:

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

LANDSCAPING FOR PHASE TWO OF THE GREEN LINK

(8) If the landscaping scheme for the proposed later masterplan phase of development of the North West Quadrant, that also includes the green link to the west of the development hereby permitted, is not implemented within five years from the date of this permission, details of the landscaping for phase two of the green link shall be submitted to and approved by the local planning authority within five years from the date of this permission. The details shall include the matters set out in condition 5. The scheme shall be carried out in the planting season following the approval of the details.

Reason:

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

DETAILS OF FLOODLIGHTING

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

Reason:

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

LANDSCAPE MANAGEMENT PLAN

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

Reason:

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

MAINTENANCE SCHEDULE

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

Reason:

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

TREE REPLACEMENT

(12)If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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 are subsequently properly maintained, if necessary by replacement.

EXISTING TREE/HEDGEROWS TO BE RETAINED

(13) 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 the occupation of the building for its permitted use.

(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.

STREET DETAILS

(14) Development shall not begin until details of the design, layout, levels, gradients, materials and method of construction and drainage of all roads and footways forming part of the development have been submitted to and approved in writing by the Local Planning Authority.

Reason:

To provide a road and footpath pattern that secures a safe and convenient environment and to satisfactory standard in accordance with Policy CS28 of the Core Strategy adopted April 2007.

ACCESS (CONTRACTORS)

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

highway in a position and a manner to be agreed with the Local Planning Authority.

Reason:

To ensure an adequate road access at an early stage in the development in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PEDESTRIAN/CYCLE ACCESS

(16)The use of the multi storey car park shall not commence until a means of access for both pedestrians and cyclists has been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that an appropriate and safe access is provided in the interests of public safety, convenience and amenity in accordance with Policy CS28 of the Core Strategy adopted April 2007.

DETAILS OF NEW JUNCTION

(17)No work on the construction of the multi-storey car park shall commence until details of the junction between the existing Hospital Perimeter Road and North West Quadrant High Street including the pedestrian crossings have been submitted to and approved in writing by the Local Planning Authority; and the use of the facility shall not commence until that junction has been constructed in accordance with the approved details.

Reason:

To ensure that an appropriate and safe access is provided for all users of the highway in the interests of public safety, convenience and amenity and to comply with policy CS28 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

CAR PARKING PROVISION

(18)The development shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for a maximum of 627 cars to be parked.

Reason:

In the opinion of the Local Planning Authority, although some provision needs to be made, the level of car parking provision should be limited in order to assist the promotion of sustainable travel choices to comply with policy CS28 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

CAR PARKING MANAGEMENT STRATEGY

(19)Prior to the commencement of the use of the multi-storey car park a site-wide Car Parking Management Strategy shall be submitted to and approved by the Local Planning Authority. The said strategy shall provide information in

relation to the allocation and use of car parking across the entire Derriford Hospital site and include specific measures relating to the use and control of the proposed multi-storey car park (enforcement, charging, hours of operation etc) taking into account future demands of any adjoining development sites

Reason:

To ensure that the level of car parking provided and the use of those spaces is properly controlled in order to support the aims and objectives of the Derriford Hospital Travel Plan in securing a greater level of modal shift towards the use of sustainable modes of transport and hence reduce the number of single car journeys being made on the highway network to comply with policy CS28 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

SIGNING STRATEGY

(20)The use of the multi-storey car park hereby proposed shall not commence until a Signing Strategy has been implemented in accordance with details submitted to and approved in writing by the Local Planning Authority. The said strategy shall include the provision of Variable Message Signing (VMS) to control the movement of traffic to and from the multi-storey car park.

Reason:

To ensure that destinations within the Hospital Campus are clearly signed from local highway network in order to adequately control the movement of all modes of transport on the site (including pedestrians and cyclists) in the interests of highway safety and convenience and to comply with policy CS28 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

CYCLE PROVISION

(21)The use of the car park shall not commence until space has been laid out within the building in accordance with the approved drawings for 70 bicycles to be parked.

Reason:

In order to promote cycling as an alternative to the use of private cars to comply with policy CS28 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

CYCLE STORAGE

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

Reason:

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

USE OF LOADING AREAS

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

Reason:

To ensure that space is available at all times to enable such vehicles to be loaded and unloaded off the public highway so as to avoid:- a. damage to amenity; b. prejudice to public safety and convenience, and c. interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

TRAVEL PLAN

(24)The use of the multi-storey car park hereby permitted shall not commence until an updated Derriford Hospital Travel Plan (TP) has been submitted to and approved in writing by the Local Planning Authority. The updated TP shall include those changes arising from the creation of the multi-storey car park and shall continue to encourage staff to use modes of transport other than the private car to get to and from the hospital. It shall also include measures to control the use of the permitted car parking areas (taking into account the Car Parking Management Strategy); arrangements for monitoring the use of provisions available through the operation of the TP; and the name, position and contact telephone number of the person responsible for it's continued implementation.

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 to comply with policy CS28 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

TRAFFIC REGULATION ORDER

(25)The use of the loading/unloading bay on the High Street shall not commence until the applicant has funded the implementation of a Traffic Regulation Order relating to the use of this facility.

Reason:

To ensure that the use of the proposed loading/unloading bay serving the retail units is properly controlled in the interests of highway safety and convenience to comply with policies CS28 and CS34 of the adopted City of Plymouth Core Strategy Development Plan Document 2007

EXTERNAL MATERIALS

(26)No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local

Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

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

SURFACING MATERIALS

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

Reason:

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

CODE OF PRACTICE

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

Reason:

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

OPENING HOURS

(29)The use of the A1, A2 and A3 premises hereby permitted shall not be open to customers outside the following times: 08.00 - 23.00 hours Mondays to Saturdays inclusive and 10.00 - 22.00 hours on Sundays and Bank or Public Holidays.

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

USE CLASS A1, A2 AND A3 FLOORSPACE

(30)The floorspace of the Use Class A1, A2 and A3 retail premises hereby permitted shall not exceed 820 square metres (gross external).

Reason:

To ensure that the amount of retail floorspace complies with the city's retail hierarchy and area vision for Deriford to comply with policy CS07 and AV9 of the adopted Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SPECIFIED USE RESTRICTION - RETAIL USES

(31)The retail premises shall be used for Use Class A1 shops, A2 financial and professional services and A3 restaurants and cafes and for no other purposes including any other purpose in Use Class A4 drinking establishments or A5 hot food takeaways of the Schedule to the Town and Country (Use Classes) Order 1987 as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason:

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

B1 BUSINESS FLOORSPACE

(32) The B1 business floorspace hereby permitted shall not exceed 1053 square metres (external gross).

Reason:

To ensure that the local planning authority retains control over the size of the B1 business floorspace in the interests of highway safety and to avoid congestion on the surrounding to comply with policies CS27 and CS28 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

A1, A2 AND A3 UNITS

The four A1, A2 and A3 shop units on the second floor fronting the High Street comprising 336.4 square metres internal floorspace shall remain as four separate units and no parts shall amalgamate to form a fewer number of units and the space shall not be subdivided in a different layout from that shown on drawing number 1200-11-004 without the prior written permission of the local planning authority.

Reason:

The local planning authority wishes to control the size of unit at this location so as not to have an adverse impact on the retail hierarchy of the city in particular the proposed Derriford district centre to comply with policies CS07 and CS08 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

BAT MITIGATION STRATEGY

(34) Prior to commencement of development a detailed bat mitigation strategy shall be submitted to and approved by the Local Planning Authority in writing in accordance with the details proposed in the Drawing 'Landscape Plan' revision C. The mitigation strategy shall include detailed phasing of the mitigation, exact planting details, lighting strategy, and the long term management of the area.

Reason:

To ensure mitigation is established prior to the removal of the existing corridor feature and future management of this area is secured to comply with policy CS19 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

PHASING OF HEDGE PLANTING AND REMOVAL

(35) The existing hedgerow to the west of the proposed building hereby permitted on land controlled by the applicant shall not be removed until the replacement hedgerow as detailed on the Drawing 'Landscape Plan' revision C has been planted and is established.

Reason:

To ensure the continuation of a functioning bat corridor to comply with policy CS19 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

FURTHER DETAILS

(36) Notwithstanding the submitted drawings no work shall commence on site until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz:- the treatment of the northern vehicular access from the High Street and the treatment to the north east corner of the building hereby permitted. 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.

RENEWABLE ENERGY

(37) 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. The report shall identify how a proportion of the carbon emissions are off-set by on-site renewable energy production methods. The proportion shall be the same percentage as that agreed for planning permission 08/01418. 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 building within that phase of development 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 10% to 15% of predicted carbon emissions comply with Policy CS20 of the adopted City of Plymouth 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.

Statement of Reasons for Approval and Relevant Policies

the main planning considerations, in this case are considered to be: relationship with the phased development of the North West Quadrant (NWQ); relationship with Derriford Hospital; design; traffic movement and parking; nature conservation; and sustainability. The proposal does not comply fully with policy CS20 as it will not provide 10% renewable energy production on-site. This is considered to be acceptable given the facts and circumstances of this case as the main use is as a car park mainly for public use for a hospital at a suburban location. The proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c)

relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, as follows:

PPG13 - Transport
PPS9 - Biodiversity and geological conservation
PPS1 - Delivering Sustainable Development
PPS22 - Renewable Energy
CS32 - Designing out Crime
CS34 - Planning Application Consideration
CS22 - Pollution
CS07 - Plymouth Retail Hierarchy
CS08 - Retail Development Considerations
CS18 - Plymouth's Green Space
CS19 - Wildlife
CS20 - Resource Use
CS21 - Flood Risk
CS22 - Pollution
CS01 - Sustainable Linked Communities
CS02 - Design
CS04 - Future Employment Provision
SO11 - Delivering a sustainable environment
SO1 - Delivering Plymouth's Strategic Role
SO2 - Delivering the City Vision
SO6 - Delivering the Economic Strategy Targets
SO7 - Delivering Adequate Shopping Provision Targets
SO9 - Delivering Educational Improvements
SO14 - Delivering Sustainable Transport Targets
SO15 - Delivering Community Well-being Targets
CS31 - Healthcare Provision
CS27 - Supporting Strategic Infrastructure Proposals
SPD1 - Development Guidelines
SPD3 - Design Supplementary Planning Document
PPS4 - Economic Growth

PLANNING COMMITTEE

Decisions issued for the following period: 17 August 2010 to 13 September 2010

Note - This list includes:

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

Item No 1

Application Number: 09/01739/FUL **Applicant:** Harlyn Sands Retirement &
Application Type: Full Application
Description of Development: Change of use of former social club to nursery and day care centre for up to 50 children aged 3 months to 12 years
Site BEACON CASTLE SPORTS AND SOCIAL CLUB CHANNEL PARK AVENUE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 17/08/2010
Decision: Grant Conditionally

Item No 2

Application Number: 09/01790/FUL **Applicant:** Mr Paul White
Application Type: Full Application
Description of Development: Retention of 1.8m high boundary fence, and continuation of use of land as private garden
Site LAND ADJ 19 NICHOLSON ROAD CROWNHILL PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 27/08/2010
Decision: Grant Conditionally

Item No 3

Application Number: 09/01832/FUL **Applicant:** Mr Steve Gascoyne
Application Type: Full Application
Description of Development: Two-storey side extension
Site 49 LYMPNE AVENUE ERNESETTLE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 27/08/2010
Decision: Grant Conditionally

Item No 4

Application Number: 10/00100/FUL **Applicant:** University College Plymouth St
Application Type: Full Application
Description of Development: Creation of a new main entrance/reception area comprising partial demolition and new build, new campus vehicular access to and from classified road, new car parking area, and associated works
Site MARJON, PLYMBRIDGE LANE PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 23/08/2010
Decision: Grant Subject to S106 Obligation - Full

Item No 5

Application Number: 10/00174/FUL **Applicant:** Mr and Mrs S Rowland
Application Type: Full Application
Description of Development: Use of land as base for travelling showpeople (3 families)
Site LAND AT BELL CLOSE (EAST OF PARKSTONE LANE)
NEWNHAM INDUSTRIAL ESTATE PLYMPTON PLYMOUTH
Case Officer: Jon Fox
Decision Date: 06/09/2010
Decision: Refuse

Item No 6

Application Number: 10/00518/FUL **Applicant:** Mr David Phillips
Application Type: Full Application
Description of Development: Construction of boundary wall around garden, extension of existing driveway and landscaping
Site 451 TAUNTON AVENUE PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 18/08/2010
Decision: Refuse

Item No 7

Application Number: 10/00638/FUL **Applicant:** Mrs B Foster
Application Type: Full Application
Description of Development: Single storey side/front extension to provide new garage (existing garage to provide additional living space)
Site 20 CULVER CLOSE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 27/08/2010
Decision: Grant Conditionally

Item No 8

Application Number: 10/00657/FUL **Applicant:** Millbridge Builders
Application Type: Full Application
Description of Development: Change of use and conversion of building at rear to form dwellinghouse
Site 17 WILTON STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 20/08/2010
Decision: Refuse

Item No 9

Application Number: 10/00667/FUL **Applicant:** West Hoe Guest House
Application Type: Full Application
Description of Development: Change of use of part of ground floor to café/delicatessen
Site 26 PIER STREET WEST HOE PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 02/09/2010
Decision: Grant Conditionally

Item No 10

Application Number: 10/00668/FUL **Applicant:** Mr R White
Application Type: Full Application
Description of Development: Change of use from dwellinghouse to two flats
Site 1 CHUDLEIGH ROAD PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 10/09/2010
Decision: Refuse

Item No 11

Application Number: 10/00671/LBC **Applicant:** Mount Wise (Guernsey) Ltd
Application Type: Listed Building
Description of Development: Alterations, extension and works of conversion, in association with the creation of B1 office space within buildings (as previously approved under ref: 07/00014/LBC)
Site FORMER MOD MOUNT WISE DEVONPORT PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 27/08/2010
Decision: Grant Conditionally

Item No 12

Application Number: 10/00681/FUL **Applicant:** BDW Trading Ltd
Application Type: Full Application
Description of Development: Erection of 61 dwellings with associated access road and parking areas
Site FORMER SITE OF BARNE BARTON PRIMARY SCHOOL, POOLE PARK ROAD PLYMOUTH
Case Officer: Carly Francis
Decision Date: 03/09/2010
Decision: Granted Conditionally S106

Item No 13

Application Number: 10/00699/FUL **Applicant:** Mr R Backaller
Application Type: Full Application
Description of Development: First-floor side extension
Site 30 TILLARD CLOSE PLYMPTON PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 19/08/2010
Decision: Grant Conditionally

Item No 14

Application Number: 10/00711/OU **Applicant:** South-west Property
Application Type: Outline Application
Description of Development: Outline application to develop land by erection of three 4-bedroomed 100sqm floor area detached dwellinghouses
Site LAND TO THE REAR OF 7-11 UNDERWOOD ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 03/09/2010
Decision: Refuse

Item No 15

Application Number: 10/00717/FUL **Applicant:** Maddalane Care Home
Application Type: Full Application
Description of Development: Change of use, conversion and alteration of ground-floor flat (no. 160) to extend the use of the residential home for the elderly (no. 158)
Site 158 AND 160 VICTORIA ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 03/09/2010
Decision: Grant Conditionally

Item No 16

Application Number: 10/00730/FUL **Applicant:** St Boniface's College
Application Type: Full Application
Description of Development: Retention of 2.4 metre high security paladin fencing (addition to 10/00063)
Site ST BONIFACE CATHOLIC COLLEGE,21 BONIFACE LANE PLYMOUTH
Case Officer: Janine Warne
Decision Date: 19/08/2010
Decision: Grant Conditionally

Item No 17

Application Number: 10/00753/FUL **Applicant:** Mr Brian Puddeford
Application Type: Full Application
Description of Development: Installation of photovoltaic panels to garage roof
Site 4 UNDERHILL ROAD STOKE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 07/09/2010
Decision: Grant Conditionally

Item No 18

Application Number: 10/00756/FUL **Applicant:** Plymouth College of Art
Application Type: Full Application
Description of Development: Installation of fencing around boundary and installation of gate at entrance
Site PLYMOUTH COLLEGE OF ART, TAVISTOCK PLACE
PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 27/08/2010
Decision: Grant Conditionally

Item No 19

Application Number: 10/00770/FUL **Applicant:** Mrs Sarah Conn
Application Type: Full Application
Description of Development: Rear conservatory
Site 2 NORTH DOWN CRESCENT PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 10/09/2010
Decision: Grant Conditionally

Item No 20

Application Number: 10/00775/FUL **Applicant:** Mr Ian Bailey
Application Type: Full Application
Description of Development: Develop part of garden by erection of detached dwellinghouse with new driveway
Site 8 MARISTOW CLOSE PLYMOUTH
Case Officer: Carly Francis
Decision Date: 20/08/2010
Decision: Refuse

Item No 21

Application Number: 10/00776/RE **Applicant:** Mr A Nutbean
Application Type: Reserved Matters
Description of Development: Demolish dwelling and develop site by erection of 3 detached dwellings (approval of reserved matters)
Site 25 COLTNESS ROAD PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 31/08/2010
Decision: Grant Conditionally

Item No 22

Application Number: 10/00811/FUL **Applicant:** Mrs Pari Smith and Mr Ralph
Application Type: Full Application
Description of Development: Change of use from residential to dental surgery
Site 22 SPRINGFIELD ROAD PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 20/08/2010
Decision: Grant Conditionally

Item No 23

Application Number: 10/00842/FUL **Applicant:** Apollo Five Ltd
Application Type: Full Application
Description of Development: Change of use from dwellinghouse (C3) to house in multiple occupation (C4)
Site 35 RIDGE PARK AVENUE PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 23/08/2010
Decision: Refuse

Item No 24

Application Number: 10/00846/LBC **Applicant:** Dr S Barton
Application Type: Listed Building
Description of Development: Replacement of external basement front door and internal basement repairs
Site 42 DURNFORD STREET PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 26/08/2010
Decision: Grant Conditionally

Item No 25

Application Number: 10/00851/OU **Applicant:** Mr H Shibl
Application Type: Outline Application
Description of Development: Erection of 5 storey building containing 21 student cluster flats (250 bedrooms) and 14 one bedroom self contained flats all for occupation by students in full time education with ancillary wardens office and separate building containing retail (use class A1) unit with 2 bedroom flat above and associated car parking, public open space and cycle path
Site FORMER TOTHILL SIDINGS LAND SOUTH OF KNIGHTON ROAD PLYMOUTH
Case Officer: Robert Heard
Decision Date: 07/09/2010
Decision: Grant Subject to S106 Obligation - Outline

Item No 26

Application Number: 10/00855/PR **Applicant:** Mr Stephen Campbell
Application Type: LDC Proposed Develop
Description of Development: Single-storey side extension and rear conservatory (existing porch and conservatory to be removed)
Site 37 SOUTHGATE AVENUE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 18/08/2010
Decision: Issue Certificate - Lawful Use

Item No 27

Application Number: 10/00858/ADV **Applicant:** Vodafone UK
Application Type: Advertisement
Description of Development: Replacement internally illuminated sign
Site 26 NEW GEORGE STREET PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 20/08/2010
Decision: Grant Conditionally

Item No 28

Application Number: 10/00861/FUL **Applicant:** ASDA Stores Ltd
Application Type: Full Application
Description of Development: Single storey extension to warehouse
Site ASDA STORES LTD, LEYPARK DRIVE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 01/09/2010
Decision: Grant Conditionally

Item No 29

Application Number: 10/00863/FUL **Applicant:** Mr N Phillips
Application Type: Full Application
Description of Development: Develop land by erection of two-storey dwelling with integral private motor garage to rear
Site 245 FORT AUSTIN AVENUE PLYMOUTH
Case Officer: Janine Warne
Decision Date: 18/08/2010
Decision: Refuse

Item No 30

Application Number: 10/00868/FUL **Applicant:** Babcock
Application Type: Full Application
Description of Development: Relocation and replacement of siren within Devonport Dockyard
Site DML DEVONPORT ROYAL DOCKYARD, SALTASH ROAD
KEYHAM PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 20/08/2010
Decision: Grant Conditionally

Item No 31

Application Number: 10/00874/FUL **Applicant:** Mr Justin Miller
Application Type: Full Application
Description of Development: Single storey rear extension (existing extension to garage to be removed) and provision of pitched roof to existing flat roof extension with three rooflights
Site 41 PRIORY DRIVE PLYMPTON PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 23/08/2010
Decision: Grant Conditionally

Item No 32

Application Number: 10/00875/FUL **Applicant:** Mrs Karen Donague
Application Type: Full Application
Description of Development: Retention of single-storey rear extension and formation of roof terrace including provision of glass balustrade
Site 63 EDITH AVENUE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 26/08/2010
Decision: Grant Conditionally

Item No 33

Application Number: 10/00890/FUL **Applicant:** Mr A Jacques
Application Type: Full Application
Description of Development: Single-storey front extension and enlargement of garage forward to underside of existing canopy
Site 29 KENNEL HILL CLOSE PLYMPTON PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 20/08/2010
Decision: Grant Conditionally

Item No 34

Application Number: 10/00891/FUL **Applicant:** Mr Geoffrey Beak
Application Type: Full Application
Description of Development: Private motor garage (existing garage to be removed)
Site 32 CONQUEROR DRIVE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 03/09/2010
Decision: Grant Conditionally

Item No 35

Application Number: 10/00910/FUL **Applicant:** Mr & Mrs Cornish
Application Type: Full Application
Description of Development: Develop part of garden (now vacant) by erection of detached dwelling
Site 114 FORT AUSTIN AVENUE PLYMOUTH
Case Officer: Carly Francis
Decision Date: 18/08/2010
Decision: Grant Conditionally

Item No 36

Application Number: 10/00915/FUL **Applicant:** Mr M Willcox
Application Type: Full Application
Description of Development: Widening of existing driveway
Site 11 GLENEAGLE ROAD PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 27/08/2010
Decision: Grant Conditionally

Item No 37

Application Number: 10/00916/FUL **Applicant:** Mr P Kent
Application Type: Full Application
Description of Development: Change of use of office to single storey residential dwelling with associated landscaping and fencing
Site 53 INCHKEITH ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 20/08/2010
Decision: Refuse

Item No 38

Application Number: 10/00918/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Demolition of temporary classrooms and erection of 3 double classroom 'clusters'; construction of grassed multipitch and hard play area; construction of footpaths and associated hard and soft landscaped areas
Site BORINGDON PRIMARY SCHOOL, COURTLAND CRESCENT PLYMOUTH
Case Officer: Jon Fox
Decision Date: 07/09/2010
Decision: Grant Conditionally

Item No 39

Application Number: 10/00930/PR **Applicant:** Mr I Allan
Application Type: LDC Proposed Develop
Description of Development: Private motor garage (existing garage to be removed)
Site 26 FURNEAUX AVENUE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 02/09/2010
Decision: Refuse to Issue Cert - (Ex)

Item No 40

Application Number: 10/00934/EXUS **Applicant:** Mrs T Whittingham
Application Type: LDC Existing Use
Description of Development: Dwelling in use as house in multiple occupation (student accommodation)
Site 31 GIFFORD PLACE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 25/08/2010
Decision: Issue Certificate - Lawful Use

Item No 41

Application Number: 10/00938/FUL **Applicant:** Whiteford Crocker
Application Type: Full Application
Description of Development: Change of use and conversion of offices to laser treatment clinic and erection of fire escape stairway (renewal of permission 07/00957)
Site PARK HOUSE 28 OUTLAND ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 23/08/2010
Decision: Grant Conditionally

Item No 42

Application Number: 10/00951/FUL **Applicant:** Mr D Boseley
Application Type: Full Application
Description of Development: Extension to kitchen and existing store
Site 7 TORR VIEW AVENUE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 27/08/2010
Decision: Grant Conditionally

Item No 43

Application Number: 10/00952/FUL **Applicant:** Mrs Jopson
Application Type: Full Application
Description of Development: Rear conservatory
Site 246 PEVERELL PARK ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 23/08/2010
Decision: Grant Conditionally

Item No 44

Application Number: 10/00956/FUL **Applicant:** Plaistow School
Application Type: Full Application
Description of Development: Proposed extension to school to provide a kitchen
Site PLAISTOW HILL INFANT SCHOOL, ROMAN WAY
PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 02/09/2010
Decision: Grant Conditionally

Item No 45

Application Number: 10/00957/LBC **Applicant:** Mrs Jacqueline Burrige
Application Type: Listed Building
Description of Development: Temporary removal of part of front boundary wall and railings to form access during construction work
Site 3 COLLINGWOOD VILLAS, COLLINGWOOD ROAD
PLYMOUTH
Case Officer: Janine Warne
Decision Date: 20/08/2010
Decision: Application Withdrawn

Item No 46

Application Number: 10/00958/FUL **Applicant:** Eggbuckland Vale Primary
Application Type: Full Application
Description of Development: Removal of canopy & construction of conservatory to nurseys, erection of porch to front entrance.
Site EGGBUCKLAND VALE PRIMARY SCHOOL, CHARFIELD DRIVE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 27/08/2010
Decision: Grant Conditionally

Item No 47

Application Number: 10/00960/LBC **Applicant:** Mrs Jacqueline Burrige
Application Type: Listed Building
Description of Development: Retention of front gates and railings (to amended design)
Site 3 COLLINGWOOD VILLAS, COLLINGWOOD ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 20/08/2010
Decision: Grant Conditionally

Item No 48

Application Number: 10/00964/FUL **Applicant:** Mr David Chowen
Application Type: Full Application
Description of Development: Rear conservatory
Site 7 BIGBURY WALK PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 02/09/2010
Decision: Grant Conditionally

Item No 49

Application Number: 10/00968/FUL **Applicant:** Genting Casinos
Application Type: Full Application
Description of Development: Change of use from health club (use class D2) to part restaurant (use class A3, and communal areas)
Site 31 DERRYS CROSS PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 02/09/2010
Decision: Grant Conditionally

Item No 50

Application Number: 10/00977/FUL **Applicant:** Amber New Homes
Application Type: Full Application
Description of Development: Change of use, conversion and alteration of retail unit to form house in multiple occupation (4 bedrooms)
Site 37 CATTEDOWN ROAD PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 31/08/2010
Decision: Grant Conditionally

Item No 51

Application Number: 10/00989/FUL **Applicant:** Mrs Annette Millman
Application Type: Full Application
Description of Development: South facing conservatory
Site HARTLEY HOUSE, 102 CHARFIELD DRIVE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 25/08/2010
Decision: Grant Conditionally

Item No 52

Application Number: 10/00990/FUL **Applicant:** Mrs Janet James
Application Type: Full Application
Description of Development: New refreshment kiosk for West Hoe Park to replace existing kiosk
Site WEST HOE PARK, HOE ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 09/09/2010
Decision: Grant Conditionally

Item No 53

Application Number: 10/01011/FUL **Applicant:** The Gym Group
Application Type: Full Application
Description of Development: Development of new fitness gym facilities to part of first and second floors
Site 32 DERRYS CROSS PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 08/09/2010
Decision: Grant Conditionally

Item No 54

Application Number: 10/01012/FUL **Applicant:** CPS Ltd
Application Type: Full Application
Description of Development: Erection of three dwellings, with associated parking area and three private motor garages (amended scheme)
Site LAND ADJACENT 936 WOLSELEY ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 27/08/2010
Decision: Grant Conditionally

Item No 55

Application Number: 10/01014/PR **Applicant:** Mr Ken Foalle
Application Type: LDC Proposed Develop
Description of Development: Loft conversion with rear dormer and changing existing hipped roof to gable
Site 45 STADDON PARK ROAD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 17/08/2010
Decision: Refuse to Issue Cert - (Ex)

Item No 56

Application Number: 10/01015/FUL **Applicant:** Tamar Education Business
Application Type: Full Application
Description of Development: Formation of amphitheatre within the grounds and new exterior door to w.c.
Site SEYMOUR HOUSE, GEORGE STREET DEVONPORT PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 17/08/2010
Decision: Grant Conditionally

Item No 57

Application Number: 10/01022/FUL **Applicant:** Mr M Obrien
Application Type: Full Application
Description of Development: Change of use from shop (use class A1) to amusement arcade (sui generis use)
Site 23 MARLBOROUGH STREET PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 27/08/2010
Decision: Grant Conditionally

Item No 58

Application Number: 10/01024/PR **Applicant:** Mr William Cole
Application Type: LDC Proposed Develop
Description of Development: Additional area of vehicle hardstanding
Site 39 LAIRA PARK ROAD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 25/08/2010
Decision: Issue Certificate - Lawful Use

Item No 59

Application Number: 10/01026/FUL **Applicant:** Mr David Markham
Application Type: Full Application
Description of Development: Single-storey side extension (Existing attached garage to be removed)
Site 52 DARK STREET LANE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 17/08/2010
Decision: Grant Conditionally

Item No 60

Application Number: 10/01029/FUL **Applicant:** Mr Andrew Jenkins
Application Type: Full Application
Description of Development: Develop part of rear garden by erection of detached dwelling with integral private motor garage (revision to scheme approved under application 08/02118/FUL)
Site 10 BURROW HILL PLYMOUTH
Case Officer: Jon Fox
Decision Date: 10/09/2010
Decision: Grant Conditionally

Item No 61

Application Number: 10/01030/FUL **Applicant:** Mr Jeremy Johnson
Application Type: Full Application
Description of Development: Change of use into 2 dwellings and erection of new boundary wall
Site 24 and 25 WYNDHAM SQUARE PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 17/08/2010
Decision: Grant Conditionally

Item No 62

Application Number: 10/01031/LBC **Applicant:** Mr Jeremy Johnson
Application Type: Listed Building
Description of Development: Alterations in association with conversion into 2 dwellings including new boundary wall
Site 24 and 25 WYNDHAM SQUARE PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 17/08/2010
Decision: Grant Conditionally

Item No 63

Application Number: 10/01032/FUL **Applicant:** Affinity Sutton
Application Type: Full Application
Description of Development: Insulate and render all elevations
Site 14-19 SWALE CLOSE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 10/09/2010
Decision: Grant Conditionally

Item No 64

Application Number: 10/01033/LBC **Applicant:** Mr Jeremy Johnson
Application Type: Listed Building
Description of Development: Repairs to west wall and interior of Chapel using Forest of Dean Stone, to repair and render in lime part of the link between the Chapel and house, to use structural ties as part of repair works alterations to the stone surround of the quatrefoil
Site 25 WYNDHAM SQUARE PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 17/08/2010
Decision: Grant Conditionally

Item No 65

Application Number: 10/01034/FUL **Applicant:** Affinity Sutton
Application Type: Full Application
Description of Development: Insulate and render all elevations
Site 16-21 CALDER CLOSE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 10/09/2010
Decision: Grant Conditionally

Item No 66

Application Number: 10/01035/FUL **Applicant:** Mr Stephen Foster
Application Type: Full Application
Description of Development: Two-storey side extension (Existing garage to be removed)
Site 5 MAIDENWELL ROAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 27/08/2010
Decision: Grant Conditionally

Item No 67

Application Number: 10/01036/FUL **Applicant:** Affinity Sutton
Application Type: Full Application
Description of Development: Insulate and render all elevations
Site 14-15 CALDER CLOSE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 10/09/2010
Decision: Grant Conditionally

Item No 68

Application Number: 10/01037/FUL **Applicant:** Affinity Sutton
Application Type: Full Application
Description of Development: Insulate and render all elevations
Site 7-12 CALDER CLOSE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 10/09/2010
Decision: Grant Conditionally

Item No 69

Application Number: 10/01039/FUL **Applicant:** Affinity Sutton
Application Type: Full Application
Description of Development: Insulate and render all elevations
Site 5-10 SWALE CLOSE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 10/09/2010
Decision: Grant Conditionally

Item No 70

Application Number: 10/01040/FUL **Applicant:** Mr A Reynolds
Application Type: Full Application
Description of Development: Timber framed orangery (as a rear extension)
Site 57 FORE STREET PLYMPTON PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 17/08/2010
Decision: Grant Conditionally

Item No 71

Application Number: 10/01041/LBC **Applicant:** Mr A Reynolds
Application Type: Listed Building
Description of Development: Timber framed orangery (as a rear extension)
Site 57 FORE STREET PLYMPTON PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 17/08/2010
Decision: Grant Conditionally

Item No 72

Application Number: 10/01042/24 **Applicant:** Telefonica 02
Application Type: GPDO PT24
Description of Development: Determination as to whether prior approval is required for siting and appearance of replacement 15 metre high mast to accommodate two operators and the addition of a spitfire ground based cabinet
Site BEACON PARK ROAD JCT HALCYON ROAD AND BEACON PARK ROAD PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 18/08/2010
Decision: Prior approval not req PT24

Item No 73

Application Number: 10/01043/24 **Applicant:** Telefonica 02
Application Type: GPDO PT24
Description of Development: Determination as to whether prior approval is required for siting and appearance of replacement of 3 antennas within shroud and installation of cabinet
Site WINGFIELD WAY PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 18/08/2010
Decision: Prior approval not req PT24

Item No 74

Application Number: 10/01044/FUL **Applicant:** Mr R Burt
Application Type: Full Application
Description of Development: Private motor garage at front of property
Site 45 ALEXANDRA ROAD FORD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 19/08/2010
Decision: Refuse

Item No 75

Application Number: 10/01046/24 **Applicant:** Vodafone Limited
Application Type: GPDO PT24
Description of Development: Determination as to whether prior approval is required for siting and appearance of replacement mast with antennas within shroud, to height of 14.8m, and installation of cabinet
Site TRANSIT WAY TRANSIT WAY HONICKNOWLE PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 18/08/2010
Decision: Prior approval not req PT24

Item No 76

Application Number: 10/01048/24 **Applicant:** Vodafone Limited
Application Type: GPDO PT24
Description of Development: Determination as to whether prior approval is required for siting and appearance of replacement mast and installation of cabinet
Site SALTASH ROAD KEYHAM PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 19/08/2010
Decision: Prior approval not req PT24

Item No 77

Application Number: 10/01051/FUL **Applicant:** Mrs Louise McNiell
Application Type: Full Application
Description of Development: Alterations to front dormer to provide pitched roof
Site 40 VAPRON ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 20/08/2010
Decision: Grant Conditionally

Item No 78

Application Number: 10/01057/FUL **Applicant:** Mr Paul Routley
Application Type: Full Application
Description of Development: Variation of condition (5) of planning permission 10/00015/FUL, relating to erection of dwellinghouse, so as to allow a driveway gradient of 1 in 7
Site 11A DUNSTONE DRIVE PLYMSTOCK PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 19/08/2010
Decision: Grant Conditionally

Item No 79

Application Number: 10/01058/FUL **Applicant:** Mr Andrew Partridge
Application Type: Full Application
Description of Development: Alterations to extension, including installation of gable window and rooflights, alterations to dwellinghouse including removal of window at first floor level & provision of canopy porch to ground floor
Site 16 WARDLOW CLOSE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 23/08/2010
Decision: Grant Conditionally

Item No 80

Application Number: 10/01059/FUL **Applicant:** Mr Gareth Thomas
Application Type: Full Application
Description of Development: Single-storey rear extension
Site 8 BIRCHWOOD GARDENS PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 20/08/2010
Decision: Grant Conditionally

Item No 81

Application Number: 10/01060/FUL **Applicant:** Mr & Mrs R Edgar
Application Type: Full Application
Description of Development: Front porch
Site 37 THORNYVILLE VILLAS PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 20/08/2010
Decision: Grant Conditionally

Item No 82

Application Number: 10/01062/PR **Applicant:** Mr Geoff Roach
Application Type: LDC Proposed Develop
Description of Development: Detached private motor garage
Site 4 HATSHILL CLOSE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 23/08/2010
Decision: Issue Certificate - Lawful Use

Item No 83

Application Number: 10/01065/LBC **Applicant:** Keychange Charity
Application Type: Listed Building
Description of Development: Replacement windows
Site MOUNT EVENTIDE RESIDENTIAL HOME, 7 LIPSON TERRACE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 20/08/2010
Decision: Grant Conditionally

Item No 84

Application Number: 10/01066/FUL **Applicant:** Mr Michel Katz
Application Type: Full Application
Description of Development: Two-storey side extension (existing garage and utility room to be removed)
Site 52 TERN GARDENS PLYMPTON PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 20/08/2010
Decision: Grant Conditionally

Item No 85

Application Number: 10/01068/FUL **Applicant:** Mr P Chapple
Application Type: Full Application
Description of Development: First-floor rear extension including two rear dormers and one rear rooflight; and rear decking
Site 41 UNDERWOOD ROAD PLYMPTON PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 20/08/2010
Decision: Grant Conditionally

Item No 86

Application Number: 10/01069/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Single storey rear extension
Site 124 LANCASTER GARDENS PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 24/08/2010
Decision: Grant Conditionally

Item No 87

Application Number: 10/01070/EXUS **Applicant:** Mr Frank Wray
Application Type: LDC Existing Use
Description of Development: Use as four self-contained flats
Site 280 NORTH ROAD WEST PLYMOUTH
Case Officer: Janine Warne
Decision Date: 03/09/2010
Decision: Issue Certificate - Lawful Use

Item No 88

Application Number: 10/01074/24 **Applicant:** O2 Telefonica
Application Type: GPDO PT24
Description of Development: Determination as to whether prior approval is required for siting and appearance of 6 replacement antennas on existing mast and installation of replacement equipment in existing cabin
Site KINGS TAMERTON RESERVOIR KINGS TAMERTON ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 20/08/2010
Decision: Prior approval not req PT24

Item No 89

Application Number: 10/01076/FUL **Applicant:** Mrs J Burrige
Application Type: Full Application
Description of Development: Retention of front gates and railings (to amended design)
Site 3 COLLINGWOOD VILLAS, COLLINGWOOD ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 20/08/2010
Decision: Grant Conditionally

Item No 90

Application Number: 10/01077/FUL **Applicant:** Dr and Mrs J Chilton
Application Type: Full Application
Description of Development: Single-storey rear extension, with pitched roof over existing and proposed rear extensions
Site 11 ORESTON ROAD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 27/08/2010
Decision: Grant Conditionally

Item No 91

Application Number: 10/01092/ADV **Applicant:** Co-Op Group
Application Type: Advertisement
Description of Development: Replacement of fascia sign projection sign and flat goods panel
Site 25 ST GEORGES TERRACE PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 24/08/2010
Decision: Grant Conditionally

Item No 92

Application Number: 10/01101/24 **Applicant:** 02 Telefonica
Application Type: GPDO PT24
Description of Development: Removal of four existing antennae with four new antennae and new equipment by existing cabin
Site LAND ADJOINING UNIT 1D ST MODWEN ROAD PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 24/08/2010
Decision: Prior approval not req PT24

Item No 93

Application Number: 10/01103/EXUS **Applicant:** Mrs S Earl
Application Type: LDC Existing Use
Description of Development: Use of property as one flat and one maisonette
Site 116 SOUTH VIEW TERRACE ST JUDES PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 23/08/2010
Decision: Issue Certificate - Lawful Use

Item No 94

Application Number: 10/01104/PR **Applicant:** Mr/Mrs Keith Pullan
Application Type: LDC Proposed Develop
Description of Development: Single storey rear extension
Site 17 THE HOLLOWS PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 23/08/2010
Decision: Issue Certificate - Lawful Use

Item No 95

Application Number: 10/01105/FUL **Applicant:** Mr S Bouvier
Application Type: Full Application
Description of Development: Erection of wooden fencing around side and front of property
Site 14 ST MARYS ROAD PLYMPTON PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 08/09/2010
Decision: Refuse

Item No 96

Application Number: 10/01106/FUL **Applicant:** Jamieson the Builder
Application Type: Full Application
Description of Development: Erection of detached dwellinghouse.
Site 15A ALFRED ROAD PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 23/08/2010
Decision: Grant Conditionally

Item No 97

Application Number: 10/01107/FUL **Applicant:** Mr Gary Kallis
Application Type: Full Application
Description of Development: Change of use and conversion of garage/workshop to dwelling, with formation of room in roofspace
Site 11 WOODLAND TERRACE, GREENBANK ROAD
PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 26/08/2010
Decision: Grant Conditionally

Item No 98

Application Number: 10/01108/FUL **Applicant:** Mr Charles Stanley
Application Type: Full Application
Description of Development: Installation of ground and first-floor fire exit doors and external staircase (existing ground floor fire exit to be blocked up)
Site STANLEY CARPETS 87 CROWNHILL ROAD CROWNHILL
PLYMOUTH
Case Officer: Janine Warne
Decision Date: 02/09/2010
Decision: Grant Conditionally

Item No 99

Application Number: 10/01110/FUL **Applicant:** Mrs & Mrs Buckthought
Application Type: Full Application
Description of Development: Single storey rear extension
Site 10 KINGSWAY GARDENS PLYMOUTH
Case Officer: Adam Williams
Decision Date: 23/08/2010
Decision: Grant Conditionally

Item No 100

Application Number: 10/01111/ADV **Applicant:** Co-op Group Ltd
Application Type: Advertisement
Description of Development: Replacement fascia and projecting signs
Site CO-OP FOOD STORE, 171 PIKE ROAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 23/08/2010
Decision: Grant Conditionally

Item No 101

Application Number: 10/01113/FUL **Applicant:** Mr Feri Deacon
Application Type: Full Application
Description of Development: Change of use from shop with flat above to a 4 bed house in multiple occupation
Site 132 ALBERT ROAD PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 02/09/2010
Decision: Grant Conditionally

Item No 102

Application Number: 10/01118/FUL **Applicant:** Mr Jamie Shewbrook
Application Type: Full Application
Description of Development: Timber fence to boundary
Site 2 VENN WAY PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 27/08/2010
Decision: Refuse

Item No 103

Application Number: 10/01119/ADV **Applicant:** Co-op Group
Application Type: Advertisement
Description of Development: illuminated fascia and projecting signs
Site CO-OP 2 AUSTIN CRESCENT PLYMOUTH
Case Officer: Adam Williams
Decision Date: 23/08/2010
Decision: Grant Conditionally

Item No 104

Application Number: 10/01120/FUL **Applicant:** Mr Royston Wright
Application Type: Full Application
Description of Development: Single storey rear extension
Site 37 QUARRY PARK ROAD PEVERELL PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 26/08/2010
Decision: Grant Conditionally

Item No 105

Application Number: 10/01122/FUL **Applicant:** Mr and Mrs A King
Application Type: Full Application
Description of Development: Two storey side extension
Site 41 NORTH PROSPECT ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 27/08/2010
Decision: Refuse

Item No 106

Application Number: 10/01123/FUL **Applicant:** The Flat Rental Centre
Application Type: Full Application
Description of Development: Develop part of rear garden by erection of a two-storey mews style dwelling with garage under
Site 18 CAROLINE PLACE PLYMOUTH
Case Officer: Carly Francis
Decision Date: 13/09/2010
Decision: Refuse

Item No 107

Application Number: 10/01131/PR **Applicant:** Ms Smith & Ms Hogg
Application Type: LDC Proposed Develop
Description of Development: Enlargement of tenement roof
Site 6 WYCLIFFE ROAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 23/08/2010
Decision: Issue Certificate - Lawful Use

Item No 108

Application Number: 10/01135/FUL **Applicant:** Mr D Corbett
Application Type: Full Application
Description of Development: Two-storey side extension
Site 17 SARUM CLOSE HARTLEY PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 27/08/2010
Decision: Refuse

Item No 109

Application Number: 10/01137/FUL **Applicant:** Mr P Stevens
Application Type: Full Application
Description of Development: Elevated decking area
Site 22 HOLTWOOD ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 27/08/2010
Decision: Grant Conditionally

Item No 110

Application Number: 10/01138/FUL **Applicant:** Mr Douglas Fletcher
Application Type: Full Application
Description of Development: Single-storey side extension (existing conservatory to be removed)
Site 7 BAINBRIDGE AVENUE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 27/08/2010
Decision: Grant Conditionally

Item No 111

Application Number: 10/01141/LBC **Applicant:** Mr and Mrs F Bettison
Application Type: Listed Building
Description of Development: Alterations associated with change of use of lower ground floor flat to form self-contained flat
Site 4 THE SQUARE PLYMOUTH
Case Officer: Carly Francis
Decision Date: 31/08/2010
Decision: Application Withdrawn

Item No 112

Application Number: 10/01146/FUL **Applicant:** Hellerman-Tyton
Application Type: Full Application
Description of Development: Additional office accommodation bay (84sqm), amendments to entrance elevation and placement of P.V. solar panels on flat roof
Site E320, PLYMOUTH INTERNATIONAL MEDICAL AND TECHNOLOGY PARK WILLIAM PRANCE ROAD PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 01/09/2010
Decision: Grant Conditionally

Item No 113

Application Number: 10/01147/FUL **Applicant:** Mr and Mrs L Vanstone
Application Type: Full Application
Description of Development: Part two-storey, part single storey side extension incorporating a garage and alterations to front garden
Site 4 OVERTON GARDENS MANNAMEAD PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 02/09/2010
Decision: Refuse

Item No 114

Application Number: 10/01148/FUL **Applicant:** Mr Shaun Davis
Application Type: Full Application
Description of Development: Single storey side extension (existing outbuilding to be removed) and extension to car hardstand
Site L. 7 GRASMERE CLOSE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 25/08/2010
Decision: Grant Conditionally

Item No 115

Application Number: 10/01149/FUL **Applicant:** Mrs P M Hill
Application Type: Full Application
Description of Development: First-floor side extension
Site 41 ST MAURICE VIEW PLYMPTON PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 27/08/2010
Decision: Grant Conditionally

Item No 116

Application Number: 10/01150/FUL **Applicant:** Matrix Plymouth SA
Application Type: Full Application
Description of Development: Formation of new steel railing fence adjacent to 4 former ward buildings
Site FORMER WARD BLOCKS, THE MILLFIELDS STONEHOUSE PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 01/09/2010
Decision: Grant Conditionally

Item No 117

Application Number: 10/01151/FUL **Applicant:** Mr C Alarcon
Application Type: Full Application
Description of Development: Loft conversion with rear dormer
Site 15 MILEHOUSE ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 27/08/2010
Decision: Grant Conditionally

Item No 118

Application Number: 10/01153/ADV **Applicant:** Debenhams
Application Type: Advertisement
Description of Development: Approval of installation of 6 new illuminated fascia signs
Refusal of 2 projecting signs
Site DEBENHAMS, ROYAL PARADE PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 07/09/2010
Decision: Advertisement Split Decision

Item No 119

Application Number: 10/01162/FUL **Applicant:** Mr T Stevens
Application Type: Full Application
Description of Development: Conservatory to side
Site 5 BURLEIGH LANE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 02/09/2010
Decision: Grant Conditionally

Item No 120

Application Number: 10/01173/FUL **Applicant:** Mr Stuart Billinghurst
Application Type: Full Application
Description of Development: Two-storey rear extension
Site 91 CARDINAL AVENUE ST BUDEAUX PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 07/09/2010
Decision: Grant Conditionally

Item No 121

Application Number: 10/01175/FUL **Applicant:** Mr Ron Jackson
Application Type: Full Application
Description of Development: Change of use and conversion of part of public house into hot food takeaway and existing garage into pool room with proposed beer garden to south of pool room
Site BULL AND BUSH, UXBRIDGE DRIVE ERNESETTLE PLYMOUTH
Case Officer: Carly Francis
Decision Date: 07/09/2010
Decision: Grant Conditionally

Item No 122

Application Number: 10/01179/FUL **Applicant:** Mr William Ball
Application Type: Full Application
Description of Development: Change of use from office to tattoo studio
Site GROUND FLOOR 131 VICTORIA ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 03/09/2010
Decision: Grant Conditionally

Item No 123

Application Number: 10/01180/FUL **Applicant:** Mrs Sherain Al Subiai
Application Type: Full Application
Description of Development: Two-storey side extension
Site 1 ARLINGTON ROAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 27/08/2010
Decision: Grant Conditionally

Item No 124

Application Number: 10/01181/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Change of use, conversion and alterations from six bedsits to three self-contained flats, with formation of room in roofspace and rooflights
Site 1 LIPSON ROAD LIPSON PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 07/09/2010
Decision: Refuse

Item No 125

Application Number: 10/01182/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: 09/09/2010
Decision: Refuse

Item No 126

Application Number: 10/01183/FUL **Applicant:** Mr Colin Read
Application Type: Full Application
Description of Development: Develop land by the erection of a pair of semi-detached dwellinghouses
Site LAND ADJACENT TO 114 BILLACOMBE ROAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 09/09/2010
Decision: Refuse

Item No 127

Application Number: 10/01187/FUL **Applicant:** The Original Pasty House
Application Type: Full Application
Description of Development: Change of use from shop (A1) to restaurant (A3) and takeaway (A5)
Site 126 ARMADA WAY PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 09/09/2010
Decision: Grant Conditionally

Item No 128

Application Number: 10/01189/FUL **Applicant:** M/s Hannah Kamdie
Application Type: Full Application
Description of Development: Change of use from offices to student accommodation (house in multiple occupation containing 6 study bedrooms)
Site 89 HOUNDISCOMBE ROAD PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 08/09/2010
Decision: Grant Conditionally

Item No 129

Application Number: 10/01198/FUL **Applicant:** Mr G Lamont
Application Type: Full Application
Description of Development: Single storey rear extension
Site 52 HAROLDSLEIGH AVENUE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 10/09/2010
Decision: Grant Conditionally

Item No 130

Application Number: 10/01199/FUL **Applicant:** Mr and Mrs P Huxham
Application Type: Full Application
Description of Development: Two-storey side extension and rear dormer (existing side porch to be removed)
Site 22 PRINCESS CRESCENT PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 06/09/2010
Decision: Grant Conditionally

Item No 131

Application Number: 10/01200/FUL **Applicant:** Mr & Mrs Davies
Application Type: Full Application
Description of Development: One/two storey side and rear extension, with integral garage
Site 93 ROCHFORD CRESCENT ERNESETTLE PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 27/08/2010
Decision: Grant Conditionally

Item No 132

Application Number: 10/01207/ADV **Applicant:** Mount Wise (guernsey) Ltd
Application Type: Advertisement
Description of Development: Temporary advertisement consent for five large PVC banners along the Devonport Hill and Cumberland Road frontages until 1st September 2015
Site FORMER MOD MOUNT WISE DEVONPORT HILL PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 03/09/2010
Decision: Grant Conditionally

Item No 133

Application Number: 10/01208/24 **Applicant:** Orange PCS Ltd
Application Type: GPDO PT24
Description of Development: Determination as to whether prior approval is required for the siting and appearance of 14.7m high mast comprising 3 antennas within GRP shroud and equipment cabinet
Site HIGHWAYS LAND OUTSIDE PEARN COTTAGES, EGGBUCKLAND ROAD PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 10/09/2010
Decision: Prior approval required PT24

Item No 134

Application Number: 10/01209/TP **Applicant:** Miss Newman
Application Type: Tree Preservation
Description of Development: Sycamore - remove lowest branch over garden
Site 26 MOUNT TAMAR CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 07/09/2010
Decision: Grant Conditionally

Item No 135

Application Number: 10/01210/FUL **Applicant:** Drake Primary School
Application Type: Full Application
Description of Development: Extension to provide new dining room (existing kitchen to be re-located)
Site DRAKE PRIMARY SCHOOL, SALTASH ROAD KEYHAM
Case Officer: Olivia Wilson
Decision Date: 07/09/2010
Decision: Grant Conditionally

Item No 136

Application Number: 10/01212/ADV **Applicant:** Holland and Barrett Retail Ltd
Application Type: Advertisement
Description of Development: Provision of new sign on existing fascia, and installation of non illuminated timber hanging sign
Site 57 CORNWALL STREET CITY CENTRE PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 10/09/2010
Decision: Grant Conditionally

Item No 137

Application Number: 10/01213/TC **Applicant:** Tor Homes
Application Type: Trees in Cons Area
Description of Development: Prune side of Leyland conifers to site boundary
Site 6 COLLINGWOOD VILLAS, COLLINGWOOD ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 20/08/2010
Decision: Grant Conditionally

Item No 138

Application Number: 10/01229/TC **Applicant:** Emmanuel Church Manager
Application Type: Trees in Cons Area
Description of Development: 8 young Ash - remove
4 young sycamore - remove
street tree overhanging Church grounds - remove two lowest branches
Site COMPTON PARK ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 06/09/2010
Decision: Grant Conditionally

Item No 139

Application Number: 10/01230/FUL **Applicant:** Mrs G Jones
Application Type: Full Application
Description of Development: First-floor and single-storey side extension
Site 11 LALEBRICK ROAD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 10/09/2010
Decision: Grant Conditionally

Item No 140

Application Number: 10/01231/FUL **Applicant:** Ms Alexa McGuffie
Application Type: Full Application
Description of Development: Change of use and conversion to form two residential units (basement flat and three storey residential unit above), including replacement rear extension and formation of steps to basement level
Site 221 CITADEL ROAD EAST PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 13/09/2010
Decision: Application Withdrawn

Item No 141

Application Number: 10/01234/FUL **Applicant:** Mr & Mrs James
Application Type: Full Application
Description of Development: Side/rear private motor garage and single-storey rear extension with balcony over and external spiral staircase (existing rear porch, store and garage to be removed)
Site 61 GREEN PARK ROAD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 27/08/2010
Decision: Grant Conditionally

Item No 142

Application Number: 10/01240/FUL **Applicant:** Plymouth Highbury Trust
Application Type: Full Application
Description of Development: Formation of 6 additional parking spaces and turning area along Outland Road frontage, with vehicular access from Pridham Lane
Site 207 OUTLAND ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 13/09/2010
Decision: Refuse

Item No 143

Application Number: 10/01242/TP **Applicant:** Mrs Valerie Manicorn
Application Type: Tree Preservation
Description of Development: Sycamore - reduce by 1-2 metres
Sycamore - remove stem over neighbour's garden and reduce remaining stem by 1-2 metres
Holly group - reduce by 1-1.5 metres
Site 38 MEDWAY PLACE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 07/09/2010
Decision: Grant Conditionally

Item No 144

Application Number: 10/01245/FUL **Applicant:** Mr and Mrs Dorgan
Application Type: Full Application
Description of Development: Change of use from dwellinghouse (class C3) to house in multiple occupation (class C4)
Site 29 RIDGE PARK AVENUE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 13/09/2010
Decision: Grant Conditionally

Item No 145

Application Number: 10/01246/EXDE **Applicant:** Miss Louise Britton
Application Type: LDC Existing Develop
Description of Development: Roof terrace over rear garage
Site 187 DEVONPORT ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 13/09/2010
Decision: Issue Certificate - Lawful Use

Item No 146

Application Number: 10/01251/TC **Applicant:** Mr C Higgins
Application Type: Trees in Cons Area
Description of Development: Oak tree reduce to 6-7 metres in height
Site 136 WINGFIELD ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 27/08/2010
Decision: Grant Conditionally

Item No 147

Application Number: 10/01252/24 **Applicant:** Telefonica O2
Application Type: GPDO PT24
Description of Development: Prior notification of removal of 3 antennas and installation of 3 new antennas, and to remove O2 cabinet and provide Harrier cabinet
Site CROWNHILL RESERVOIR, PLYMOUTH BUSINESS PARK TAVISTOCK ROAD PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 13/09/2010
Decision: Prior approval not req PT24

Item No 148

Application Number: 10/01254/CA **Applicant:** The Flat Rental Centre
Application Type: Conservation Area
Description of Development: Removal of existing stone boundary wall to rear (in association with planning application 10/01123/FUL for a new dwelling at the site)
Site 18 CAROLINE PLACE PLYMOUTH
Case Officer: Carly Francis
Decision Date: 13/09/2010
Decision: Refuse

Item No 149

Application Number: 10/01257/FUL **Applicant:** Mr & Mrs D Wollington
Application Type: Full Application
Description of Development: Front porch
Site 73 FROGMORE AVENUE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 03/09/2010
Decision: Grant Conditionally

Item No 150

Application Number: 10/01258/FUL **Applicant:** Mr and Mrs J Frost
Application Type: Full Application
Description of Development: Two-storey side extension (existing garage and outbuilding to be removed)
Site 29 THE MEAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 13/09/2010
Decision: Grant Conditionally

Item No 151

Application Number: 10/01259/TC **Applicant:** Moonfleet Investments Ltd
Application Type: Trees in Cons Area
Description of Development: Fell 3 cherry trees
Site THE JARVIS GRAND HOTEL,24 ELLIOT STREET
PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 20/08/2010
Decision: Refuse

Item No 152

Application Number: 10/01261/TP **Applicant:** Mrs J Carter
Application Type: Tree Preservation
Description of Development: Beech - crown thin by approximately 30%
Site 29 KIMBERLY DRIVE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 10/09/2010
Decision: Grant Conditionally

Item No 153

Application Number: 10/01262/ADV **Applicant:** Co-op Group
Application Type: Advertisement
Description of Development: Illuminated fascia and projecting signs
Site CO-OP FOOD 131 BEAUMONT ROAD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 06/09/2010
Decision: Grant Conditionally

Item No 154

Application Number: 10/01263/FUL **Applicant:** G Seymour
Application Type: Full Application
Description of Development: Two-storey rear extension (existing single-storey rear tenement to be removed)
Site 5 NORTHUMBERLAND STREET PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 13/09/2010
Decision: Grant Conditionally

Item No 155

Application Number: 10/01272/LBC **Applicant:** Mount Wise (Guernsey) Limited
Application Type: Listed Building
Description of Development: Alterations, extension and works of conversion, in association with the creation of B1 office space within buildings (as previously approved under ref: 07/00014/LBC)
Site FORMER MOD SITE, MOUNT WISE DEVONPORT PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 27/08/2010
Decision: Grant Conditionally

Item No 156

Application Number: 10/01281/PR **Applicant:** Mr & Mrs Brown
Application Type: LDC Proposed Develop
Description of Development: Alterations to roof, including a rear dormer
Site 19 CROSS PARK ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 03/09/2010
Decision: Issue Certificate - Lawful Use

Item No 157

Application Number: 10/01293/CA **Applicant:** Mr Tom Dingwall
Application Type: Conservation Area
Description of Development: Demolition of side access gate and part of adjoining side wall (in connection with proposed new vehicular gate and access)
Site 6 PROVIDENCE PLACE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 03/09/2010
Decision: Grant Conditionally

Item No 158

Application Number: 10/01296/EXUS **Applicant:** Mrs Claire Bayfield-Davis
Application Type: LDC Existing Use
Description of Development: Use of property as two flats
Site 29 COTEHELE AVENUE PRINCE ROCK PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 09/09/2010
Decision: Issue Certificate - Lawful Use

Item No 159

Application Number: 10/01323/TC **Applicant:** Mr Lea Sugden
Application Type: Trees in Cons Area
Description of Development: Holm Oak - reduce by 20-30%
Site 8A GASCOYNE PLACE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 07/09/2010
Decision: Grant Conditionally

Item No 160

Application Number: 10/01353/EXUS **Applicant:** Friary Mill Bakery Ltd
Application Type: LDC Existing Use
Description of Development: Use of ground floor premises as estate/letting agents (use class A2)
Site 7 SEYMOUR ROAD PLYMPTON PLYMOUTH
Case Officer: Jon Fox
Decision Date: 08/09/2010
Decision: Application Withdrawn

Item No 161

Application Number: 10/01359/TC **Applicant:** Mr Raymond Hall
Application Type: Trees in Cons Area
Description of Development: Ash re-pollard
Site THE WILLOWS, ROCK HILL PLYMOUTH
Case Officer: Jane Turner
Decision Date: 13/09/2010
Decision: Grant Conditionally

Item No 162

Application Number: 10/01406/TC **Applicant:** PRINCES
Application Type: Trees in Cons Area
Description of Development: Tree management works
Site CASTLE BARBICAN, FORE STREET PLYMPTON
PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 10/09/2010
Decision: Grant Conditionally

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

Application Number **09/01308/FUL**
Appeal Site **16 OAKFIELD TERRACE ROAD PLYMOUTH**
Appeal Proposal Change of use, conversion and alteration of hot food takeaway and dwelling to form single dwellinghouse
Case Officer Stuart Anderson

Appeal Category
Appeal Type Written Representations
Appeal Decision Allowed
Appeal Decision Date 12/08/2010
Conditions
Award of Costs Awarded To

Appeal Synopsis

Evidence provided by the Council suggests that there is a history of industrial development in the area close to the appeal site, although not on the site itself. Inspector could see no possible pathway whereby the converted building would present more of a risk to occupants, as a result of contaminated land, than the existing building. Therefore, he concluded that conditions 2, 3, 4, 5, and 6 are not reasonable and necessary, and deleted the conditions.

Application Number **09/01633/TPO**
Appeal Site **36 DEVERON CLOSE PLYMOUTH**
Appeal Proposal Fell one Oak tree
Case Officer Chris Knapman

Appeal Category NOT
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 16/08/2010
Conditions
Award of Costs Awarded To

Appeal Synopsis

Following the separate failures of two limbs on an Oak tree protected by Tree Preservation Order No. 257 and the granting of two exemptions for remedial work, an application dated 7 November to fell the tree was received. Due to the Xmas break there were only 6 weeks in which to consider the application. In support of the application, there was an extensive report submitted by the applicant's consultants, which required detailed consideration. It was explained to the applicant's consultants by phone that in order to fully assess the information and due to the Xmas break that the decision was likely to be slightly delayed. The case generated MP letters on behalf of objectors and the applicant that had to be addressed. A significant number of letters of objection and a petition were received in support of the tree's retention i.e. a demonstrable public interest. At the end of the 8 week period an appeal against non determination was received. The option for written representations was declined by the Council on the basis that this would not allow a response to the supporting information received with the application. Consequently, it was proposed to the Head of Development Management that the Council elect for the option of an informal hearing to enable a detailed response to be prepared and for the significant public interest to be considered. The hearing was held on 29 June 2010 and the Inspector considered the main issues to be the amenity value of the Oak and the likely impact of felling it on the character and appearance of the area, and whether felling was justified, with regard to the reasons put forward in support of this. The Inspector considered the parkland character of the estate, amenity value and wildlife habitat value, against submissions that the amenity it afforded were devalued and that it was no longer worthy of protection, with an onerous maintenance cost on the owner due to its condition. It was held that the Oak has significant amenity value and makes a positive contribution to the character and appearance of the surrounding area and that the reasons given for felling the tree, both individually and in combination, do not justify its felling. The

appeal was dismissed.

Two letters of thanks have been received from delighted residents of Deveron Close with regard to the Council's stance in supporting the retention of the tree and opposing its felling.

Application Number **09/01759/FUL**
Appeal Site **60 WARING ROAD SOUTHWAY PLYMOUTH**
Appeal Proposal Retention of raised balcony
Case Officer Thomas Westrope

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 10/08/2010
Conditions
Award of Costs

Awarded To

Appeal Synopsis

The inspector considered that the proposal was contrary to policy CS34 on the grounds of harm to the living conditions of the occupiers of the neighbouring property (number 58). He agreed that the balcony affords a commanding view over the rear private amenity space of no. 58 and offers oblique views into the nearest first floor window on the rear elevation of no. 58, thereby resulting in loss of privacy and a perception of being overlooked. He concluded that the balcony could not be altered to make it acceptable. He also concluded that the medical condition of the appellant's husband does not justify allowing the development which would remain long after these circumstances had ceased to be relevant.