

# Public Document Pack



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## **PLANNING COMMITTEE**

**DATE: THURSDAY 16 DECEMBER 2010**  
**TIME: 1 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.***

Please note that, unless the Chair agrees, mobile phones should be switched off and speech, video and photographic equipment should not be used during meetings.

**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 - 6)**

The Committee will be asked to confirm the minutes of the meeting held on 18 November 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 7 - 8)**

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 33 EDWARDS DRIVE, PLYMOUTH. 10/01633/FUL (Pages 9 - 12)**

Applicant:	Mr P Blackmore
Ward:	Plympton Chaddlewood
Recommendation:	Grant Conditionally

- 6.2** 7 QUEENS ROAD, LIPSON, PLYMOUTH. 10/00556/FUL **(Pages 13 - 20)**
- Applicant: Mr M Hunns  
Ward: Efford and Lipson  
Recommendation: Refuse
- 6.3** TORR HOME, THE DRIVE, PLYMOUTH. 10/1592/FUL **(Pages 21 - 36)**
- Applicant: Torr Home  
Ward: Peverell  
Recommendation: Grant Conditionally
- 6.4** FORMER ENVIRON EUROPE LTD, ERNESETTLE LANE, PLYMOUTH. 10/01601/FUL **(Pages 37 - 44)**
- Applicant: Visitract Ltd  
Ward: Honicknowle  
Recommendation: Grant Conditionally
- 6.5** NEW COOPERAGE, ROYAL WILLIAM YARD, PLYMOUTH. 10/01384/FUL **(Pages 45 - 62)**
- Applicant: Urban Splash South West (Ltd)  
Ward: St Peter and The Waterfront  
Recommendation: Grant conditionally subject to S106 Obligation, delegated authority to refuse if not signed by 31 January 2011.
- 6.6** LAND NORTH OF STUDENT CAR PARK, PARADISE ROAD, PLYMOUTH. 10/00594/FUL **(Pages 63 - 74)**
- Applicant: Scott Wilson  
Ward: Stoke  
Recommendation: Grant Conditionally
- 6.7** LAND NORTH OF STUDENT CAR PARK, PARADISE ROAD, PLYMOUTH. 10/00595/CAC. **(Pages 75 - 78)**
- Applicant: Scott Wilson  
Ward: Stoke  
Recommendation: Grant Conditionally
- 6.8** TAMAR HOUSE, ST ANDREWS CROSS, PLYMOUTH. 10/01677/FUL **(Pages 79 - 90)**
- Applicant: Drakes View Ltd  
Ward: St Peter and The Waterfront  
Recommendation: Grant conditionally subject to S106 Obligation, delegated authority to refuse if not signed by 30th January 2011.

**6.9** 11 TO 13 LOWER COMPTON ROAD, PLYMOUTH. **(Pages 91 - 112)**  
10/01749/FUL

Applicant: Spectrum Housing Group  
Ward: Compton  
Recommendation: Grant conditionally subject to S106 Obligation,  
delegated authority to refuse if not signed by 30th  
January 2011.

**6.10** PLYMPTON LIBRARY, RIDGEWAY PLYMPTON, **(Pages 113 - 122)**  
PLYMOUTH. 10/01861/FUL

Applicant: Resound Health  
Ward: Plympton St Mary  
Recommendation: Grant Conditionally

**7. PLANNING APPLICATION DECISIONS ISSUED (Pages 123 - 162)**

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 9 November 2010 to 6 December 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 163 - 164)**

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

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## Planning Committee

Thursday 18 November 2010

### PRESENT:

Councillor Lock, in the Chair.  
Councillor Roberts, Vice Chair.  
Councillors Berrow, Mrs Bowyer, Delbridge, Mrs Foster, Mrs Stephens, Stevens, Thompson, Tuohy, Vincent and Wheeler.

Apologies for absence: Councillor Browne

Also in attendance: Peter Ford (Lead Planning Officer), Mark Lawrence (Lawyer), Ross Jago (Democratic Support Officer).

The meeting started at 1.00 pm and finished at 4.05 pm.

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

### 52. DECLARATIONS OF INTEREST

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

Name	Minute No. and Subject	Reason	Interest
Councillor Mrs. Bowyer	56.8 33 Whitleigh Villas, Plymouth. 10/01280/OUT.	Ward Councillor and husband speaking on the matter	Personal

### 53. MINUTES

Agreed the minutes of the meeting held on 21 October, 2010.

### 54. CHAIR'S URGENT BUSINESS

There were no items of Chair's urgent business.

### 55. QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions from members of the public.

### 56. PLANNING APPLICATIONS FOR CONSIDERATION

The Committee considered the following applications, development proposals by local authorities and statutory consultations submitted under the Town and

Country Planning Act, 1990, and the Planning (Listed Buildings and Conservation Areas) Act, 1990.

Addendum reports were submitted in respect of minute numbers 56.6 and 56.8.

**56.1 171 ALMA ROAD, PLYMOUTH 10/01659/FUL**

(Mr. John Frude)

Decision:

Application **GRANTED** conditionally.

**56.2 14 MEADFOOT TERRACE, PLYMOUTH. 10/01367/FUL**

(College Properties (Plymouth) Ltd)

Decision:

Application **GRANTED** conditionally.

**56.3 33 EDWARDS DRIVE, PLYMOUTH. 10/01633/FUL**

(Mr P Blackmore)

Decision:

Application **DEFERRED** for a site visit and further negotiation with the applicant regarding the 45 degree guidance.

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

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

(Councillor Wheeler's proposal to defer the application to the next meeting of the committee for further negotiation regarding the 45 degree guidance and a site visit, having been seconded by Councillor Roberts, was put to the vote and declared carried).

**56.4 73/77 ST EDWARD GARDENS, PLYMOUTH. 10/01686/FUL**

(Mr Les Oats)

Decision:

Application **GRANTED** conditionally.

**56.5 HORNBY COURT, 7 CRAIGIE DRIVE, PLYMOUTH.  
10/01412/FUL**

(Portobello Developments PLC)

Decision:

Application **GRANTED** conditionally subject to S106 Obligation. Delegated authority to refuse in the event of the S106 Obligation (including a management administration fee of £1778.22) not being signed by 3rd December 2010.



**56.6 THE HOE CENTRE, NOTTE STREET, PLYMOUTH.  
10/01608/FUL**

(University of Plymouth)

Decision:

Application **GRANTED** conditionally subject to S106 obligation. Delegated authority to refuse permission if the S106 Obligation is not signed by 13 December 2010.

In addition officers were asked to strengthen Informative 3 (Details of the Management Arrangements) with regard to the enforcement of no parking for students and ensuring that any visitor car parking is accommodated within existing public parking areas. The University of Plymouth is requested to start negotiations with the Berkeley Square Management/Owners to assist with ensuring that no illegal parking could take place in the Berkeley Square development by students or visitors of the new Hoe Centre development.

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

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

**56.7 33 WHITLEIGH VILLAS, PLYMOUTH. 10/01280/OUT.**

(Mr and Mrs Fritzsche)

Decision:

Application **REFUSED**. Proposed development was not in keeping with the character of the area, would require removal of trees under a Tree Preservation Order and would have a detrimental impact on neighbouring properties.

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

(Councillor Mrs. Bowyer declared a personal interest in respect of the above item).

(In accordance with Paragraph 14.7 of the Planning Code of Good Practice the Lead Planning Officer and Lawyer formally advised the Planning Committee to defer the decision as the possible decision of the Planning Committee to refuse planning

permission would carry substantial risks of costs against the Local Planning Authority. This advice was not accepted).

(Councillor Robert's proposal to refuse the application, having been seconded by Councillor Delbridge, was put to the vote and declared carried).

**56.8 7 QUEENS ROAD, LIPSON, PLYMOUTH 10/00556/FUL**

(Mr. M. Hunns)

Decision:

Application **DEFERRED**.

(Councillor Lock's proposal to defer the application to the next meeting of the committee due to the applicant's illness, having been seconded by Councillor Stevens, was put to the vote and declared carried).

**56.9 LAND AT CUMBERLAND CENTRE, DAMEREL CLOSE, PLYMOUTH. 10/01557/FUL**

(Ms Nicola Evans)

Decision:

Application **GRANTED** conditionally.

**57. PLANNING APPLICATION DECISIONS ISSUED**

The Committee received a report of the Assistant Director of Development (Planning Services) on decisions issued for the period 14 September to 8 November, 2010, including –

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

**58. EXEMPT BUSINESS**

There were no items of exempt business.

**SCHEDULE OF VOTING** (Pages 1 - 2)

\*\*\*PLEASE NOTE\*\*\*

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

## PLANNING COMMITTEE – 18 November 2010

## SCHEDULE OF VOTING

Minute No. & Application		Voting For	Voting Against	Abstained	Excluded from voting due to Interest Declared	Absent
56.1	171 Alma Road, Plymouth 10/01659/FUL	Unanimous.				
56.2	14 Meadfoot Terrace, Plymouth. 10/01367/FUL	Unanimous.				
56.3	33 Edwards Drive, Plymouth. 10/01633/ FUL	Unanimous for alternative motion.				
56.4	73/77 St Edward Gardens, Plymouth. 10/01686/ FUL	Unanimous.				
56.5	Hornby Court, 7 Craigie Drive, Plymouth. 10/01412/ FUL	Unanimous.				
56.6	The Hoe Centre, Notte Street, Plymouth. 10/01608/ FUL	Unanimous.				
56.7	33 Whitleigh Villas, Plymouth. 10/01280/OUT	Councillors Lock, Roberts, Berrow, Delbridge, Mrs Stephens, Stevens, Thompson, Tuohy, Vincent, Wheeler Mrs Bowyer .		Councillor Mrs Foster		
56.8	Queens Road, Lipson, Plymouth 10/0556/FUL	Councillors Lock, Roberts, Berrow, Delbridge, Mrs Foster, Mrs Stephens, Stevens, Thompson, Tuohy, Vincent, Wheeler.				Councillor Mrs Bowyer
56.9	Land at Cumberland Centre, Damerel Close, Plymouth. 10/01557/ FUL	Unanimous.				

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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.

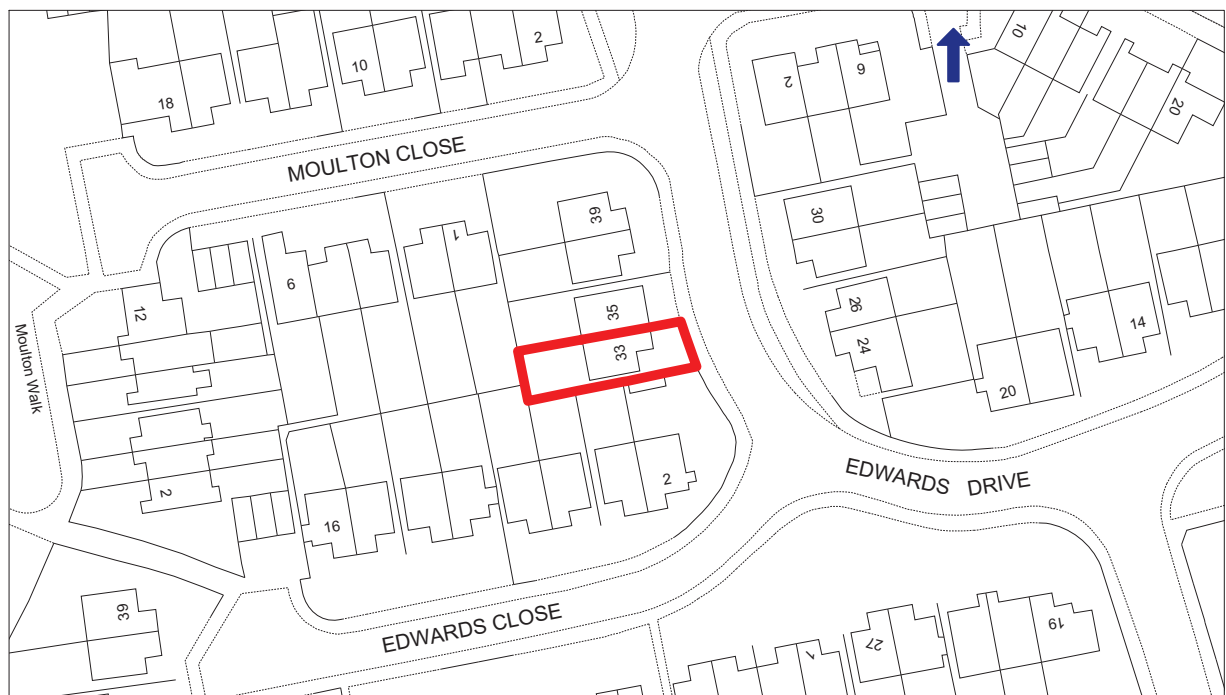
**Decisions contrary to Officer recommendation**

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: 01**

<b>Application Number:</b>	10/01633/FUL
<b>Applicant:</b>	Mr P Blackmore
<b>Description of Application:</b>	Two-storey rear extension
<b>Type of Application:</b>	Full Application
<b>Site Address:</b>	33 EDWARDS DRIVE PLYMOUTH
<b>Ward:</b>	Plympton Chaddlewood
<b>Valid Date of Application:</b>	24/09/2010
<b>8/13 Week Date:</b>	<b>19/11/2010</b>
<b>Decision Category:</b>	Member Referral
<b>Case Officer :</b>	Simon Osborne
<b>Recommendation:</b>	Grant Conditionally
<b>Click for Application Documents:</b>	<a href="http://www.plymouth.gov.uk">www.plymouth.gov.uk</a>



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## OFFICERS REPORT

This application is reported to committee due to referral by Councillor Dr David Salter, Ward Member, whose concerns include the scale of the proposal and its impact on the character of the area. The application was first considered by the Planning Committee at its meeting on 18 November, and deferred for a Committee site visit. This visit has now taken place, and the application is now presented back again, for Committee's determination. The rest of this report is as presented to the Committee on 18 November.

### Site Description

33 Edwards Drive is a two-storey three-bedroom semi-detached property located in Plympton. The adjoining property, 35 Edwards Drive, lies to the north, with Nos. 2, 4 and 6 Edwards Close to the south.

### Proposal Description

The proposal is for a two-storey rear extension to enlarge the ground-floor lounge and two of the first-floor bedrooms. The extension would measure approximately 2.1 metres deep and have a width of 6 metres, thus stretching almost the width of the property.

### Relevant Planning History

None

### Consultation Responses

None required

### Representations

4 letters of objection have been received regarding this application from 35 Edwards Drive and 4, 6 and 8 Edwards Close. The main issues are:

- Out of keeping with other properties in area
- Loss of light to dwellings and gardens (and associated environmental impacts)
- Solid brick side walls will appear overbearing and dominant when viewed from neighbouring properties

### Analysis

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

The SPD states that, in order to ensure that a proposed development will not cause a harmful loss of daylight to a neighbouring property, the 45 degree guideline should be followed. The proposed extension would have a limited projection of 2.1 metres and would only marginally break the 45 degree guide



with regard to the closest neighbouring windows on No. 35. It is considered that the impact on light reaching No. 35 would be acceptable. It is also considered that the extension would not appear unreasonably overbearing or dominant when viewed from nearby properties. Due to the existing layout and relationship between the subject dwelling and other properties, and the limited depth of the extension, there would be no substantial impact in terms of loss of outlook, light or privacy.

The extension is considered to be reasonably sympathetic in materials and design to the existing dwelling. Although it is recognised that two-storey rear extensions are not a common feature in the immediate vicinity, it is not considered that the extension would have a significant adverse impact on the appearance of the subject dwelling and, given that it would not be highly visible from public vantage points, would not have a significant impact on the character or visual appearance 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**

N/A

### **Equalities & Diversities issues**

None

### **Conclusions**

It is considered that the proposal is acceptable and therefore the application is recommended for conditional approval.

### **Recommendation**

In respect of the application dated **24/09/2010** and the submitted drawings, **4021** , it is recommended to: **Grant Conditionally**

### **Conditions**

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

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

Reason:

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

FURTHER FIRST-FLOOR WINDOWS

(2) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order or the 1995 Order with or without modification), no further first-floor windows (additional to those shown on the approved plans) shall be provided at any time in the extension hereby approved.

Reason:

To ensure that the extension does not detract from the amenity of the area, to comply with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE: PROPERTY RIGHTS

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

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

Having regard to the main planning considerations, which in this case are considered to be: the impact on neighbouring amenities and the impact on the character and visual 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:

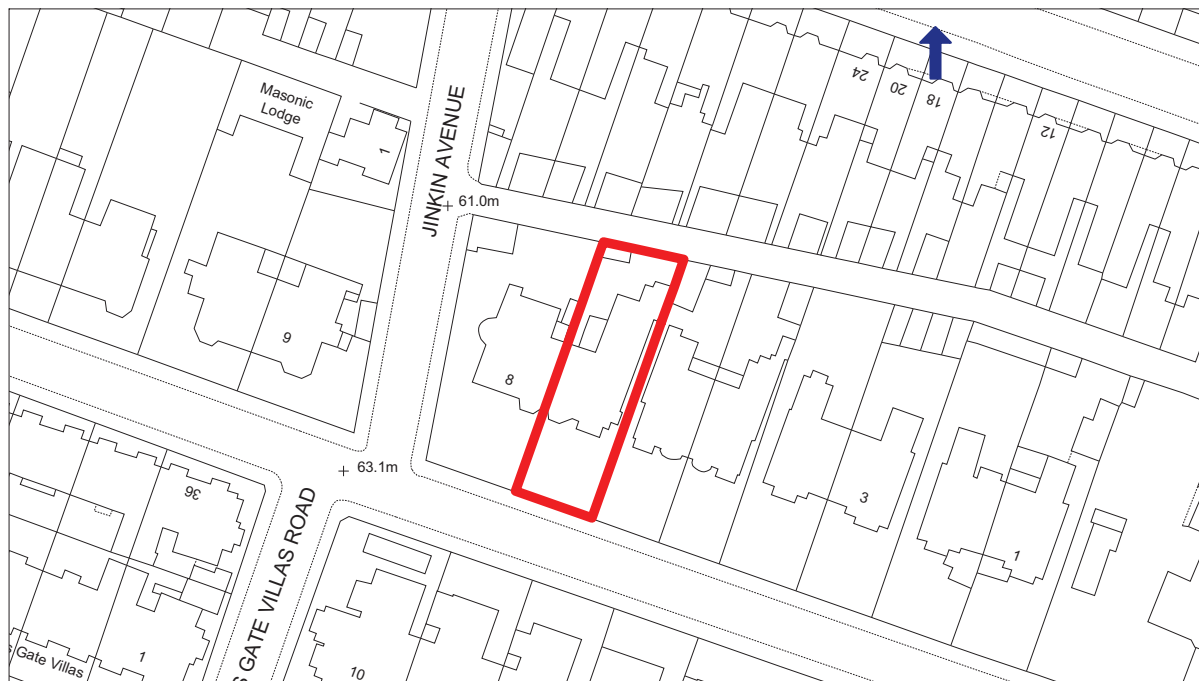
CS34 - Planning Application Consideration

CS02 - Design

SPD1 - Development Guidelines

**ITEM: 02**

<b>Application Number:</b>	10/00556/FUL
<b>Applicant:</b>	Mr M Hunns
<b>Description of Application:</b>	Change of use from nursing home to house in multiple occupation (16 bedrooms)
<b>Type of Application:</b>	Full Application
<b>Site Address:</b>	7 QUEENS ROAD LIPSON PLYMOUTH
<b>Ward:</b>	Efford & Lipson
<b>Valid Date of Application:</b>	30/07/2010
<b>8/13 Week Date:</b>	<b>24/09/2010</b>
<b>Decision Category:</b>	Member Referral
<b>Case Officer :</b>	Robert Heard
<b>Recommendation:</b>	Refuse
<b>Click for Application Documents:</b>	<a href="http://www.plymouth.gov.uk">www.plymouth.gov.uk</a>



## OFFICERS REPORT

### Member Request

For members information, this application is being reported to the planning committee at the request of Councillor Haydon, who is ward member for this area. He has concerns about parking, overcrowding, noise and that the plans submitted with the application are inadequate

### Site Description

No. 7 Queens Road is a large semi detached property situated in the Lipson area of Plymouth, last used as a nursing home. It is a generously proportioned 1930's villa arranged over 3 floors with adequate curtilage at both the front and rear of the property. Off street parking is provided in the front curtilage, accessed by a driveway from Queens Road.

The site is located in a residential area less than a mile from the city centre and close to the university. Freedom Fields park is a short walk to the south of the site.

### Proposal Description

The application proposes to change the use of the property from a nursing home to a 16 bed House In Multiple Occupation (HIMO). At ground floor level it is proposed to have 4 bedrooms, a separate lounge, kitchen and dining room, utility room, shower and WC and separate WC. The first floor contains 8 bedrooms, a shower room and WC, separate shower and separate WC and the second floor has 4 bedrooms and a shower room with WC.

Externally, it is proposed to have 3 off street parking bays at the front of the property. There is also private amenity space to the rear of the site.

### Relevant Planning History

No relevant history.

### Consultation Responses

#### Highways Officer

No objections

### Representations

30 letters of representation received, all objecting to the application. Of these, 17 letters were in the form of a petition style letter with the same content and only the name and address changed. 13 were individually written letters. To follow is a summary of the points raised in all of the letters received:

- The properties on Queens Road are nearly all in residential use and occupied by families and professional people.
- There is not enough parking proposed within the site.
- 3 self contained flats would be more appropriate than the development proposed.
- The proposal will detract from the quiet character of the neighbourhood.
- There will need to be extra bins provided for the property.
- The rooms could be let to students.
- The plans do not show the existing entrance or trees to the rear of the property.
- The proposal would detract from the quiet enjoyment of the neighbourhood.
- The development will raise parking problems in an area where there is already a lack of on street parking available.
- The proposal would provide a development imbalance in the area.
- A development this intense will create noise problems in the area.
- The cramming that this development would cause would be detrimental to the living conditions of potential future occupiers.
- Some construction work and alterations has already taken place at the property.

### **Analysis**

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

This application raises the following main issues which require consideration;

- The principle of the development and its impact upon the character and appearance of the area;
- The impact of the development on the amenities of nearby residential properties and;
- The impact of the development on the surrounding highway network and highway safety.

### **Principle of Development/Impact upon character and appearance of area**

With regards to the first point raised above, the principle of development appears to be acceptable. The application proposes to change the use of the premises from a use falling within the C2 (Residential Institutions) use class to a sui generis use. However, the proposed use, whilst not falling within the C3 (Dwelling Houses) use class, can generally be considered as a residential use of sorts.

It is not proposed to make any external alterations to the property and thus the only alterations proposed to facilitate the proposed change of use are internal. The building was last used as a nursing home and internally was similar in arrangement to the development proposed, with 17 rooms available for residents. However, it is considered that the impact a nursing home has on the character and appearance of an area is quite different to that of a HIMO with 16 bedrooms. Nursing homes are known to incur minimal trips due to the majority of residents generally being house bound. Whilst there is the coming and going of staff this is also minimal compared to that of a HIMO with 16 separate bedrooms.

Queens Road is in the main characterised by large villas that are either still in single use or have been divided into spacious apartments and there is still a significant amount of owner occupied properties in the area, although there is also an increasing number of properties in the road being converted from single residences to flats and HIMO. Council tax records show that roughly 20% of properties in Queens Road are in student occupation, although this doesn't account for those properties that have been converted into non student HIMOs. However, Queens Road is still predominantly occupied by families or young couples and the current residential mix in the area ensures that a balanced community is provided. The introduction of further non family accommodation could harm the character of the neighbourhood and it is important that concentrations of non family dwellings are avoided in this area.

Internally, this application proposes to provide 16 bedrooms with communal lounge, kitchen and dining room. There are also communal shower rooms and WC's throughout the house, a full accommodation breakdown is provided above in the proposed description section of this report.

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 and states under Point 5 that:-

*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 minimum size of 6.5sqm. The room sizes proposed within this application vary considerably, the smallest room is 7.05 square metres and the largest 22.54 square meters. Three of the proposed rooms are below 10 square meters and whilst this is considered small, as all of the proposed rooms exceed 6.5sqm in size the proposal meets the minimum requirements as set out above.

However, a total of 16 bedrooms over 3 floors and just 3 communal rooms (lounge, kitchen and dining room) is considered to represent over development of the site and will provide inadequate living conditions for



potential future occupiers. A single lounge, kitchen and dining room is not considered sufficient to serve 16 bedrooms, some which might be occupied by couples. The shared internal rooms could become congested at certain times and it is thus considered that the proposal would not provide an acceptable living environment or decent standard of accommodation, in accordance with the Adopted Development Guidelines Supplementary Planning Document (2010) in section 2.3 (Residential Conversions to HIMOs and Flats).

There are no details showing the arrangement of external amenity space at the site. Whilst there appears to be room within the site (according to the site location plan) for limited shared space and outdoor clothes drying facilities it is important that this is provided in accordance with approved details. At present no information or details are available with regards to the use of the rear external curtilage and it therefore cannot be assumed that it will be made available to future occupiers as external amenity and clothes drying space.

### **Impact upon residential amenity**

The application raises issues of residential amenity impact. Whilst the property has previously been in use as a nursing home and occupied by a similar number of people, these have in the main been elderly patients who have rarely left the premises and therefore the number of trips at the site (both pedestrian and vehicular) have been insignificant. The proposal to convert the property into a 16 bed HIMO will dramatically increase trip rates at the site to a level that could have a significant detrimental impact upon the residential amenities of nearby property occupiers. In particular the noise and disturbance associated with increased trips at the site could have a significant impact upon the living conditions of the occupiers of nearby residential properties, particularly as the area is characterised mainly by family dwellings and owner occupied apartments whose residents will have a different lifestyle to the potential occupiers of the proposed HIMO.

It is also worth noting that the Development Guidelines Supplementary Planning Document states in section 2.3.10 that *HIMOs within residential areas generally have less impact on neighbours if they are located in large, detached properties. If the proposal involves a semi detached or terraced house, then good sound insulation will be needed to prevent any noise disturbance to neighbours.* With regards to this, no details of sound insulation have been submitted and it is therefore likely that there will be significant impact upon the other half of this semi detached property, in relation to issues of noise disturbance.

Concerning overlooking, the submitted plans do not show existing or proposed windows, so it is impossible to determine if unacceptable overlooking or loss of privacy will be caused to any of the existing nearby residential properties.

It is likely that increased vehicular activity at the site will result in increased noise disturbance and kerbside parking in the vicinity. The provision of 3 parking spaces to serve 16 bedrooms is low and there is already a high

demand for on street parking in the area. Whilst on the northern side of Queens Road there are double yellow lines in existence (ensuring that vehicles cannot park on street directly outside of the property) this will only serve to increase pressure on kerbside parking in the surrounding streets that do not have double yellow lines and are not controlled by Permit Parking Zones.

### **Highways Issues**

The Highways Officer has recommended approval of the application subject to conditions, whilst raising concerns about the low level of off street parking proposed with the application and acknowledging the high demand for on street parking in this area. The decision to support the application subject to conditions is based mainly on the fact that HIMOs traditionally generate less demand for parking than other residential uses such as dwellings and apartments, due to low car ownership levels by occupiers.

However, the Highways Officer has provided updated comments after considering the letters of representation received, and whilst not changing his recommendation, has stated that whilst transport considered on balance that it would be unlikely that a recommendation of refusal just based upon the low level of car parking on its own could be sustained, a reduction in the amount of bedrooms (and therefore occupiers) at the site would be desirable and encouraged, in order to reduce trips and demand for parking.

### **Other Issues**

The application lacks details of external amenity space, refuse and cycle storage. There are also no windows shown on the proposed floor plans and these are not to scale.

### **Letter of representation**

As stated above in the Representations section of this report, 30 letters of objection have been received, raising points also listed above. Many of the reasons for objection are material planning considerations and have been discussed in detail above in the main Analysis section of this report.

### **Section 106 Obligations**

In accordance with the LDF Planning Obligations and Affordable Housing Supplementary Planning Document adopted August 2010 the application generates section 106 contributions under the Plymouth Development Tariff, as follows:

**£22, 287.52** (Playing Pitches, Strategic Green Space, Plymouth EMS, Sports Facilities, Public Realm)

**£644.10** (Admin fee)

### **Equalities & Diversities issues**

There are no additional issues to be discussed here.



## Conclusions

The application is considered to be over development of the site, proposing a development that is over-intensive and that would create unacceptable living conditions for future occupiers. It would be detrimental to the character of the area and harm the balance of the community, which in this area is characterised by family and owner occupied properties.

The proposed development would be harmful to the residential amenities of nearby property occupiers, incurring a vast increase in trips at the site and thus the noise and disturbance associated with additional trips. It is also likely that additional pressure on kerbside parking in the area could raise issues of highway safety and lead to high levels of unauthorised parking in the area.

For the reasons outlined above, and due to the submitted plans being inadequate, the application is recommended for refusal.

## Recommendation

In respect of the application dated **30/07/2010** and the submitted drawings, **Site Location Plan, Final Floor Plan** , it is recommended to: **Refuse**

## Reasons

### OVER DEVELOPMENT/OUT OF CHARACTER

(1) The proposed House in Multiple Occupation (HIMO) would harm the character of the surrounding neighbourhood, introducing further high density multiple occupancy accommodation that would be detrimental to the Council's aims to provide balanced communities with a range and mix of dwelling types. The intensity of the proposed use as a sixteen-bed HIMO comprises an inappropriate form of development that is too dense and represents over development of the site, being harmful to the existing character of the area which already has a significant amount of non-family dwellings and HIMOs. Consequently the proposal is contrary to policies CS01, CS15 and CS34 of the adopted Plymouth Local Development Framework Core Strategy (2007).

### POOR LIVING CONDITIONS

(2) The proposed development is considered to be over development and over intensive by virtue of the amount of bedrooms proposed at the site. This creates poor living conditions for potential future occupiers and provides an unacceptable living environment that does not provide a full range of amenities or a decent standard of accommodation at the site. The application is therefore contrary to the advice given in the Adopted Development Guidelines Supplementary Planning Document (2010) in section 2.3 (Residential Conversions to HIMOs and Flats) and Policy CS15 of the adopted Plymouth Local Development Framework Core Strategy (2007).

**DETRIMENTAL TO RESIDENTIAL AMENITY**

(3) The proposed House in Multiple Occupation would be detrimental to the amenities enjoyed by the residential occupiers of nearby properties in Queens Road, by virtue of the intensity of the proposed use and the close relationship with neighbouring residential properties. The residential environment of adjoining and nearby properties would be likely to be harmed by the number of trips (both vehicular and pedestrian), noise, and other disturbance arising from the proposed development. Consequently the proposal is contrary to policies CS22 and CS34 of the adopted Plymouth Local Development Framework Core Strategy (2007).

**INADEQUATE PLANS**

(4) The details submitted with the application are inadequate as the plans are not to scale and do not show the location of windows or the arrangement of the external rear amenity area. The application is therefore contrary to policy CS34 of the adopted Plymouth Local Development Framework Core Strategy (2007).

**INFORMATIVE: SECTION 106 CONTRIBUTIONS**

(1) Had the Local Planning Authority been minded to approve the application, the applicant's attention is drawn to the fact that the application contains no provisions to mitigate the impacts of the proposal, in accordance with Policy CS33 of the Adopted Core Strategy and the guidelines set out in the Adopted Planning Obligations and Affordable Housing SPD (2010). The methodology of mitigating the impacts of the proposed development is outlined in the Committee Report and in the event of an approval would be secured via Section 106 Agreement.

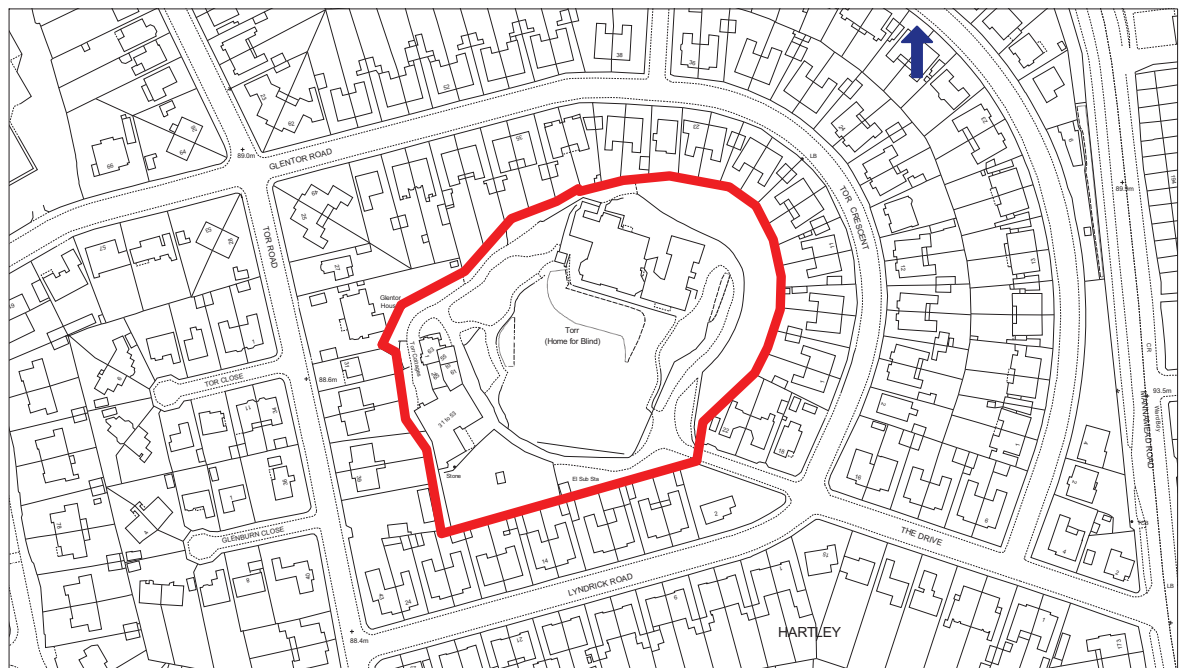
**Relevant Policies**

The following (1) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, were taken into account in determining this application:

- CS28 - Local Transport Consideration
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS22 - Pollution
- CS01 - Sustainable Linked Communities
- CS15 - Housing Provision
- SPD1 - Development Guidelines

**ITEM: 03**

<b>Application Number:</b>	10/01592/FUL
<b>Applicant:</b>	Torr Home
<b>Description of Application:</b>	New care home building for elderly mentally infirmed and formation of new car park areas
<b>Type of Application:</b>	Full Application
<b>Site Address:</b>	TORR HOME, THE DRIVE PLYMOUTH
<b>Ward:</b>	Peverell
<b>Valid Date of Application:</b>	08/10/2010
<b>8/13 Week Date:</b>	<b>07/01/2011</b>
<b>Decision Category:</b>	Member Referral
<b>Case Officer :</b>	Kate Saunders
<b>Recommendation:</b>	Grant Conditionally
<b>Click for Application Documents:</b>	<a href="http://www.plymouth.gov.uk">www.plymouth.gov.uk</a>



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## OFFICERS REPORT

**This application is being considered by Planning Committee as a result of a Member referral by Councillor Dr Mahony, who considers that the proposal is too close to properties in Lyndrick Road.**

### Site Description

Torr Home is a large period property set within 1.2 hectares of landscaped grounds in the Hartley area of the City. The main building occupies an elevated position in the north east corner of the site with a large lawn extending out to the south. A number of large trees are also situated around the site and are protected by a tree preservation order.

The site is contained by residential development with properties in Lyndrick Road, Tor Road, Glentor Road and Tor Crescent all backing on to the site. Access is provided to the east of the site from The Drive.

The building is currently in use as a residential and nursing home with day care and respite also being provided. On the west of the site a number of outbuildings have been converted to provide 18 self-contained flats which allow independent living for the over 60s.

### Proposal Description

New care home building for the Elderly Mentally Infirm (EMI) and formation of new car parking areas

The new EMI building will be located towards the centre of the site, in front of the main Torr Home. The unit will be part-two storey, part-single storey to make use of the changing levels within the site. The unit will contain 16 bedrooms, kitchen, dining room, day room and library. All bedrooms will be en-suite with additional WCs also being provided. The lower floor of the building will primarily be used by staff and will house the reception, offices and changing facilities. The proposal will measure approximately 29 metres by 26.5 metres and will have a hipped roof design. The roof will extend down on the front elevation to form an entrance foyer which will add interest to the main facade of the building. An open atrium will be created in the middle of the development to form an enclosed sitting area for residents.

### Relevant Planning History

10/01268/FUL - Removal of 6 antennas and installation of 6 new antennas with O2 and Vodafone sharing, and install new electrical equipment in existing equipment room – Granted conditionally

10/00555/FUL - New care home building for the Elderly Mentally Infirm (EMI) and formation of new car parking areas - Refused

10/00186/FUL - Retention of garden store in south west corner of Torr Home gardens – Granted Conditionally

09/00531/FUL - Variation of condition 3 to remove reference to C2 use and 'to let' premises to instead restrict occupation to a person with visual impairment or a person with infirmities associated with old age – Granted Conditionally

08/01425 - Siting of portable building in grounds of care home to provide temporary office accommodation – Granted Conditionally

07/00711/FUL - Conversion of office, cottage and store outbuildings to 18 self-contained flats for use in association with existing nursing home- Granted Conditionally

06/01253/FUL - Conversion of conference room into two bedrooms- Granted Conditionally

06/00615/FUL - Change of use of cottage to offices for Torr Home for the Blind – Granted Conditionally

### **Consultation Responses**

Highways Authority – No objections subject to conditions

Public Protection Service – No objections subject to conditions

### **Representations**

15 Letters of representation received. The main issues raised are:

- Loss of trees/Damage to protected trees during construction
- Overlooking and loss of privacy
- Building within 21 metres of converted outbuildings
- Dominating structure
- Overdevelopment of site
- Loss of visual amenity
- Increased light pollution
- Increased noise pollution
- Loss of wildlife habitats
- Increased traffic movements causing congestion and noise
- Pollution from increased vehicle movements
- Highway safety
- Disruption from construction works
- Out of keeping design
- Development not sympathetic to existing house/surrounding area
- Suitability of new building for dementia sufferers
- Increase in parking on neighbouring residential streets
- No provision for pedestrians/wheelchairs on road within the site
- Fire hazard from buildings being too close together
- Parking strategy not in accordance with “green” policies

- Blocking access to neighbouring garage
- Landscape proposals not acceptable
- No provision for storage/disposal of clinical waste
- Health impact of mobile phone masts
- Road within site not suitable for additional traffic

The letters also raise the following concerns which are not considered material planning considerations; trees act as a wind belt, property devaluation, damage to view, covenants concerning dry stone walls

### **Analysis**

The main issues to consider with this application are: the effect on the amenities of neighbouring properties, the impact on the character and appearance of the area, loss of trees and highway safety.

This proposal is an amended scheme following the refusal of a similar application on the site in July. In order to address the previous concern, which related to the loss of a prominent, protected tree on the site, the position of the new building has been relocated to a more central position within the site.

### **IMPACT OF BUILDING**

The proposal involves the construction of a fairly substantial building for use as a 16-bed EMI unit. The proposed building has been designed to take in to account the sloping nature of the site, being two-storeys to the front and a single-storey to the rear. The new location of the building is in much closer proximity to properties in Lyndrick Road. No's 10 and 12 Lyndrick Road are likely to have the most direct relationship with the EMI unit however these properties are still situated at least 30 metres away. Advice in SPD1 states that habitable room windows facing directly opposite one another should normally be a minimum of 21 metres apart for a two-storey development. The proposal is clearly in excess of this guidance. The distance even to the nearest neighbouring garden is approximately 19 metres. It is considered that a good level of privacy will still be retained at properties in Lyndrick Road. The situation is also aided by the extensive landscaping proposed adjacent to the Lyndrick Road boundary. A mixed tree avenue is proposed alongside shrub under planting which will help form a screen to the proposal. Conditions will be imposed requesting further details of the size and species of trees proposed to ensure they form a suitable buffer year round. It is accepted that at present the properties do have an attractive view over the gardens of Torr Home however views from a private dwelling/garden are not protected by planning legislation. The distance from neighbouring properties and use of quality landscaping will ensure the development does not appear dominating and overbearing.

The building will be some distance from properties in Torr Road, Glentor Road, Torr Crescent and The Drive. In addition existing trees and planting, the converted outbuildings and the main home itself will offer some form of



screening. It is considered that the proposal will not have a significant impact on these dwellings.

The issue of light pollution has also been highlighted. It is noted that the agent has detailed that street lighting is proposed however no details have been supplied. Given that the site is surrounded by residential development a condition requesting further details is considered appropriate. The windows on the front elevation will also emit light, however this will be from standard indoor lighting and given the distance from the neighbouring properties this is not considered unreasonable. During the night curtains/blinds will help block light alongside the proposed tree planting.

Potential increased noise is also raised as a concern. It is not considered that this type of development will result in excessive amounts of noise which could cause harm to neighbouring residents. The issue of noise during construction and from extraction/ventilation equipment will be addressed later in the report.

The development will be situated in close proximity to the existing converted outbuildings. There will be a distance of approximately 13.5 metres separating the buildings, measured corner to corner. Five bedroom windows will be situated in the west elevation of the new unit however due to the different angles of the buildings it is not considered that there will be a direct overlooking relationship. Furthermore additional landscaping is proposed to this side of the building which will further reduce any potential overlooking. It is therefore considered that privacy will not be unreasonably affected with the separation distance and landscaping ensuring the structure does not appear dominating and overbearing.

### TREES

This proposal is an improvement from the previous scheme as it retains the overall integrity of the treescape and results in less tree loss. It also allows for rationalisation of the landscape, which if done to a high standard, as suggested will improve the overall quality of the environment.

The proposal does have a large footprint which will mean that the development is still in relatively close proximity to Tree 101, the large feature beech, and Tree 102, a beech situated close to the entrance. However providing the Tree Protection Plan (TPP) is implemented and the Arboricultural Method Statement (AMS) is strictly adhered to, the local planning authority considers that the trees can be retained without undue harm.

In principle the landscape plan is considered to be of a good quality although, as previously stated, further details will be requested regarding size and type of species. This will ensure that the outdoor environment offers therapeutic benefits to residents whilst being aesthetically pleasing to surrounding households.

Letters from neighbours raise the associated problem of loss of wildlife as a result of the tree removal. A Phase 1 habitat survey will be requested via

condition which will then inform a mitigation and enhancement strategy to ensure that the development results in a net biodiversity gain on site.

## DESIGN

The design is largely the same as the previously refused scheme. The building has a fairly large footprint, predominantly being single storey in nature. The form and design of the building has been largely influenced by the functional requirements of housing people with mental frailties. The changes most commonly encountered by people suffering with dementia will be in the area of short term memory loss, spatial perception, difficulty planning activities and lowered stress thresholds. The fundamental purpose of a dementia friendly unit is to compensate for the effects of dementia and support retained functions and skills. The development is almost square in nature with a single corridor running around the building, an open atrium then forms an enclosed amenity area in the centre. The form of the building therefore allows residents to wander around independently, from their bedroom to communal areas, without the risk of getting lost. In addition they will also have the ability to go outside without the need for supervision. It is hoped that these features along with the optimal resident number will create a safe, comfortable and secure environment for future residents.

The building is fairly simplistic in terms of its design which is somewhat disappointing. The existing building is of a high quality and although it is not listed or situated within a conservation area it was hoped that a more distinct building would be created to complement and enhance the unique characteristics of the site. However attempts have been made to break up the facades of the building with projecting elements and the use of stonework. The design has made efforts to reflect the form and detailing of the converted outbuildings so it does offer some link to the existing buildings on site.

Although an improved design would be desirable this has to be weighed against the characteristics of the site and the medical need for this facility. Although the site is of high visual quality, it is surrounded by other residential development and the proposal will only be visible from these neighbouring properties and, in a limited way, from the Drive. The building will be set in to the slope and its simple form will not detract from the vista of the main house.

Adult Social Care has confirmed that there is a need for this type of dementia facility within the City. Furthermore in relation to needs analysis the city will in fact be growing its dementia nursing care provision. The location of the unit at Torr Home has also been supported as it will act as a citywide facility.

Therefore in this instance it is considered that the design of the building, although basic, could not warrant refusal of the application given the contained nature of the site and acute medical need for the facility.

## TRANSPORT

The highway's officer notes that there were no transport related objections to the previous application, and as the proposal has not significantly changed from this perspective, the previous comments still stand.



A Transport Statement has been produced and the Highways Authority is happy with the proposal. The highways officer notes that the proposed 12 parking spaces is slightly over the stated maximum parking standards however as applications of this nature are considered on a case by case basis this is considered acceptable. The highways officer was encouraged regarding the already high use of public transport at the site. It was noted that cycling is currently the least favoured travel option therefore a condition will be imposed to provide better facilities on site to try and promote its use. The highways officer also considered that the proposal would only create a negligible increase in vehicular trips to and from the site, further split by the shift working pattern. As such there are no concerns regarding the impact of the proposal on the surrounding highway network. Neighbours' concerns regarding highway safety, increased congestion and associated pollution and parking on nearby streets are therefore considered unjustified and could not warrant refusal of the application.

The highways officer does note that the parking spaces proposed opposite the new building may need to be slightly reconfigured to allow for comfortable manoeuvring. This matter can however be addressed via condition.

Further comments were also raised concerning the introduction of footways within the site for pedestrians/wheelchair users; however this is not a matter for the highways authority due to the private nature of the site. A footway will however need to be provided from the entrance to the new building in order to meet building regulations therefore the plan has been amended to address this point. It should also be noted that at the entrance to the site a speed limit is imposed therefore the risk to pedestrians using the site's existing highways is negligible.

A green staff travel plan will also be requested via condition which will try and promote the use of sustainable transport modes over the private car. This should help to alleviate some neighbour concerns regarding the "green" credentials of the site.

#### ENVIRONMENTAL HEALTH

The Public Protection Service has also raised no objections to the proposal although they recommend several conditions. Two of the suggested conditions relate to the installation of a ventilation system and potential noise. These conditions will ensure neighbours' amenities are protected which has been raised as a concern by surrounding properties. In addition a condition relating to the construction phase will also be utilised to limit noise and disruption to local residents. Two other conditions relate to the new kitchen in the building and the reporting of unexpected contamination on site.

#### DRAINAGE

Although a sustainable drainage system would be preferred the site is not located within a flood zone or problem drainage area therefore connecting to the mains is not considered unreasonable in this instance. Building

Regulations will also be required for the works and surveyors will ensure that drainage and sewerage facilities reach the required specification.

#### POSSIBLE LISTING

Members should be aware that an application has been made to consider Torr Home for listing. English Heritage has been in touch with the planning authority and has advised that the listing application will not be prioritised, and the current planning application should be processed in the normal manner.

#### HUMAN RIGHTS ACT

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

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

The building will be a purpose built EMI unit providing high quality accommodation for people with dementia and other associated conditions. In light of the projected increase in dementia sufferers over the coming years it is considered that the development will provide a much needed community facility.

#### **Section 106 Obligations**

The applicants are a registered charity and as such no development tariff is payable.

#### **Conclusions**

The design of the building is simple, however its siting and position ensures it does not cause any harm to the original Torr Home. Furthermore other issues can all successfully be addressed through appropriate conditions. The proposal will provide a much needed medical facility for the local community and city generally therefore this application is recommended for approval.

#### **Recommendation**

In respect of the application dated **08/10/2010** and the submitted drawings, **1833/39, 1833/40, 1833/41, D10014, D10015, D10016, Transport Statement, Envirocheck Report, Tree Protection Plan and associated drawing 355-D Rev A** , , it is recommended to: **Grant Conditionally**

#### **Conditions**

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

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.

GREEN STAFF TRAVEL PLAN DETAILS

(3)The uses hereby permitted shall be carried out in accordance with details of a Green Staff Travel Plan which shall be submitted to and approved in writing by the Local Planning Authority prior to the development opening for trade. The Green Staff Travel Plan shall include the following elements:-

- The provision of secure and convenient cycle parking facilities
- The provision of shower and changing facilities for staff
- Measures to regulate the management and use of car parking areas to be permitted
- The appointment of a suitable on-site co-ordinator to monitor and record occupiers' progress in meeting the objectives of the plan. An initial survey of staff travel patterns to/from the site shall be carried out and the results, together with proposed targets for staff cycle and public transport usage and car sharing, submitted to the Local Planning Authority within six months of the development opening for trade. A report shall be submitted to the Local Planning Authority every two years monitoring the progress of the plan and achievement of the identified targets
- Measures for enforcement of the plan, should agreed objectives and targets not be met.

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.

#### CYCLE PROVISION

(4)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 3 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.

#### CAR PARKING PROVISION

(5) 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 12 cars to be parked.

#### Reason:

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

#### EXTERNAL MATERIALS

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

#### Reason:

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

#### FURTHER DETAILS

(7)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, -  
External lighting  
Commercial kitchen layout  
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.

#### DETAILS OF EXTRACT VENTILATION SYSTEM

(8)The use hereby permitted shall not commence until details of the extract ventilation system, including details of any external ducting, air conditioning units and other plant, have been submitted to and approved by the Local Planning Authority (LPA). In the case of external ducting, it is often necessary to submit a further planning application, in which case the use hereby permitted shall not commence until planning permission has been granted for the system.

In the case of any alternative extract system which does not require a further planning application, the use hereby permitted shall not commence until the LPA has approved the details in writing. Additionally, the use hereby permitted shall not commence until the approved equipment has been fully installed and is operational.

Such approved equipment shall thereafter be operated at all times when cooking is carried out and maintained in accordance with the manufacturer's instructions. The said details of the system shall include methods to ensure cooking smells and any noise from the system (see condition 9 below) do not cause harm to the amenity of surrounding properties.

#### Reason:

To ensure that the use hereby permitted does not cause any adverse disturbance to the amenities of the residential properties near the premises, and any other properties, and the surrounding area, in accordance with policies CS22 and CS34 of the adopted Core Strategy.

#### CONTROL OF NOISE LEVELS

(9)The noise generated by the extract ducting/ventilation/air conditioning equipment (LAeqT) shall not exceed the background noise level (LA90) by more than 5 decibels, including the character/tonalities of the noise, at anytime as measured at the façade of the nearest residential property.

#### Reason:

To control noise levels generated by the use hereby permitted, in accordance with policies CS22 and CS34 of the adopted Core Strategy.

#### 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. The report of the findings must include:

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

(ii) an assessment of the potential risks to:

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

(iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation  
Planning Committee: 29 July 2010

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

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

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

#### EXISTING TREE/HEDGEROWS TO BE RETAINED

(11) 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

(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 tree protection plan 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.

#### DETAILS OF REPLACEMENT TREES

(12) Details of the size, species and location of the replacement tree(s) shall be agreed in writing with the LPA before commencing the work permitted, and the agreed replacement tree(s) shall be planted within 3 months from the date the permitted work is carried out or, if this period does not fall within a planting season, by 31 January next.

Reason:

In the interests of visual amenity and to conserve the contribution of trees to the character of the area in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### LANDSCAPE DESIGN PROPOSALS

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

Reason:

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

#### SOFT LANDSCAPE WORKS

(14) 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

(15)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.

#### NATURE CONSERVATION

(16)No development shall take place until a Phase 1 Habitat Survey and Mitigation and Enhancement Strategy for wildlife both during and post-construction is submitted to and approved in writing by the Local Planning Authority. The surveys must demonstrate biodiversity net gain through provision of a 'biodiversity budget'.

#### Reason:

In order to safeguard protected species and ensure there is a net gain in biodiversity from the development in accordance with Policy CS19 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### PLANS

(17)The development hereby permitted shall be carried out in accordance with the following approved plans:(1833/39, 1833/40, 1833/41, D10014, D10015, D10016, 355-D Rev A)

Reason: For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### INFORMATIVE: CODE OF PRACTICE DURING CONSTRUCTION

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

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



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

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

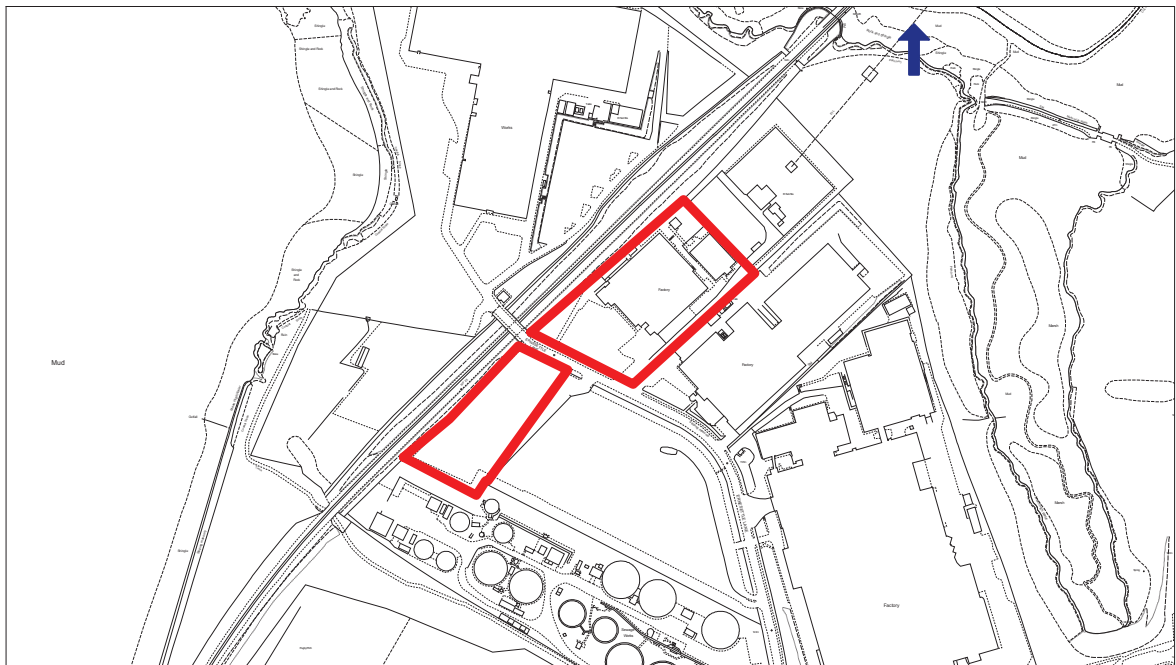
Having regard to the main planning considerations, which in this case are considered to be: effect on neighbouring properties, impact on the character and appearance of the area and highway safety, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, 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 (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

PPS23 - Planning & Pollution Control  
CS28 - Local Transport Consideration  
CS34 - Planning Application Consideration  
CS18 - Plymouth's Green Space  
CS19 - Wildlife  
CS22 - Pollution  
CS01 - Sustainable Linked Communities  
CS02 - Design  
CS31 - Healthcare Provision  
SPD1 - Development Guidelines

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**ITEM: 04**

<b>Application Number:</b>	10/01601/FUL
<b>Applicant:</b>	Visitract Ltd
<b>Description of Application:</b>	Change of use, conversion and alteration to in-door karting arena
<b>Type of Application:</b>	Full Application
<b>Site Address:</b>	FORMER ENVIRON EUROPE LTD, ERNESETTLE LANE PLYMOUTH
<b>Ward:</b>	Honicknowle
<b>Valid Date of Application:</b>	20/09/2010
<b>8/13 Week Date:</b>	<b>20/12/2010</b>
<b>Decision Category:</b>	Major Application
<b>Case Officer :</b>	Janine Warne
<b>Recommendation:</b>	Grant Conditionally
<b>Click for Application Documents:</b>	<a href="http://www.plymouth.gov.uk">www.plymouth.gov.uk</a>



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## OFFICERS REPORT

### Site Description

The application site comprises a vacant factory unit, formerly occupied by Environ Europe Ltd. The site is located at the far north-western end of Ernesettle Lane on an established industrial estate. Ernesettle Lane divides the application site in two; with the main building, associated access and landscaping to the northeast of the highway and a dedicated car park to the southwest. The entire site measures approximately one and a half hectares and is bounded by a Water Treatment Works to the south-west, the Kawasaki factory to the north-west (beyond the railway line), the Vi-Spring complex to the south-east and a council-owned property/electricity sub-station to the north-east. The nearest residential boundary (in the Ernesettle estate) lies approximately 400 metres to the east.

### Proposal Description

This application is seeking consent for the change of use, conversion and alteration of the vacant factory unit to form an in-door Karting arena (use class sui-generis). Opening times are proposed to be between 0900hrs and 2200hrs, seven days a week.

### Relevant Planning History

Whilst there is some historic planning history relating to this site it is not deemed to be especially relevant to this application and therefore this has not been listed here.

It should be noted that the applicant engaged in detailed pre-application discussions with the Council prior to this submission (development enquiry service ref: MI/40/PRE).

### Consultation Responses

Transport – no objections, subject to recommended conditions.

Public Protection Service – no objections, subject to recommended conditions.

Economic Development – no objections.

### Representations

Two letters of representation have been received regarding this planning application. One letter has been received from a local resident; noting concern that the site may be used for purposes other than karting. One letter has been received from a neighbouring business premises; this letter notes concerns relating to issues of highway safety with specific reference to the parking bays on Ernesettle Lane, limited sight lines, the volume of traffic and the size of vehicles operating in the area.

### Analysis

#### Introduction

This application turns upon policies CS04 (Future Employment Provision), CS05 (Development of Existing Sites), CS22 (Pollution), CS28 (Local Transport Considerations), CS30 (Sport, Recreation and Children's Play Facilities) and CS34 (Planning Application Considerations) of the adopted Core Strategy for Plymouth. The primary planning considerations are: the principle of the proposed change of use and the loss of a factory unit, transport / highway considerations, the impact on neighbouring amenity, land contamination considerations and noise/disturbance, as discussed in no particular order below.

#### Change of Use

The application property is located in an industrial area dominated by a small number of large units. The building has been vacant since August 2008 and has been actively marketed since. There has been limited interest which may, in part, be due to the impact of the economic downturn. The unit is well connected to the road network being in close proximity to the A38 at the Crownhill Road/Victoria Road junction at Higher St. Budeaux. This ensures good access to both Cornwall and mid/eastern Devon; it is therefore somewhat surprising that there has been limited interest in this site.

Whilst the loss of an established B1/B2 employment site is undesirable, your officers are mindful that the property has lain vacant for a number of years and the proposal would bring this unit back into use. As noted above, the previous occupant vacated in August 2008 and despite active marketing the property has been empty since that time. Local Authority Officers have been able to trace the marketing of the unit back to the Industrial Schedule of July 2008 through to April 2010.

The proposed indoor karting arena would create around thirty new full and part-time jobs (equating to twenty full-time) ranging from managerial to track-marshals, grounds staff, security, mechanical repair and maintenance.

The Council's Economic Development Team have confirmed that 'whilst an industrial use of the building would be preferable on this site, the proposed use would also be seen as acceptable'.

The proposed use is appropriate in this case and will not compromise the area's current or longer term economic development needs in accordance with Policy CS05. Given the above, your officers are satisfied that granting consent would not create a precedent preventing the Council from resisting future proposals that do not accord with LDF policies or Government guidance.

#### Sui Generis Use

Most leisure/sports uses fall within Use Class D2. However a go-kart arena is deemed to be *sui generis*. Such categorisation indicates that the proposed use does not fall within any Use Class and therefore does not enjoy the privileges of being therein. Every material change of use involving *sui generis* uses would require planning consent. And therefore it should not be assumed

that the premises could be used for purposes other than go-karting as this is likely to require a fresh planning application.

The establishment of an indoor karting arena on the proposed site is deemed to accord with the Policy CS30 which seeks to enhance the City's recreation facilities. There is deemed to be a shortage of such specialist leisure uses in the city and we would hope that this facility would attract visitors from the wider region and improve the city's leisure/recreation facilities.

### Transport / Highway Considerations

The site has an established factory use. No changes are proposed to the layout, accesses or parking arrangements. The proposed use should be considered in the context of the previous use. The traffic generation of the previous use is unknown but a factory unit of this size might generate between 40-50 trips during the peak hours. The Applicant has provided some information as to the likely traffic generation of the proposed use might generate which is considered to be up to 45 vehicles every two hours assuming an average of 2 persons per vehicle. This is considered to be a reasonable assumption and it is therefore considered that the traffic generation of the site would be equivalent to the use already permitted although the main demand for the proposed use would occur mainly outside the peak hours during evenings and weekends. Existing traffic flows immediately in front of the site are low as the road only leads to 1 further unit at the end of the cul-de-sac.

The site lies at the end of a long cul de sac and is difficult to serve by public transport. Service 46 and 47 runs along Ernesettle Lane although does pass directly in front of the site - the nearest stop is over 500m from the site. The location is therefore not particularly accessible by public transport.

Pedestrian and vehicular accesses remain unchanged. 55 car parking spaces would be provided although the available parking area far exceeds this number of spaces. The car parking provision is considered to be adequate. Some staff and disabled parking is provided immediately adjacent to the main entrance. Cycle parking is also indicated adjacent to the main entrance.

### Noise / Disturbance

Your Officers have been working very closely with colleagues in Public Protection to address this issue and it is agreed that insufficient information has been submitted upfront to address potential noise impacts on local businesses and residents. However the applicant has confirmed that he is willing to accept a series of restrictive conditions to ensure that a full Noise Impact Assessment is submitted and any necessary remediation work is carried out. This must be completed to the satisfaction of the Local Planning Authority, before the use is opened to the public. The planning conditions that we therefore recommend to deal with this matter are at the end of this report.

### Nature Conservation

With regard to nature conservation, the site comprises an established industrial building with associated car park. Given that no external changes are proposed, your officers are satisfied that the development will not directly harm wildlife. While the noise and activity associated with the proposed go-karting could potentially disturb wildlife, the site is within an urban/industrial setting and is already close to existing commercial uses, main roads etc and the noise and lighting associated with them. Therefore it is considered that there will not be demonstrable harm in this regard.

### Ventilation

The applicant has confirmed that the existing ventilation system in the building will be used in association with the proposed use. However, no specification details have been provided in this regard. The applicants will need to demonstrate that the existing system can adequately address the level of exhaust fumes generated within the building. The Council's Public Protection Department have raised no objections in this regard, however it is recommended that full specifications are sought by way of a restrictive planning condition.

### Opening Hours

The proposed opening hours are 9am–10pm Monday–Sunday. Your officers have sought to negotiate in this regard. However the applicant is not willing to compromise; claiming that most of the business occurs in the evenings and at weekends (i.e. the hours that your officers sought to restrict). Whilst this is not ideal, officers are satisfied that the recommended restrictive conditions will bring forward entirely adequate noise mitigation measures to protect neighbouring residential amenity from disturbance. Given this, and the fact the site falls within an urban/industrial setting, your officers consider that the proposed opening hours can be accepted.

### Land Contamination

Having reviewed the submitted Desk Contamination Report (dated August 2010) and the Site Contamination Assessment (dated November 2010; ref. S10-018/SCA) the Public Protection Service have confirmed that they are happy with the conclusions of the report and therefore require no further information.

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 Local Development Framework Planning Obligations and Affordable Housing Supplementary Planning Document adopted August 2010, no tariff is sought in this case. Net change in floor area is the normal



proxy for calculating the tariff. Given that there is no increase in floor area is proposed, no obligation is required. Furthermore your Officer's are satisfied that there are no specific impacts requiring a negotiated element.

### **Equalities & Diversities issues**

The facility must provide access for people with disabilities. It is acknowledge that some consideration has already been given to this by reference in the design and access statement.

### **Conclusions**

For the reasons discussed above, this application is recommended for conditional approval.

### **Recommendation**

In respect of the application dated **20/09/2010** and the submitted drawings, **Site Location Plan (as amended and received on 01/10/10), Floor Plan - Existing and Proposed, accompanying Design and Access Report and supporting information (Background Noise Monitoring & Noise Breakout report, dated 18/11/10; Contamination Desk Study, dated August 2010; Site Contamination Assessment, dated November 2010; Transport Statement, dated September 2010)** , 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.

#### **NOISE**

(2) Unless otherwise agreed by the Local Planning Authority, the use hereby permitted shall not be open to the public until conditions 3 - 5 have been complied with.

Reasons:

To protect the residential, commercial and general amenity of the area from any harmful polluting effects and avoid conflict with policies CS22 and CS34 of the adopted Core Strategy (2006-2021) 2007 and Planning Policy Guidance 24: Planning and Noise.

#### **NOISE IMPACT ASSESSMENT**

(3) A Noise Impact Assessment must be completed to reflect the full extent of the use hereby approved, in accordance with details previously approved in writing by the Local Planning Authority. These details shall include:

- The location of noise measurements
- The time and date when measurements are to be undertaken



The Noise Impact Assessment must be carried out by competent persons and a written report of the findings must be produced and agreed in writing by the Local Planning Authority.

Reason:

To protect the residential, commercial and general amenity of the area from any harmful polluting effects and avoid conflict with policies CS22 and CS34 of the adopted Core Strategy (2006-2021) 2007 and Planning Policy Guidance 24: Planning and Noise.

#### NOISE MITIGATION SCHEME

(4) A Noise Mitigation Scheme shall be submitted to and approved in writing by the Local Planning Authority. The mitigation scheme once implemented shall ensure that the use hereby approved does not exceed 5 dBLAeq,1hr above background (LA90) including tonality when measured from the locations agreed as part of condition 3. The scheme must include all works to be undertaken and a timetable of works.

Reason:

To protect the residential, commercial and general amenity of the area from any harmful polluting effects and avoid conflict with policies CS22 and CS34 of the adopted Core Strategy (2006-2021) 2007 and Planning Policy Guidance 24: Planning and Noise.

#### IMPLEMENTATION OF APPROVED NOISE MITIGATION SCHEME

(5) The approved Noise Mitigation Scheme must be carried out in accordance with its terms, unless otherwise agreed by the Local Planning Authority. Following completion of the measures identified in the approved mitigation scheme, a verification report that demonstrates the effectiveness of the mitigation carried out must be produced and approved in writing by the Local Planning Authority.

Reason:

To protect the residential, commercial and general amenity of the area from any harmful polluting effects and avoid conflict with policies CS22 and CS34 of the adopted Core Strategy (2006-2021) 2007 and Planning Policy Guidance 24: Planning and Noise.

#### VENTILATION

(6) The use hereby permitted shall not commence until details of the following aspects have been submitted to and approved in writing by the Local Planning Authority, viz:- the ventilation system to control the emission of motor vehicle fumes within the building. These details shall include manufacturers specifications, odour and noise control measures. Such approved equipment shall be installed before the commencement of the permitted use and thereafter be operated and maintained in accordance with the manufacturer's instructions.

Reason:

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

#### APPROVED PLANS

(7) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan (as amended and received on 01/10/10) and Floor Plan - Existing and Proposed.

Reason: For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### INFORMATIVE - ASBESTOS

(1) The Applicant is advised that a full asbestos survey should be completed and appropriate controls implemented to prevent exposure to contactors, employees and members of the public.

#### INFORMATIVE - VENTILATION

(2) With regard to condition 6, the Applicant is advised that if any addition ventilation is proposed which materially affects the appearance of the building then a further planning application may be required. If in doubt, please contact the Local Planning Authority.

#### **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 the proposed change of use and the loss of a factory unit, transport / highway considerations, the impact on neighbouring amenity, land contamination considerations and noise/disturbance, 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:

PPG17 - Sport and Recreation

PPG24 - Planning and Noise

CS28 - Local Transport Consideration

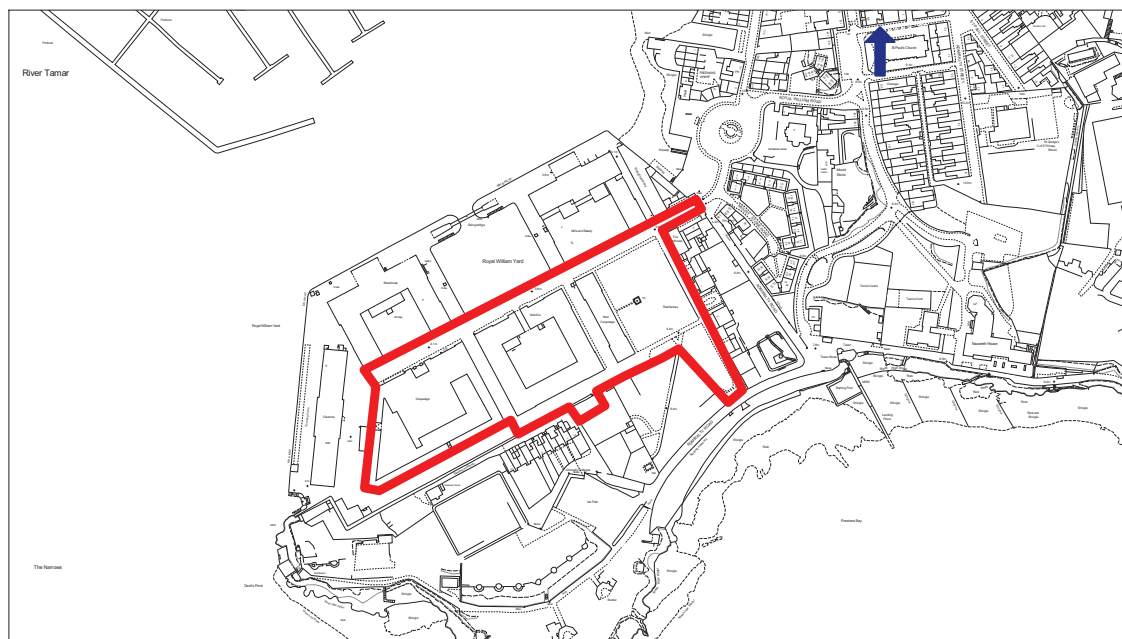
CS34 - Planning Application Consideration

CS22 - Pollution

CS05 - Development of Existing Sites

CS04 - Future Employment Provision

CS30 - Sport, Recreation and Children's Play Facilities

**ITEM: 05****Application Number:** 10/01384/FUL**Applicant:** Urban Splash South West (Ltd)**Description of Application:** Change of use to mixed use for a range of uses comprising: B1 business, A1 shops, A2 financial and professional services, A3 restaurants and cafes, A4 drinking establishments, A5 hot food takeaways, D1 non residential institutions and D2 assembly and leisure, internal alterations and removal of external escape staircase**Type of Application:** Full Application**Site Address:** NEW COOPERAGE, ROYAL WILLIAM YARD  
PLYMOUTH**Ward:** St Peter & The Waterfront**Valid Date of Application:** 21/09/2010**8/13 Week Date:** **21/12/2010****Decision Category:** Major Application**Case Officer :** Robert McMillan**Recommendation:** Grant conditionally subject to S106 Obligation, delegated authority to refuse if not signed by 31 January 2011**Click for Application Documents:** [www.plymouth.gov.uk](http://www.plymouth.gov.uk)

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## OFFICERS REPORT

### Site Description

The site is the New Cooperage building in the Royal William Yard. It is in the eastern part of the Yard with the basin and Mills Bakery building to the north, the Green and open land to the east and south and Melville building to the west. It is a Grade II listed building. It is two storeys in Granite ashlar with rustication on the ground floor under a slate roof. It is symmetrical with slight projections at the northern and southern ends. The ground floor windows are segmental arched. There are doors on the northern, southern and western elevations and prominent southern chimney stack with four small dormer windows on the two long elevations to provide additional light. Later fire escapes have been added to the western façade. Internally there is an interesting exposed steel roof truss structure and boarded floor creating a dramatic open space at first floor. It has a floor area of 1,823 sq m.

### Proposal Description

The application is to convert the building to mixed use for a range of uses including the ground and first floor from storage to B1 business and the ground floor only to A1 Shops, A2 Financial and Professional Services A3 Restaurants and Cafes, A4 Drinking Establishments and D1 Non-residential Institutions. The applicant's detailed description states that the works comprise: "The creation of a new open central core housing lift, stair, wc and refreshment facilities on both floors within a contemporary pod and the removal of first floor structure in this area to create a mezzanine. Installation of a new plant room on the ground floor, utilizing the existing chimney flues for extraction, new service runs within a new ceiling void, and within the existing floor structure at first floor, creation of a service grid at first floor level within the existing floorboard layout, the installation of a raised access floor across the first floor, the installation of new internal glazed entrances along the western facade, levelling of existing concrete floor on ground floor, removal of modern metal external escape stair along western alley, installation of partitions to subdivide the space into smaller units".

The applicant has attached an Interim Parking Layout for the whole of the Royal William Yard (RWY). This shows parking in the lane between the New Cooperage and Melville Building and the lane at the rear to the south.

### Relevant Planning History

#### **Royal William Yard (RWY) as a whole**

97/1573 – Outline application to regenerate RWY by a mixed use development comprising of residential units, speciality shopping, hotel, bars, restaurants, visitor attractions, craft market and workshops - APPROVED

#### **New Cooperage**

00/01063 – LBC - Removal of decayed block wood flooring on ground floor

00/00841 - LBC - Replacement of external drainage pipes and gullies and internal rainwater pipes

00/00766 – LBC - Demolition of internal walls to ground and first floors;

99/01417 - LBC - Replacement of roof and refurbishment of windows and doors;

99/01323 – LBC - Removal of modern fixtures and fittings of internal paintwork and of external staircase

### **Other buildings within RWY**

Since 2002 there have also been a number of applications for the change of use and alterations of other buildings within Royal William Yard including The Clarence Building, Brewhouse and Mills and Bakery as well as for the public realm improvements. Permission was granted for a large mainly underground car park on the raised grassed area south of the New Cooperage in 2006, but it will not be built, (04/00868).

### **Consultation Responses**

#### **English Heritage (EH)**

##### **(Comments on the application for listed building consent)**

EH does not object to the principle.

Accepts the need for flexibility to help in finding tenants but ask that subdivision be kept to the minimum. The possibility of glazing for the first floor partitions above head height should be considered to provide uninterrupted views of the roof structure.

It is concerned about raising parts of the first floor to provide service runs. Fireproofing of the underside of floor plates is accepted to enable the upper floor surfaces to be retained in use.

These issues should be addressed and the application be determined in accordance with national and local policy and the Council's conservation advice.

#### **Environment Agency**

The proposal falls within the scope of the Environment Agency's Flood Risk Standing Advice. Officers should seek advice from Building Control and the Emergency Planning Team.

#### **Highway Authority**

##### 1. Interim comments

The Highway Authority's interim comments are based on the receipt of the updated Transport Strategy from the applicant on 18 November 2010.

#### Parking

Has concerns over the large number of visitor parking spaces which was not supported with accumulation surveys. The possibility of sharing is not

apparent. It has not been shown how this meets the objectives of the Transport Strategy in encouraging the use of sustainable means of travel.

It is not clear when the car parking charging regime would be implemented.

#### Car club

A car club would be welcome however there are doubts over the financial viability of it in the short and medium term.

#### Travel passes

The Transport Strategy states that a requirement for individual developers/occupiers is to provide season ticket concessions for public transport users. Information submitted as part of the New Cooperage application suggests that the number of staff within this building will vary between 113 and 144 (the median value being 129). On the basis of the cost of a monthly travel pass being £52 and a suggested public transport modal shift target of 15% (which would equate to 20 members of staff; 15% of 129), a financial contribution of £12,500 would be sought from this development to provide a free 12 month travel pass for 15% of the staff working in New Cooperage. This is simply implementing measures included the applicant's Transport Strategy. This would have to be secured through a S106 agreement. The applicant's view that there is no need for such an agreement is a further area of concern.

#### Layout

Raises several points of detail that need clarifying and/or changing in relation to the ability for some of the spaces to be used, the size of some of the spaces, the location of the cycle parking, access to the bin store area and location of the "drop-off" spaces next to the entrance.

#### 2. Later comments

Officers have been working closely with the applicant and its agents to achieve a suitable parking layout and strategy and transport strategy and are close to reaching agreement. The issue of the travel passes still needs to be resolved.

#### **Public Protection Services**

No objections

#### **Representations**

The Stonehouse Residents' Association (SRA) has made two submissions.

##### 1. First submission

There is a letter from the Stonehouse Residents' Association (SRA) dated 16 October 2010. It does not object but raise a number of issues. It suggests possible conditions:

- A revised Transport Strategy for RWY and modal surveys to assist the development of the Transport Strategy;
- No occupation until the contribution for the 15 minute bus service from the S106 agreement attached to the Mills Bakery Building has been



made and implemented. SRA is open to a variation but would wish to see a commercially viable 15 minute service. This may involve other services than the 34 service;

- The establishment of a car club or the creation of a new pedestrian link around Devils Point ready for use prior to occupation. Contributions should be made during phases of development to avoid all the obligations falling on the last building. Obligations were relaxed for other buildings and not onerous on the Mills Bakery building as wider obligations were to be tied to the car park proposal which has now been abandoned; and
- The draft travel plan needs to be corrected;

SRA object to alterations to the Western King car park and have been informed by the applicant that this is a mistake and should not have been included in the travel plan. (For clarity this does not form part of this application.)

## 2. Second submission

In a subsequent email of 25 November 2010 it states:

The SRA has been involved in the revised Transport Strategy (TS) through its Transport Focus Group. It supports the updated TS. It welcomes the commitment to bring the RWY within the South West Coast Path with the pedestrian link to Devil's Point. This should be confirmed with this application either by a condition or S106 agreement with this application linking the application to provision of parts of the TS.

## **Analysis**

The main issues with this application are: the principle of the mixed use; the effect on the listed building; the impact on the conservation area; and the transport, highways and parking matters. The main policies are: Core Strategy policies CS01 Development of Sustainable Linked Communities, CS02 Design, CS03 Historic Environment, CS04 Future Employment Provision, CS07 Retail Development Considerations, CS12 Cultural/Leisure Development Considerations, CS13 Evening/Night-time Economy Uses, CS20 Sustainable Resource Use, CS21 Flood Risk, CS28 Local Transport Considerations, CS33 Community Benefits/Planning Obligations and CS34 Planning Application Considerations, Millbay and Stonehouse Area Action Plan proposal MS01 Royal William Yard.

## **Background**

The Royal William Yard (RWY) is one of the city's outstanding heritage sites. The local community through the Stonehouse Residents' Association, City Council, South West Regional Development Agency (SWRDA) and developer, Urban Splash and its architects are all committed to see the RWY redeveloped into a thriving mixed use area to maximise the potential of the site's intrinsic architectural and historic character. During the last seven-eight years some of the buildings have been converted into beneficial uses but predominantly for flats. More recently mixed uses are coming into the site including the popular Seco Lounge café/bar in the Mills Bakery building. The applicant states that this has generated interest for other such uses including

Prezzo, an Italian restaurant, that will open in the same building early next year. The applicant has received several enquiries for a range of uses prompting this application. It has asked for a range of uses to provide sufficient flexibility to help in the letting of the premises.

### **Principle and land uses**

The principle of the mixed use accords in general with Proposal MS01 of the Millbay and Stonehouse AAP as it will assist in ensuring “an authentically mixed use development”. The proposal specifies uses for the New Cooperage together with The Cooperage and The Slaughterhouse. These are B1 offices and workshops, exhibition space, A3 – A5 food and drink uses, exhibition and workshop space and live work units. The applicant has extended this to include retail and the full range of D1 Non-residential institutions. Although retail is not included, it is for the RWY in general and specifically for the Mills Bakery building but to date no shops have gone into that building. Some shop space in the New Cooperage complies with the spirit of the proposal and is acceptable. The applicant is aiming for specialised “niche”/“boutique” and craft units but it is not possible to limit A1 shops to this category of use by condition. But conditions can be attached to limit the amount of retail floorspace and size of unit. This is necessary to ensure the shops would not prejudice the city’s retail hierarchy in particular the proposed local centre at Millbay to comply with Core Strategy policies CS07 and CS08 and MSAAP policy MS03.

The applicant has stated that if café/restaurant/bar uses occupy the ground floor they would probably wish to provide outdoor space to overflow onto the Green. The red line application site is extensive including all of the Green. The principle is acceptable and would add to the vibrancy of the RWY. But again a level of control is required by condition so that the open areas are not excessive so as not to harm the character and appearance of the conservation area and setting of the listed buildings.

### **Impact on the listed building and conservation area**

The applicant and architects have been involved with the RWY for many years and are responsible for several successful, sensitive and sympathetic conversions. They are applying their expertise and experience with this proposal. There are few changes to the exterior, the main ones being to remove the two later fire escapes on the west elevation and the addition of steel railings to the first floor loading doors. These works would not adversely affect the architectural and historic character of the exterior of this listed building.

There are more changes to the interior. The applicant has submitted two layouts showing two levels of sub-division. Each floor has a central pod for a staircase, lift, toilets and refreshment area on each floor. The first shows 12 units on the ground floor and the large open first floor area split into two areas and the pod. The more intensive layout shows 24 units on the ground floor and the large open area split into nine areas and the pod. Officers understand the applicant’s wish for flexibility but it makes matters difficult procedurally as the local planning authority can only approve one layout. Officers agree to



either of the ground floor layouts but object to the maximum sub-division plan at first floor as it harms the character of this large open space. The applicants are in serious discussions with a potential occupier who it is understood would opt for the minimal solution. As the eventual level of sub-division is subject to variation the solution is for the final details to be submitted in compliance with a condition.

Originally the scheme included at first floor full height obscure partitions to provide fire separation. This was unacceptable as it interrupted the view of the roof structure which is a primary element of the character of the building and must be retained. The applicant revised the design by replacing the material with a glazed wall that will maintain the uninterrupted view of the roof structure.

The timber first floor also adds to the character of the building. The applicant requires a degree of flexibility to allow for the service needs for a variety of tenants. For the ground floor there will be a dropped ceiling along the central corridor. It is more sensitive at first floor as the applicant is proposing a raised floor. Its architects state that the alternative would be a large number of cuts into the existing floor which is not acceptable. The raising of the floor could be acceptable if it is fully reversible so that the original floor remains. Officers have asked for more details on the fixings of the raised floor supports to assess their impact on the existing floor.

The conversion of the building will be handled sensitively, subject to the further details of the raised first floor, and will retain the special architectural and historic character of the building to comply with policy CS03, proposal MS01 and PPS5 - Planning for the Historic Environment.

The mixed use of the building and minimal external changes will preserve and enhance the character and appearance of the conservation area particularly as it will put an empty building into a beneficial use. The use of part of the Green is acceptable as it would add to the vibrancy of RWY. It will be controlled by condition for heritage reasons to retain the character and appearance of the conservation area. The impact on the conservation area would not be harmful and the application complies with section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, policy CS03, policy MS01 and PPS5 Planning for the Historic Environment.

### **Transport and parking**

#### Background

Transport issues and parking have long been a contentious matter at the RWY given its location at the end of the Stonehouse peninsula and its original function as the Navy's victualling yard that has excellent access by water. Given the size of the RWY the special heritage value of the site of former naval Grade I and II\* building on a grand scale there is limited space for parking. The most recent solution was to build a large car park for 600 spaces largely sunk into the ground in the grassed area south of the site. Permission was granted in 2006 subject to a section 106 agreement. It expires next year

but the applicants have stated that it will not be built on grounds of excessive cost. Also during the consideration of development proposals there has always been a strong presumption to encourage residents, occupiers, users and visitors to use sustainable means of travel.

#### Parking

As the application will not be implemented the terms of the section 106 agreement will not be carried out. This is significant as one of the obligations was to provide a transport strategy for the RWY. As this will not now lawfully come into effect the transport strategy needs to be linked to a planning application and the applicant has agreed to tie it to this application. This only came to light late in the process following a meeting with the applicant in November that also dealt with the bus service that was related to a section 106 agreement tied to the Mills Bakery permissions (05/00416 and 05/00417). Officers received the first draft of the revised transport strategy on 18 November and Transport and Highways colleagues have been working with the applicant on the transport strategy and updating the interim parking layout and interim parking strategy so they are consistent with each other. The applicant has reduced the parking provision for the New Cooperage to 98 spaces that includes 50 for visitors which is acceptable. It has also amended the parking layout for the RWY as a whole to ensure that all the spaces are usable.

#### Travel passes

A key transport objective at the RWY is to encourage residents, staff, visitors and other users to use the more sustainable means of travel including buses.

The transport strategy states in part 5:

“An option open to the developers/occupiers would be to offer conditional annual bus passes to employees thus guaranteeing a certain level of income to the operators and then review the viability and sustainability of the service on an ongoing basis.”

Part 7 is the “Action Plan in Support of Transport Strategy”. Section 4 is “Requirements for Individual developers/occupiers (to be imposed via future building planning applications).” One of these is: “4.5 season ticket concessions - for public transport users.”

Based on the estimated number of staff and a modal shift target of 15% (ie people using the bus instead of their car) 20 workers would need travel passes for a free month period of one year which equates to £12,500. This would have to be secured through a S106 agreement. This is not an excessive amount and commensurate with the scale of development. Officers sought the agreement from the applicant to enter into such an obligation. Unfortunately the applicant has refused to do so from the outset and when the report was drafted on viability grounds. Recently the applicant has indicated that it is in negotiation with a prospective tenant who could occupy a large part of the building. Officers with expertise in viability appraisal advise that this would improve the viability of the scheme since the appraisal was submitted

several months ago as it would reduce much of the risk and enhance viability. Officers will update members on this matter at the meeting.

The latest parking arrangements are acceptable and if the applicant agreed to the provision of travel passes appropriate measure would be in place to encourage sustainable travel to mitigate the impact of the development and the application would comply with policy CS28.

### **Other matters**

The Stonehouse Residents Association (SRA) support the application in principle and the increased mixed use of and public access to the RWY so it becomes a thriving part of the Stonehouse peninsula. They wish to see improved sustainable transport and public access to bring the RWY within the South West Coastal Path. They have suggested that the applicant provide funds for a car club. However Transport and Highways officers doubt if there would be sufficient demand for it to be viable. They require a link to Devil's Point through this application. Officers have been informed that the applicant will be making an application shortly to do this by means of new steps by the high retaining wall at the western part of the site. It is also suggesting a boardwalk alongside The Slaughterhouse to provide an alternative access to the RWY at the water's edge.

SRA also raised the issue of the S106 agreement at the Mills Bakery relating to funds for an improved bus service. This is not strictly related to the current application but is relevant to the overall transport strategy for RWY. It comes into force when the building is 75% occupied which is likely to happen shortly. There is £110,000 to improve the bus service to and from the city centre. Officers, the bus operator and applicant are re-examining the agreement and will carry out a survey to help in assessing the optimum use of this contribution for public transport purposes. If it changes there would need to be a deed of variation to that agreement.

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 application is being considered under the Market Recovery Scheme where there is a 100% discount on tariff for B1 Business development. There is a need for a negotiated element to mitigate the impacts of the development on the site and surroundings. Officers are seeking a contribution of £12,500 towards travel passes to assist sustainable means of travel for the staff who would work in the New Coopage and a management fee of £1,250.

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 travel passes will help to divert staff from using their cars to public transport as sustainable means of travel in accordance with policy CS28, PP13 and the applicant's updated Transportation Strategy.

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

The obligation is directly related to the development because it is for travel passes for staff who would work at the application site and would help in reducing reliance on the private car to travel to and from the premises.

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

The provision of £12,500 for 20 travel passes is based on the cost of a monthly travel pass of £52 and a suggested public transport modal shift target of 15%. This would equate to 20 members of staff of an estimated total number of 129 that would work at the New Cooperage. This fairly and reasonably relates in scale and kind to the development.

### **Equalities & Diversities issues**

The development will be available for use for all sectors of society and equality groups including people with disabilities. It will not have a negative impact on any group.

### **Conclusions**

This is a positive proposal as it will put another of the building at the Royal William Yard (RWY) into a beneficial use for a range of mixed uses that will add to the vibrancy of the area and complement the existing uses that to date have been mainly residential. The applicant and architects have carried out previous sensitive conversions in the RWY and have produced another sympathetic scheme for the New Cooperage building that will respect its listing status and the character and appearance of the conservation area. Transport and parking matters have always been challenging given the site's location, its layout and heritage status. Now that the large car park will not be built it is essential that the transport strategy is tied to this application, parking is carefully controlled and positive encouragement is given for sustainable means of travel including public transport. Subject to the applicant agreeing to a section 106 obligation for the provision of travel passes the application is acceptable and will continue to enhance the character of the Royal William Yard and further realise the regeneration and heritage potential of this outstanding site.

### **Recommendation**

In respect of the application dated **21/09/2010** and the submitted drawings, **planning report, design and access statement, heritage statement and conservation schedule, geo-environmental desk study, flood statement, updated transportation strategy, interim parking statement, sustainability statement and bats appraisal**, it is recommended to: **Grant conditionally subject to S106 Obligation, delegated authority to refuse if not signed by 31 January 2011**

### **Conditions**

#### **APPROVED PLANS**

(1)The development hereby permitted shall be carried out in accordance with the following approved plans: 1034/PL-102, 1034/PL-103A, 1034/PL-104A, 1034/PL-105A, 1034/PL-106, 1034/PL-107, 1034/PL-203, 1034/PL-205, 1034/PL-300A, 1034/PL-301, 1034/PL-302, 1034/PL-100B, 1034/PL-101B and 1034/D-002.

Reason: For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

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

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

Reason:

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

#### **Car Parking Management**

(3)None of the 50 additional visitor car parking spaces hereby permitted shall be brought into use until a revised Interim Parking Statement and Revised Interim Parking Management Plan have been produced and implemented, the final details of which shall be submitted to and approved in writing by the Local Planning Authority within 6 months of the date of this permission. Thereafter the use of all car parking areas shall be operated in strict accordance with the approved Interim Parking Statement and Revised Interim Parking Management Plan.

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 more sustainable travel choices and ensure that car parking areas provided are properly controlled and managed in accordance with the Interim Parking Statement and supporting Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.

#### **CAR PARKING PROVISION**

(4)The building shall not be occupied for the uses hereby permitted until the additional car parking spaces shown on the Interim Parking Management Plan drawing number 1034 PL-101B associated with this application have been drained, surfaced and demarcated and thereafter those spaces shall not be used for any other purpose other than the parking of vehicles.

Reason

To enable vehicles used by staff/occupiers and visitors to be parked in suitable locations with the Royal William Yard so as to avoid interference with the free flow of traffic around the Royal William Yard and damage to amenity in accordance with Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.

CYCLE PROVISION (NON-RESIDENTIAL)

(5)The development shall not be occupied for the planning uses hereby permitted 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 17 bicycles to be parked.

Reason

In order to promote cycling as an alternative to the use of the private car in accordance with Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.

CYCLE STORAGE

(6)The secure area for the storing of 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/staff or visitors to the building in accordance with Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.

LOADING AND UNLOADING PROVISION

(7)Before the development hereby permitted is first brought into use, adequate provision shall be made to enable goods vehicles to be loaded and unloaded within the Royal William Yard in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason

To enable such vehicles to be loaded and unloaded in a safe and convenient location within the Royal William Yard so as to avoid:-

- (a) damage to amenity;
  - (b) prejudice to public safety and convenience;
  - (c) interference with the movement of traffic around the Royal William Yard
- in accordance with Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.



#### TRAVEL PLAN

(8)The use of the building hereby permitted shall not commence until a Travel Plan (TP) has been submitted to and approved in writing by the Local Planning Authority. The said TP shall support the overall aims and objectives of the Royal William Yard Transport Strategy that forms part of this permission in encouraging the use of sustainable modes of transport for all journeys being made to and from the Yard. The Travel Plan shall be created according to the requirements of iTRACE , the web-based Travel Plan management system used by Plymouth City Council and shall be managed and monitored through that system by an appointed Travel Plan Coordinator for the site in question. It shall also include details of the measures to control the use of permitted car parking areas; arrangements for monitoring the use of provisions available through the operation of the TP and the name, position and contact number of the person responsible for its implementation. From the date of the use of the building 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 Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.

#### FUTURE CHANGES OF USE

(9)The flexible use regime hereby permitted exists only for the first occupation of each unit hereby permitted. Thereafter any change of use of any of the units shall be subject to the planning legislation and the conditions attached to this permission. The applicant/developer or occupier shall provide the local planning authority written details of the first use of each unit prior to the occupation of each unit.

#### Reason:

The local planning authority has granted a flexible planning permission in the first instance to assist in the regeneration of the Royal William Yard and the occupation of the building. Once the building is occupied the need for the flexibility will no longer apply and the premises will be subject to the planning legislation and planning policy and to comply with policies CS07, CS08 and CS34 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

#### FIRST FLOOR LAYOUT

(10)The first floor layout on drawing number 1034/PL-202 is not approved.

#### Reason:

For the avoidance of doubt and because there is too much sub-division that would harm the intrinsic character of the building contrary to policy CS03 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

#### FINALISED FLOOR LAYOUTS

(11) Prior to the first occupation of any part of the building hereby granted planning permission details of the finalised floor layouts and level of sub-division shall be submitted to and approved in writing by the local planning authority.

Reason:

For the avoidance of doubt and to ensure the special character and interest of this listed building is retained to comply with policy CS03 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

#### A1 SHOP FLOORSPACE

(12) Not more than 600 square metres shall be used for A1 shop purposes without the prior written permission of the local planning authority

Reason:

To ensure that there is not an over-provision of shops that could prejudice Plymouth's retail hierarchy or prejudice the creation of the local centre proposed for Millbay and to be appropriate in scale and function to its location to comply with policies CS01, CS07 and CS08 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007 and policy MS03 of the Millbay and Stonehouse Area Action Plan

#### A2 FINANCIAL AND PROFESSIONAL SERVICES FLOORSPACE

(13) Not more than 400 square metres shall be used for A2 financial and professional services purposes without the prior written permission of the local planning authority.

Reason:

To ensure that there is not an over-provision of financial and professional services that could prejudice Plymouth's retail hierarchy or prejudice the creation of the local centre proposed for Millbay and to be appropriate in scale and function to its location to comply with policies CS01, CS07 and CS08 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007 and policy MS03 of the Millbay and Stonehouse Area Action Plan.

#### SIZE OF SHOPS AND FINANCIAL AND PROFESSIONAL SERVICES OFFICES

(14) No A1 shop use or A2 financial and professional services office shall exceed 150 square metres in size without the prior written permission of the local planning authority.

Reason:

To ensure that there is a range of shops of the appropriate size to serve the needs of the Royal William Yard and local community to comply with policies CS01 and CS08 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007 and MS01 of the Millbay and Stonehouse Area Action Plan.

#### A3 RESTAURANT & CAFES AND A4 DRINKING ESTABLISHMENTS FLOORSPACE



(15) Not more than 905 square metres shall be used for A3 restaurant & cafes or A4 drinking establishments floorspace without the prior written permission of the local planning authority.

Reason:

To ensure that there is not an over-provision of these uses at this building to ensure it remains in genuine mixed use and does not harm the amenity of the area to comply with policies CS13 and CS34 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

#### SIZE OF A3 RESTAURANT & CAFES AND A4 DRINKING ESTABLISHMENTS

(16) No A3 restaurant or cafes or A4 drinking establishments shall exceed 250 square metres in size without the prior written permission of the local planning authority.

Reason:

To ensure that the size of such establishments are of an appropriate scale in order not to harm the character of the area to comply with policies CS01, CS13 and CS34 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

#### D1 NON-RESIDENTIAL INSTITUTIONS FLOORSPACE

(17) Not more than 905 square metres shall be used for D1 non-residential institutions purposes without the prior written permission of the local planning authority.

Reason:

To ensure that there is not an over-provision of these uses at this building to ensure it remains in genuine mixed use and does not harm the amenity of the area to comply with policies CS01 and CS34 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007 and MS01 the adopted Millbay and Stonehouse Area Action Plan 2007.

#### SIZE OF D1 NON-RESIDENTIAL INSTITUTIONS PREMISES

(18) No D1 non-residential institution premises shall exceed 250 square metres in size without the prior written permission of the local planning authority.

Reason:

To ensure that the size of such units are appropriate to the scale and mix of uses at the Royal William Yard and the building remains in genuine mixed use and does not harm the amenity of the area to comply with policies CS01 and CS34 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007 and MS01 the adopted Millbay and Stonehouse Area Action Plan 2007.

#### ANCILLARY USE OF OPEN AREAS

(19) Details of any open area, in particular on the Green, that is proposed to be used for ancillary purposes to any of the uses of any of the units within the

New Cooperage shall be submitted to and approved in writing by the local planning authority before any such open area is brought into use.

Reason:

To ensure that the character and appearance of the Royal William Yard and setting of the listed buildings are not harmed in the interests of conservation and general amenity to comply with policies CS03, CS01, CS02 and CS34 of and proposal MS01 of the adopted Millbay and Stonehouse Area Action Plan

#### OPENING HOURS

(20)The use of the building shall not be open to customers outside the hours for each use as follows:

A1 shops A2 financial and professional services and D1 non-residential institutions - 08.00 to 22.00 hours Monday to Saturday and 09.00 to 18.00 on Sundays and Bank or Public Holidays;

A3 restaurant and cafes and A4 drinking establishments - 08.00 to 23.00 hours Monday to Thursday and 08.00 to 24.00 on Fridays and Saturdays 09.00 to 23.00 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.

#### D2 USE

(21)The building shall not be used for D2 Assembly and Leisure purposes.

Reason:

In the interests of clarity to accord with the description of development and in the interests of residential and general amenity to comply with policy CS34 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

#### CODE OF PRACTICE

(22)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.

#### RESTRICTIONS ON PERMITTED DEVELOPMENT

(23)Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order 1995 as amended (or any order revoking and re-enacting that Order with or without modification), no development falling within Classes A, C, D or E of Part 3 the Schedule 2 to that Order shall be carried out unless, upon application, planning permission is granted for the development concerned.

**Reason:**

In order to ensure that the mixed uses of the building are in keeping with the character and amenity of the area and do not prejudice the retail hierarchy of the city in accordance with Policies CS01, CS03, CS07, CS08 and CS34 of the Plymouth Local Development Framework adopted Core Strategy (2006-2021) 2007 and Policy MS01 of the adopted Millbay and Stonehouse Area Action Plan 2007.

**INFORMATIVE 1 - CODE OF PRACTICE**

(1)The management plan required by condition 22 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 - LISTED BUILDING CONSENT**

(2)The applicant/developer is advised that the development must also be carried out in accordance with the listed building consent, reference 10/01385.

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

The application is positive as it will put another listed building within the Royal William Yard to a beneficial mixed use that will assist the regeneration of the area and preserve and enhance the special character of the building and conservation area. It is essential that the parking and transport matters are satisfactory and these will be managed through the revised transport strategy that has been transposed from the previous unimplemented application and section 106 agreement for the car park (04/00868). This is subject to the provision of travel passes for some of the staff who would work at the New Cooperage to encourage sustainable means of travel to and from the Royal William Yard.

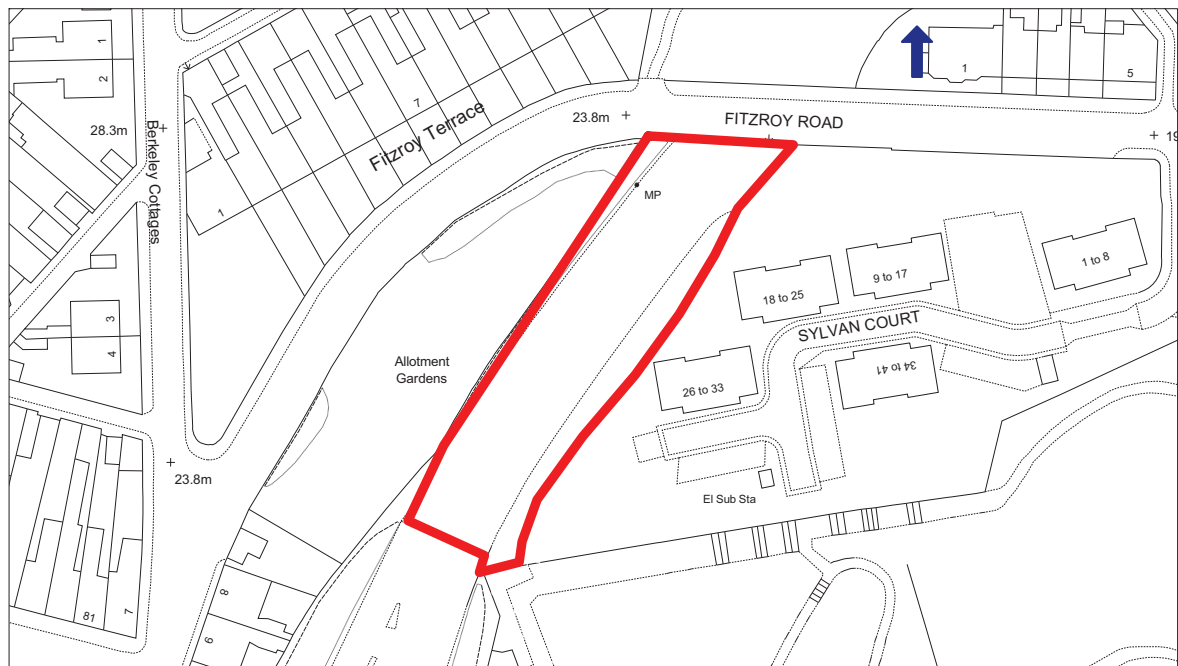
In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework

Core Strategy (2006-2021) 2007 and supporting Development Plan Documents, Millbay and Stonehouse Area Action Plan 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  
PPG20 - Coastal Planning  
PPS1 - Delivering Sustainable Development  
CS28 - Local Transport Consideration  
CS32 - Designing out Crime  
CS33 - Community Benefits/Planning Obligation  
CS34 - Planning Application Consideration  
CS07 - Plymouth Retail Hierarchy  
CS08 - Retail Development Considerations  
CS13 - Evening/Night-time Economy Uses  
CS19 - Wildlife  
CS20 - Resource Use  
CS21 - Flood Risk  
CS03 - Historic Environment  
CS01 - Sustainable Linked Communities  
CS02 - Design  
CS04 - Future Employment Provision  
SO11 - Delivering a sustainable environment  
CS12 - Cultural / Leisure Development Considerations  
PPS25 - Development and Flood Risk  
SO1 - Delivering Plymouth's Strategic Role  
SO2 - Delivering the City Vision  
SO3 - Delivering Sustainable Linked Communities  
SO4 - Delivering the Quality City Targets  
AV2 - Millbay and Stonehouse  
SO6 - Delivering the Economic Strategy Targets  
SO7 - Delivering Adequate Shopping Provision Targets  
SO8 - Delivering Cultural/Leisure Facilities  
SO14 - Delivering Sustainable Transport Targets  
SO15 - Delivering Community Well-being Targets  
MS01 - Royal Williams Yard  
SPD2 - Planning Obligations and Affordable Housing  
SPD1 - Development Guidelines  
SPD3 - Design Supplementary Planning Document  
PPS4 - Economic Growth  
PPS5 - Planning for the Historic Environment

**ITEM: 06**

<b>Application Number:</b>	10/00594/FUL
<b>Applicant:</b>	Scott Wilson
<b>Description of Application:</b>	Provision of 14 allotments
<b>Type of Application:</b>	Full Application
<b>Site Address:</b>	LAND NORTH OF STUDENT CARPARK, PARADISE ROAD PLYMOUTH
<b>Ward:</b>	Stoke
<b>Valid Date of Application:</b>	16/04/2010
<b>8/13 Week Date:</b>	<b>11/06/2010</b>
<b>Decision Category:</b>	Member Referral
<b>Case Officer :</b>	Jeremy Guise
<b>Recommendation:</b>	Grant Conditionally
<b>Click for Application Documents:</b>	<a href="http://www.plymouth.gov.uk">www.plymouth.gov.uk</a>



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**This application is reported to committee following referral by Councillor, Joan Watkins Ward Member, whose concern is that local people have mixed views and that the application should be assessed by the planning committee.**

## **OFFICERS REPORT**

### **Site Description**

The application site is a relatively level area, part of a dismantled railway line that has been left to naturally regenerate. It currently contains a mixture of trees and bushes. Mainly sycamore, goat willow and sallow, but also lesser parts cherry laurel, holly, elder, bay, elm and horse chestnut.

Immediately to the north is a railway bridge that forms part of Fitzroy Road. There is an area of steeply rising wooded land, the former railway embankment, between the site and Fitzroy Road, to the north and west. To the east is a belt of trees which form the boundary to residential gardens in Sylvan Court. To the south is the student car park that belongs to City College Plymouth.

### **Proposal Description**

As part of the Big lottery, 'Changing Species: local food' City College Plymouth wish to create allotment space for students, staff and local people in an attempt to increase the food awareness, increase social interaction and encourage outdoor activity.

Planning permission is therefore sought to convert the derelict scrub land into 14 allotments with full disabled access. Plans show the site cleared of existing vegetation and re-levelled. No soil is to be removed from the site, and existing soil is to be capped with imported topsoil used as a planting medium. Low level lighting and water provision is also proposed.

Divisions within the site will demarcate the separate plots and general access footpaths, these demarcations will be made by sleepers laid at a 100mm up stand. There will be no internal gates or fences. Four of the plots are designed with raised planting beds to allow disabled users or those with restricted movement. These raised beds will be formed by a 450mm high retaining wall made from timber sleepers.

A phase 1 – Geo- Environmental Desk Study and Environmental Risk Assessment has been submitted with the application along with a mitigation strategy.

In order to assess the impact of the proposal upon wildlife the applicants have been required, post submission, to provide an Extended Phase 1 Habitat survey and a Bat roost inspection and emergence survey. These were submitted in September and October 2010 and therefore provide an up to date picture of the species present.



The habitat survey found the dense woodland site to be: of negligible value to amphibians as there are no water bodies within the vicinity and the site is surrounded by roads and buildings which affords no connectivity to other sites; of negligible value to reptiles as site is heavily shaded has limited basking opportunities or refuge opportunities during hibernation. No signs where found of badger activity or dormice activity were found. It was considered to be of moderate value to common small woodland bird species such as blackbird, wren, long tailed tit nuthatch and chiffchaff. Owing to the disused railway arches present at the site it was considered likely that site would be of value to bats and a separate bat roost inspection and emergence survey was commissioned.

The bat roost inspection and emergence survey found a Lesser horseshoe bat roost in the disused rail bridge arch under Fitzroy Road with the limited amount of droppings suggesting that the roost is a satellite or possible day roost. A Common Pipistrelle bat was recorded foraging and feeding at the site, but generally it was concluded that the woodland habitat not used for feeding and foraging but commuting to other sites such as Stoke Damerel churchyard.

Subject to suitable mitigation measures:-

- Lighting -Avoidance of artificial lighting or if it is unavoidable, for security reasons to ensure that it is low Lux value and contains no ultraviolet to attract insects displacing them from potential bat feeding area.
- Limitations on the timing during the year of vegetation clearance,
- Buffer zone and secure fencing

both specialist surveys concluded that the proposal was acceptable.

A parallel conservation area consent application Ref. 10/00595/CAC has been submitted.

### **Relevant Planning History**

- Ref. 90/01112/C1884 – Formation of a training area Regulation 10 consultation 31Jul.1990
- Ref. 99/01317/FUL - Erection of timber storage building (renewal of previous permission) 13 Dec.1999
- Ref. 02/01187/FUL - Installation of double temporary classroom (including removal of freestanding wall and fence on its proposed site) GRANTED 2<sup>nd</sup> Sept. 2002.
- Ref. 02/01188/FUL - Installation of double temporary classroom on part of car park and site of brick store south of Paradise Road - GRANTED 2<sup>nd</sup> Sept. 2002.
- Ref. 02/00770/FUL - Disabled persons access ramp – Conditional Permission GRANTED 8<sup>th</sup> July 2002.

### **Consultation Responses**

**Public Protection Service** – Raise no objection to the application, but recommend conditions are attached to any permission. These should relate

to: - land quality; site characterisation; submission of remediation scheme; implementation of approved remediation scheme and reporting unexpected contamination.

The following technical comments are also made in relation to the Phase 1 Geo-environmental Desk study and Environmental Risk assessment. The above report is for the adjacent site and although it provides an indication of contamination issues at the site it does not currently provide sufficient information to be confident that the proposed remedial measures outlined in the Design and Access Statement will be suitable.

The report highlights contaminants that are of concern for the current use of the site. All information should be reviewed in light of this proposed end use. This must include an updated initial conceptual site model and desk study for an allotment land use. Based on current information and the proposed remediation this site could not be eliminated from Plymouth City Council's list of sites of potential concern.

**Highway Authority** – No transport comment required.

**Police Architectural liaison Officer** - The Devon & Cornwall Constabulary are not opposed to the granting of planning permission for this application, however they offer the following observations:-

Thefts from allotments always a problem: gardening equipment is always a desirable item for a thief who can readily sell on these items. Allotments that are insecure or have inadequate locking systems on their sheds are an easy target. Vandalism can also be a problem with damage caused to glasshouses and sheds. Theft of vegetables is also an issue.

For this particular site it is necessary to ensure that there is secure access by erecting a section of weld mesh fencing with a secure gate. There is concern that failure to do this will lead to problems. Some defensive planting to the sides of the proposed site to deter access onto the allotments via the open boundaries would also be helpful.

### **Representations**

Neighbours surrounding the site have been notified of the application and a site notice posted. This has resulted in receipt of 13 letters of representation (LOR's). These LOR's reflect a wide range of opinions from wholehearted support, qualified support, comments on and vehement opposition.

**Cllr. Joan Watkins**:- There is clearly a mixed view among local population and on that ground alone I believe it should go to full planning.

**Stoke Damerel Conservation Society** – would support this development. But must have ease of access by car (plus ability to park) especially for the disabled . Access to be available at weekends hopefully?. Must ask locals to report any vandalism etc. but to whom?



### Support

- In principle welcome use of the land for allotments as it is vulnerable to fly tipping, but seek assurance that trees along the top of the cutting, alongside Fitzroy Terrace will not be removed. The woodland provides an attractive leafy setting and outlook for period properties. Careful consideration should be given to parking arrangements to ensure the entrance via Fitzroy Terrace does not become a bottleneck.

### Comments on

- The trees forming the boundary with Fitzroy Terrace are an important feature of the road and every effort must be made to ensure that these trees are not damaged or removed. Further, at the moment these trees need professional attention. Dead wood should be removed to encourage new growth. It would be advisable for the City tree Conservation officer to carry out a detailed examination of those trees and their importance to the environment recognised.
- A site visit by the planners would not only show the biodiversity, and natural beauty of this land, but also show that it is a deep, steep sided valley. Surely allotments need some sunshine? This land is almost always in shadow.
- If these allotments fail due to the lack of light will the area be restored, or will the car park be extended onto a bold but failed project?

### Reasons to oppose

- The site is not scrubland:- It is incorrect to describe it as scrubland. It is now woodland. Previously City College have applied to build on this land. It is not a 'Brownfield' site. 'Brownfields' sites are ex-industrial sites occupied by industrial buildings. It is home to wildlife displaced from Persimmon development (Endeavour Court). It is an important 'green lung' for the city.
- Destruction of natural habitat:-The wood supports a wide variety of wildlife: - Horseshoe bats, nesting jays; owls, doves, wood pigeons and magpies as well as a wide variety of smaller birds: wrens, tits, long tailed tits, goldfinch, blackbirds, thrushes and starlings. There are wildflowers, butterflies, hedgehogs, foxes and possibly badgers, toads, frogs lizards and snakes. It is imperative that a full wildlife survey is undertaken. The site has SSSI (site of Special scientific Interest) protection. Any development will lose biodiversity and nature habitat
- Surveys & documentation:- The woodland adjacent to the student car park is one of the few wild types of woodland in the city. I can see no evidence, from the planning documentation available on line, that any surveys have been conducted with regards to flora and fauna. Surely this is a legal requirement, or has the disingenuous description of this land being 'Brown Field', post industrial scrub, been accepted at face value.
- The application does not make clear who will use the allotments
- The application was poorly advertised.

- No pedestrian access is indicated on this application and this should be clearly spelt out and consideration given to car parking, which is currently in high demand in this area.

### **Analysis**

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

The key issues in this case are:-

- The principle of using this area for allotments (Policies CS01 and CS20 of the adopted Core Strategy)
- Impact on wildlife & biodiversity (Policies CS18 & CS19 of the adopted Core Strategy)
- The impact upon the character and setting of the Stoke conservation area (Policy CS03 of the adopted Core Strategy)
- Parking and access issues (Policies CS28 and CS34 of the adopted Core Strategy)

### **The principle of using this area for allotments**

The policy framework, set out in the LDF Core Strategy, is positively supportive of developments, such as allotment gardens, which encourage the re-use of unproductive land.

The Core Strategy has as its' overarching objective the development of sustainable linked communities (Policy CS01). This Policy includes point 3, which states:-

*3. Safeguard and capitalise on the local environment, including the need to deliver effective and sustainable resource use.*

Sustainable resource use is followed through in Policy CS20, which states that the council will actively promote development which '*utilises natural resources in as efficient and sustainable a way as possible.*' The preamble, supporting text, recognises the threat posed by climate change and the need to use resources in a sustainable way (para. 11.21 of the Core Strategy) pointing out that 'the City's eco- footprint is not sustainable and it needs to shift towards a more resource efficient future.'

Although the proposal involves the importation of topsoil, it is located along the course of an old railway, close to a former station. There is possibility that it contains some contamination. The Phase 1 Geo-environmental Desk Study and Environmental Risk Assessment, that accompany the application, do not contain sufficient information to be confident that the proposed remedial measures set out in the Design and Access statement will be suitable. The

conditional regime recommended by the Public Protection Service is therefore appended.

### **Impact on wildlife & biodiversity**

This area of green space has come to make a positive contribution towards bio-diversity and wildlife habitats. Since its' railway use ceased (circa late 1960's) it has, to a large extent, been reclaimed by nature. Self seeded sycamores and other trees grow among the rubble from broken walls and culverts and provide a canopy for an area of dense vegetation growth that is almost impenetrable.

Policy CS19 (Wildlife) of the adopted Core Strategy requires the Council to 'promote effective stewardship of the city's wildlife'. Clauses 2 and 5 are particularly relevant. They state that affective stewardship is to be promoted through:-

*2. Appropriate consideration being given to European and nationally protected and important species.*

*5. Ensuring development seeks to produce a net gain in biodiversity by designing in wildlife, and ensuring any unavoidable impacts are appropriately mitigated for.*

This policy supplements the guidance produced in the Planning Policy Guidance Note 9 (PPS9 - Biodiversity and geological conservation) and the statutory protection afforded to species, such as bats, in the Wildlife and Countryside Act.

The recommendation of the habitat and bat survey reports (lighting restrictions, limitations on the timing of vegetation clearance, buffer zone and secure fencing) are accepted by the Council's Nature conservation officer.

Providing the applicant commits to the recommendations in the two reports a and agrees a Mitigation and Enhancement strategy that details measures both during and after creation of the allotments. The proposal is considered to be acceptable. A condition relating to biodiversity is sought.

### **The impact upon the character and setting of the Stoke conservation area**

The impact upon the setting and character of the Stoke conservation area is limited as the proposed allotments use high quality materials and are located in a deep 'man made' cutting.

Boundary treatment will need to be carefully considered balancing the legitimate security concerns of the allotment holders (and police) with the aspiration to retain, and repair, traditional railing treatment, particularly in the north where the site abuts Fitzroy Terrace.

### **Parking and access issues**

The site is accessed from the existing student car park belonging to City College Plymouth to the south where ample parking is available. No formal access is proposed from Fitzroy Terrace, to the north. The steep former railway embankments discourage formation of an informal access.

**Equalities & Diversities issues**

The allotments are to be accessible to wheelchair users.

**Section 106 Obligations**

None.

**Conclusions**

This application generates a tension between two desirable natural environment policy objectives: the preservation of biodiversity and wildlife habitat (Policy CS19) and sustainable resource use (Policy CS20). In its present state the site provides a diverse regenerated wildlife habitat. However, it enjoys no special nature protection designation, is largely inaccessible and is not a pristine natural environment, but one 'reclaimed' over the last 40 years. Developed as allotment gardens, it would be accessible (to allotment holders), bringing people closer to nature; educational, teaching people about the relationship between food production and consumption; and make a small material contribution towards narrowing the gap in relation to resource use - what the city produces and consumes. Its value in contributing towards biodiversity would be altered, but with carefully thought out enhancement and mitigation measures would not be reduced.

On balance it is considered that the policy objectives of the LDF Core Strategy, including the overarching one of Policy CS01 (development of Sustainable linked communities) are best fulfilled by granting conditional permission for the development.

**Recommendation**

In respect of the application dated **16/04/2010** and the submitted drawings, **D130266-001; D130266-002; D130266-LD-201; D130266-LD-202; D130266-LD-203; D130266-LD-204; D130266-LD-205; D130266-LD-206; D130266-LD-207; D130266-LD-208; D130266-LD-209 & D130266-LD-210** , 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.

LAND QUALITY

(2) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 3 to 6 have been complied with. If unexpected contamination is found after development has begun,

development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely.

#### SITE CHARACTERISATION

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

(i) a desk study characterising the site and identifying potential risks from contamination

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

(iii) an assessment of the potential risks to:

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

(iv) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely.

#### SUBMISSION OF REMEDIATION SCHEME

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely.

#### IMPLEMENTATION OF APPROVED REMEDIATION SCHEME

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

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely.

#### REPORTING UNEXPECTED CONTAMINATION

(6) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 3, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 4, 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 6.

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.

#### BIODIVERSITY

(7) Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Biodiversity Mitigation and Enhancement Strategy (November 2010) for the site.

Reason:- In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Core Strategy policies CS01, CS19, CS34 and Government advice contained in PPS9.



IN ACCORDANCE WITH APPROVED PLANS

(8) The development hereby permitted shall be carried out in accordance with the following approved plans: D130266-001; D130266-002; D130266-LD-201; D130266-LD-202; D130266-LD-203; D130266-LD-204; D130266-LD-205; D130266-LD-206; D130266-LD-207; D130266-LD-208; D130266-LD-209 & D130266-LD-210.

Reason: For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

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

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

- The principle of using this area for allotments
- Impact on wildlife & biodiversity
- The impact upon the character and setting of the Stoke conservation area
- Parking and access issues

, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (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:

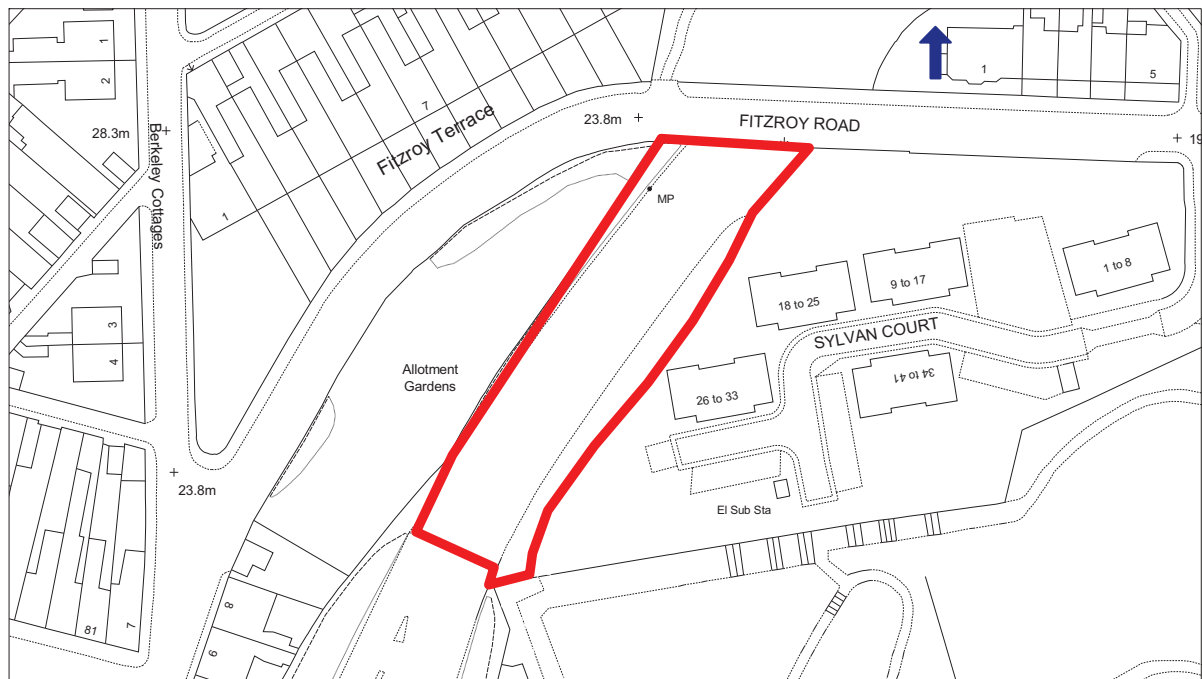
PPS9 - Biodiversity and geological conservation  
PPS1 - Delivering Sustainable Development  
PPS23 - Planning & Pollution Control  
CS28 - Local Transport Consideration  
CS32 - Designing out Crime  
CS34 - Planning Application Consideration  
CS18 - Plymouth's Green Space  
CS19 - Wildlife  
CS22 - Pollution  
CS03 - Historic Environment  
CS01 - Sustainable Linked Communities



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**ITEM: 07**

<b>Application Number:</b>	10/00595/CAC
<b>Applicant:</b>	Scott Wilson
<b>Description of Application:</b>	Provision of 14 allotments
<b>Type of Application:</b>	Conservation Area
<b>Site Address:</b>	LAND NORTH OF STUDENT CARPARK, PARADISE ROAD PLYMOUTH
<b>Ward:</b>	Stoke
<b>Valid Date of Application:</b>	16/04/2010
<b>8/13 Week Date:</b>	<b>11/06/2010</b>
<b>Decision Category:</b>	Member Referral
<b>Case Officer :</b>	Jeremy Guise
<b>Recommendation:</b>	Grant Conditionally
<b>Click for Application Documents:</b>	<a href="http://www.plymouth.gov.uk">www.plymouth.gov.uk</a>



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## OFFICERS REPORT

### Site Description

Disused former railway line

### Proposal Description

Conversion of naturally regenerated land into 14 allotments with full disabled access throughout.

A parallel planning application Ref. 10/00594/FUL has been submitted.

### Relevant Planning History

Extensive see Ref. 10/00594/FUL

### Consultation Responses

### Representations

Neighbours surrounding the site have been notified of the application and a site notice posted. This has resulted in 13 letters of representation (LOR's including one from the Stoke Damerel Conservation Society.

Typical; allotment landscape with manmade structures of sheds and the usual gardening paraphernalia would not be in keeping if this was visible from Fitzroy Terrace, nor in keeping with the conservation areas designation

### Analysis

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

The key issue in this case is:-

- The impact upon the character and setting of the Stoke conservation area (Policy CS03 of the adopted Core Strategy)

There are no significant archaeological implications for this site.

In consideration of this proposal with respect to its historic setting the wider context of the site has been looked at, and the aims of the designation of the Stoke Conservation Area together with the buildings which potentially overlook the site, and other heritage assets of significance which contribute to the character.

It is assumed that the City College owns all of the land to the west of the proposed allotment site up to the top of the slope bordering on to Fitzroy road.

These proposals for the allotments are for generally very good quality materials for the built elements and landscape treatment. The existing and period iron railings on that upper boundary would be a better boundary treatment than a new fence. Retaining and improving these railings may preclude the necessity of the fence at lower level. In addition the use of particular planting immediately inside the railings could also deter unauthorised access. Judicious repairs to the few breaches to the historic railings could be made, and also to the gate next to no 8 Providence Place (, although padlocked, is entirely missing its inner ironwork) which could be repaired or removed altogether and replaced with a continuation of the railings. This could be particularly the case as it is anticipated that pedestrian access is made purely via the student car park and this historic access does not appear to be in use.

These historic perimeter boundary railings, if repaired in just a few places, would be a better and more sympathetic treatment to the site as a whole- notwithstanding any security issues.

It is recommended that a condition be added requiring details of boundary treatment to be agreed in writing with the Local Planning Authority and implemented prior to first occupation. This condition will state that there is a strong preference for repair/ replacement of existing iron railings/ gates over the introduction of new boundary treatment.

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

None

#### **Section 106 Obligations**

None

#### **Conclusions**

In the event that grant conditional planning permission for the allotments (see Ref. 10/00594/FUL) it is recommended that they also give conservation area consent for their formation.

#### **Recommendation**

In respect of the application dated **16/04/2010** and the submitted drawings, **D130266-001; D130266-002; D130266-LD-201; D130266-LD-202; D130266-LD-203; D130266-LD-204; D130266-LD-205; D130266-LD-206; D130266-LD-207; D130266-LD-208; D130266-LD-209 & D130266-LD-210** , 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.

**IN ACCORDANCE WITH APPROVED PLANS**

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: D130266-001; D130266-002; D130266-LD-201; D130266-LD-202; D130266-LD-203; D130266-LD-204; D130266-LD-205; D130266-LD-206; D130266-LD-207; D130266-LD-208; D130266-LD-209 & D130266-LD-210

Reason: For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

**BOUNDARY TREATMENT**

(3) Details of boundary treatment are to be supplied and agreed in writing with the local planning Authority and implemented prior to the first occupation of the proposed allotments. Notwithstanding security concerns there is a strong preference for repair and replacement of traditional iron railings over the introduction of alternative boundary treatment.

Reason: - To safeguard the appearance of the conservation area.

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

Having regard to the main planning considerations, which in this case are considered to be: the effect on the Conservation Area

- The impact upon the character and setting of the Stoke conservation 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 works are acceptable and comply 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 (b) relevant Government Policy Statements and Government Circulars, as follows:

CS03 - Historic Environment

PPS5 - Planning for the Historic Environment

**ITEM: 08**

<b>Application Number:</b>	10/01677/FUL
<b>Applicant:</b>	Drake's View Ltd
<b>Description of Application:</b>	Conversion of 2nd and 3rd floors from office space to 40 units of student accommodation together with modifications to entrances
<b>Type of Application:</b>	Full Application
<b>Site Address:</b>	TAMAR HOUSE, ST ANDREWS CROSS PLYMOUTH
<b>Ward:</b>	St Peter & The Waterfront
<b>Valid Date of Application:</b>	30/09/2010
<b>8/13 Week Date:</b>	<b>30/12/2010</b>
<b>Decision Category:</b>	Major Application
<b>Case Officer :</b>	Jeremy Guise
<b>Recommendation:</b>	Grant conditionally subject to S106 Obligation, delegated authority to refuse if not signed by 30th January 2011
<b>Click for Application Documents:</b>	<a href="http://www.plymouth.gov.uk">www.plymouth.gov.uk</a>



## OFFICERS REPORT

### Site Description

Tamar House is a four storey, flat roofed building located in a prominent location fronting onto St Andrew's Cross. The building was built in the 1950's and forms an integral part of Plymouth City Centre's post-war reconstruction that was guided by the Plan for Plymouth 1943. The building was designed as a general post office, and today partly remains in post office use. The ground floor has been subdivided and is now occupied by a number of tenants including a significantly smaller post office.

The building is not listed and is not located within the Plymouth Conservation Area. It has however been identified by Jeremy Gould (Plymouth Planned - The architecture of the plan for Plymouth 1941-1962) as Plymouth's best 1950's building. It also contributes positively to the building group about St Andrew's Cross and to the wider setting of Royal Parade. Within the City Centre Precinct Urban Design Framework (2002), the building is identified as being a "building of highest quality" and of local architectural and/or historical significance.

The application site area measures approximately 0.2 hectares, the majority of which is covered by the existing building. There is a modest car park and servicing yard to the rear.

### Proposal Description

Planning permission is sought to convert the second and third floors from office space (approx. 3,258sqm) to 40 units of student accommodation together with modifications to entrances.

The proposed student accommodation comprises of 40 'studio' bedrooms, with en-suite bathroom and kitchenette, arranged in four 'clusters' of 10 around a communal lounges. Four of the units (10%) are shown slightly larger. These are to be fitted to a 'Lifetime homes' standard so that they can accommodate students with disabilities. The front and rear entrances are also shown modified to provide better access for people with disabilities.

Externally changes are minimal. Windows are shown replaced, with some becoming 'false' panels where the proposed internal layout does not match existing openings. This will be most obvious when lights are switched on at night - these panels will remain dark - but in other respects will not alter the external appearance of the building. The stonework is also shown cleaned.

With the exception of two spaces, which double up as drop off spaces and parking for students with disabilities, parking is not proposed for the conversion. Secure under cover cycle storage and adequate, accessible refuse storage is shown in the rear yard.

Since making the application, the applicants' agent, has supplemented the submission with an acoustic noise survey and phase 1 contamination survey.



## Relevant Planning History

- 04/02010/FUL – Refurbishment and extension of building to provide 4 floors of residential accommodation above 2 floors of commercial uses, with car parking to rear on 2 decks with car lift – Delegated authority to conditionally grant planning permission subject to completion of a S106 agreement for this development was granted by the Committee on 2nd February, 2005. WITHDRAWN following non signage of S106 agreement.
- 97/00565/FUL - Alterations to form branch office - (Full) – Conditional permission GRANTED 26-Jun-1997
- 94/00752/FUL - Alterations to premises including new shop front - (Full) - Conditional permission GRANTED 27-Jul-1994
- 94/00480/FUL- Change of use from shop to uses within class A2 (Financial and Professional services) – Conditional permission GRANTED 19-May-1994
- 91/00422/FUL - Replacement of first, second and third floor windows - Conditional permission GRANTED 19-Apr-1991

## Consultation Responses

**Highway Authority** – Comments following clarification on the number of parking spaces are awaited.

**Public Protection Service** – Further comments to be sought following submission of a noise assessment and air quality assessment. To be reported in an addendum report.

## Representations

Letters were sent to neighbouring properties and a site notice posted, but this has not resulted in receipt of any letters of representation (LOR's) in connection with the application.

## Analysis

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

The key issues in this case are:-

- The principle of loss of the existing office use and conversion of the first and second floors into student accommodation (Policies CS01, CS05, CS15, CS22 and CS16 of the Core Strategy)

- The quality of student accommodation provided (Policies CS15 and CS34 of the Core Strategy)
- The design and appearance of the proposed development (Policies CS02 and CS34 of the Core Strategy)
- Impact upon the amenities of neighbouring properties and the character of the surrounding area (CS34 of the Core Strategy)
- The adequacy of access and parking arrangements (Policy CS28 of the Core Strategy)

**The principle of loss of the existing office use and conversion of the first and second floors into student accommodation**

Policy CS05 (Development of existing sites) of the adopted Core Strategy relates to existing employment sites. It states that development of sites with existing employment uses will be permitted where there are clear environmental, regeneration and sustainable community benefits from the proposal and sets out five criteria for this assessment, including whether it is a viable employment site. These include criteria 2 which states:-

*2. Whether the site is in an appropriate location for, or suited to, the needs of the city's priority economic sectors.*

The Design & Access statement, that accompanies the application, states that the second and third floors have been vacant for around 5 years and actively marketed for 10 years with little interest shown and concludes that the space is no longer viable as an employment site owing to lack of parking and modern office specification. Read in conjunction with Policy CC02 (The Royal Parade Blocks) of the adopted City Centre and University Area Action Plan (AAP); and the precedent of the previous resolution (see below) the loss of the existing employment use is accepted.

The property is located close to the University, colleges, City centre and transport routes and there is no objection in principle to conversion of the upper floors to a specialist student hostel.

The AAP is tacitly supportive of upper floors of blocks being converted to residential uses, acknowledging the need to sensitively alter buildings. It states:-

*'The blocks fronting the northern side of Royal Parade are the best surviving examples of the quality that was envisaged in the plan for Plymouth.*

*Replacement of these buildings will not be permitted, although it is recognised that it may be necessary to sensitively alter the buildings in order to retain viable, successful uses. Proposals which aim to widen the use mix of the buildings introducing residential and office uses may be acceptable as long as they retain active ground floor frontages.'*

Some weight can also be attached to the view that the previous application has established the principle of conversion to a residential use of the upper floors of the premises. Although that application was not pursued beyond planning committee resolution stage, with the signing of the section 106 legal agreement and issuing of the decision notice, it nevertheless indicates a direction of travel that makes it more difficult to require retention of the existing office use.

Policy CS20/3 of the Adopted core strategy requires all proposals for new residential developments comprising 10 or more units (whether new build or conversion) to incorporate onsite renewable energy production equipment to off set at least 15% of predicted carbon emissions for the period 2010-2015.

As this site is located in the city centre in the area covered by Policy CC05 in the City Centre AAP (Connection to a future District Energy network) the applicant has been given the option making a financial contribution to the capital infrastructure cost of this network instead of installing onsite renewables. Strict conditions to ensure approval of details of on-site renewables and to require installation prior to first occupation will, otherwise be sought.

### **The quality of student accommodation provided**

The proposed studio bedrooms each contain integrated bathrooms and kitchenettes, but in relation to: housing mix, tenure mix, amenity, parking and 'Lifetime' homes they do not satisfy the criteria set out in policy CS15 (Overall Housing Provision) as general housing.

If significant derogations from these standards are to be accepted, it is only on the basis that the units are being provided as specialist units of student accommodation, managed as a block and occupied on a temporary basis by predominantly young people in full time education. To reinforce this, it is considered appropriate to impose strict occupancy restrictions upon any approval and expect the landlord to actively discourage residents from bringing cars into the city.

The 'halls of residence' type cluster layout proposed provides 4 communal facilities: lounges (one per 10 study bedrooms), communal kitchen / laundry etc. This physical layout shows a clear commitment on the part of the applicant to develop specialist student accommodation and provides some reassurance to the council that these units are not going to end up as independent studio flats which lack adequate amenity space, parking etc.

Proposed refuse storage facility arrangements satisfy the Council's 'Green and Clean' officer.

### **The design and appearance of the proposed development**

The cleaning of the external stonework of the building will improve the external appearance of the building and is welcomed. In other respects the proposed changes to the external appearance are minimal and acceptable in relation to policies CS02 (Design) and CS34 (Planning Application Considerations).

### **Impact upon the amenities of neighbouring properties and the character of the surrounding area**

The proposed external changes to the building are minor and will have little impact upon the commercial neighbours that surround the site. The change of use is also unlikely to disturb neighbours, as these are commercial premises

that are mainly used during the working day, when the student residents are studying.

**The adequacy of access and parking arrangements**

The residential accommodation is located in the city centre, and occupation is to be restricted to students. As such it is acceptable for it not to include general parking. The provision of (2-3 spaces) for setting down and picking up and to provide parking for registered disabled who may be resident or visiting the premises is considered to be adequate.

Secure, under cover and easily accessible cycle store is provided.

**Section 106 Obligations**

A planning obligation is required to mitigate the impacts of the development. Impacts will arise in the following areas:-

Local health infrastructure. The development will create an additional demand upon local health facilities. The Primary Care Trust has provided evidence that capacity in the City Centre locality is substantially deficient for meet the needs of the project population growth in this area. The development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £167.00 per residential unit, ie a total of £6,680.

Libraries. Library Services advise that development in this area will generate a pressure on existing library facilities which are already in need of additional capital investment as a result of the cumulative impact of population growth. The development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £84 per residential unit ie a total of £3,360

Playing Pitches. The development is in a location that is deficient in terms of access to playing pitches. There is therefore an impact on infrastructure requirement that arises as a result of the development, namely the provision of improved access to playing pitches. The estimated cost of mitigating this impact is £444.06 per residential unit, ie a total of £17,762.4.

Local green space.

The development is in a location that is deficient in terms of access to green space. There is therefore an impact on infrastructure requirement that arises as a result of the development, namely the provision of improved access to green space. The estimated cost of mitigating this impact is £244.88 per residential unit, ie a total of £9,795.2.

Strategic green space. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the quality of environmental sites protected by legislation, particularly through increased recreational demands. The Council's has a legal obligation through the Habitats Regulations Assessment of the LDF Core Strategy and relevant

Development Plan Documents to seek mitigation for such cumulative impacts. The estimated cost of mitigating this impact is £546.01 per residential unit, ie a total of £21,840.4

European Marine Site. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the environmental quality of European Marine Site particularly through increased recreational demands. The Council's has a legal obligation through the Habitats Regulations Assessment of the LDF Core Strategy and relevant Development Plan Documents to seek mitigation for such cumulative impacts. The estimated cost of mitigating this impact is £12.90 per residential unit, ie a total of £516

Strategic sports facilities. By reason of the increased population facilitated by the development and the increased demand for use of sports facilities, it will contribute to the cumulative impact of development on the city's sports infrastructure. The estimated cost of mitigating this impact is £349.00 per residential unit, ie a total of £13,960

Strategic transport. By reason of the increased population facilitated by the development and the increased demand for journeys, it will contribute to the cumulative impact of development on the city's strategic transport infrastructure. This will bring the likelihood of increased congestion and pollution unless there is adequate mitigation. The estimated cost of mitigating this impact is £2,208.00 per residential unit, ie a total of £88,320

Strategic public realm. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the City Centre's public realm. This is because there will be a greater level use of the City Centre which itself generates extra pressure on the existing infrastructure. The estimated cost of mitigating this impact is £41.00 per residential unit, ie a total of £1,640.

The applicant has indicated that they wish to have the application considered under the Council's Market recovery mechanism, and are prepared to accept the terms of that provision. A viability assessment has been submitted in support of that application.

The Tariff contributions, with market recovery provision, are reduced by half for a previously developed brown field site such as this. This 50% reduction is reflected in the figures in the recommended heads of terms, described below

- a. The following Heads of Terms are proposed, each of which have been tested against Regulation 122 of the Community Infrastructure Levy Regulations 2010, to enable appropriate mitigation of the impacts identified above:
  - i. Local health infrastructure tariff. £3,340, to be allocated to the provision of additional capacity in local health care facilities within the City Centre locality.

- ii. Libraries tariff. £1,680, to be allocated to the provision of improved library facilities in the area.
- iii. Playing pitches tariff. £8,881.2, to be allocated to the provision of improved playing pitch facilities in the area, as identified in the Playing Pitch Strategy.
- iv. Local green space tariff. £4,897.6, EITHER to be allocated to the provision of accessible green spaces in a location appropriate to the development OR to be allocated to the management and improvement of local green space.
- v. Strategic green space tariff. £10,920.2, to be allocated to the provision of strategic green spaces that help to take pressure off the designated environmental sites, as set out in the Plymouth Green Infrastructure Delivery Plan.
- vi. European Marine Site tariff. £258, to be allocated to appropriate management measures for the Tamar Estuaries as set out in the Tamar Estuaries Management Plan.
- vii. Strategic sports facilities tariff. £6,980, to be allocated to the delivery of priority strategic sports facilities as set out in (draft) Sports Facilities Strategy.
- viii. LTP3.Strategic transport tariff. £44,160, to be allocated to the delivery of priority strategic transport interventions as set out in (draft) LTP3.
- ix. Public realm tariff. £820, to be allocated to the delivery of priority City Centre public realm improvements.

**Therefore to mitigate the impacts of the proposed development, with a reduction for market recovery, a total tariff contribution of £81,937 is required**

**In addition, a Planning Obligations Management Fee. £4,541.72 is required, to be used to meet the Council's costs in administering and monitoring the implementation of this Section 106 Agreement.**

- 2. Since these planning obligations have been reduced as a result of market recovery/viability issues, these tariff contributions have to be prioritised. In this case prioritisation is recommended in accordance with the Cabinet recommendations, ie making the following the first priorities (1) Strategic transport (2) European Marine Site/Strategic Green Space.



3. Delegated authority to refuse the application in the event that the legal agreement is not signed by 30<sup>th</sup> January 2011.

### **Equalities & Diversities issues**

The configuration of the existing building, and nature of the conversion proposal, makes it difficult to achieve ramped access to the rear courtyard for wheelchair users. This limits the suitability of the building for occupation by some categories of disabled people. But the applicants have demonstrated that they have incorporated all reasonable measures to ensure suitability for disabled residents and visitors and provided four rooms [10%] capable of adaptation for students with disabilities. Given the constraints of converting an existing building this is considered to be acceptable.

### **Conclusions**

The case for retaining the existing office use on the second and third floors is quite weak given the previous, now expired, planning permission for residential use and cannot be sustained as a reason to withhold planning permission.

Whilst there remain some concerns about the conversion to student use - particularly around: the less than ideal disabled access, the limited size of the communal spaces and the absence of any useable external amenity space - these are outweighed by the strengths of the proposal. Students are, typically, transient residents, who live in a hostel/ hall of residence for one, possibly two, academic years. They have lower levels of car ownership than the wider population; and less need for external amenity space. The proposal would provide an attractive standard of student accommodation within easy walking distance of the university / art College, public transport and city centre facilities. As such it would make a useful contribution towards diversifying city centre functions and give it more life outside shopping hours.

### **Recommendation**

In respect of the application dated **30/09/2010** and the submitted drawings, **10128 L01.01 Rev.A; 10128 L02.02 Rev.F; 10128 L02.03 Rev.B; 10128 L02.04 Rev.G; 10128 L02.05 Rev.F; 10128 L02.06 Rev.B; 10128 L03.01 Rev.A; 10128 L04.01 Rev.B; 10128 L04.02 Rev.C; 10128 L04.03 Rev.B 10128 L09.02; 10128 L09.03; 10128 L09.04; 10128 L09.05; 10128 L09.06; 10128 L09.10 RevA; 10128 L09.11 Rev.B & 10128 L09.12 Rev.A**, it is recommended to: **Grant conditionally subject to S106 Obligation, delegated authority to refuse if not signed by 30th January 2011**

### **Conditions**

**DEVELOPMENT TO COMMENCE WITHIN 2 YEARS**

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

Reason: In reaching this decision, respect has been had to the Council Market Recovery Plan which seeks to simulate economic activity by reducing the level community benefit contributions in return for a more limited time period for implementation.



#### APPROVED PLAN NUMBERS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans 10128 L01.01 Rev.A; 10128 L02.02 Rev.F; 10128 L02.03 Rev.B; 10128 L02.04 Rev.G; 10128 L02.05 Rev.F; 10128 L02.06 Rev.B; 10128 L03.01 Rev.A; 10128 L04.01 Rev.B; 10128 L04.02 Rev.C; 10128 L04.03 Rev.B

10128 L09.02; 10128 L09.03; 10128 L09.04; 10128 L09.05; 10128 L09.06; 10128 L09.10 RevA; 10128 L09.11 Rev.B & 10128 L09.12 Rev.A

Reason:- To ensure that the development accords strictly with the submitted plans hereby approved in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy.

#### EXTERNAL MATERIALS

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

Reason: To ensure that the materials used are in keeping with the character of the area.

#### REFUSE PROVISION

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

Reason; In order to ensure that adequate, safe and convenient refuse storage provision is provided and made available for use by future occupiers.

#### SOUND INSULATION OF BUILDING

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

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

#### CYCLE STORAGE

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

Reason: To ensure that there are secure storage facilities available for occupiers of or visitors to the building.

#### RESTRICTION OF OCCUPATION TO STUDENTS

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

Reason:- The standard of accommodation provided, including levels of amenity space and parking, would not provide satisfactory residential environment for permanent full time occupation buy other sections of the community.

#### CODE OF PRACTICE

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

Reason: To protect the residential and general amenity of the area from any harmfully polluting effects during construction works

#### EASTERN ELEVATION

(9) Windows at first floor level and above on the eastern elevation shall be either high level or permanentiy obscure glazed.

Reason To protect the amenities of neighbouring residential property.

#### PROVISION OF PARKING AREA

(10) 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.

#### TRAVEL PLAN

(11) The development hereby permitted shall not be occupied until a Residential Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall seek to encourage residents to use modes of transport other than the private car to get to and from the premises through provision of travel information and other measures. 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 Travel Plan; and the name, position and contact telephone number of the person responsible for it's implementation. From the date of first occupation the occupier shall operate the approved Travel Plan.

Reason: to promote sustainable travel options for the residents in accordance with Core Strategy Policies CS28 and CS34.

#### CAR PARKING PROVISION

(12) The development shall not be occupied until space has been laid out within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority for a maximum of 16 cars to be parked

in total including the provision of 2 disabled spaces and 4 drop off spaces and for vehicles to turn so that they may enter and leave the site in forward gear. Reason: In the opinion of the Local Planning Authority, although some provision needs to be made, the level of car parking provision should be limited in order to assist the promotion of sustainable travel choices.

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

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

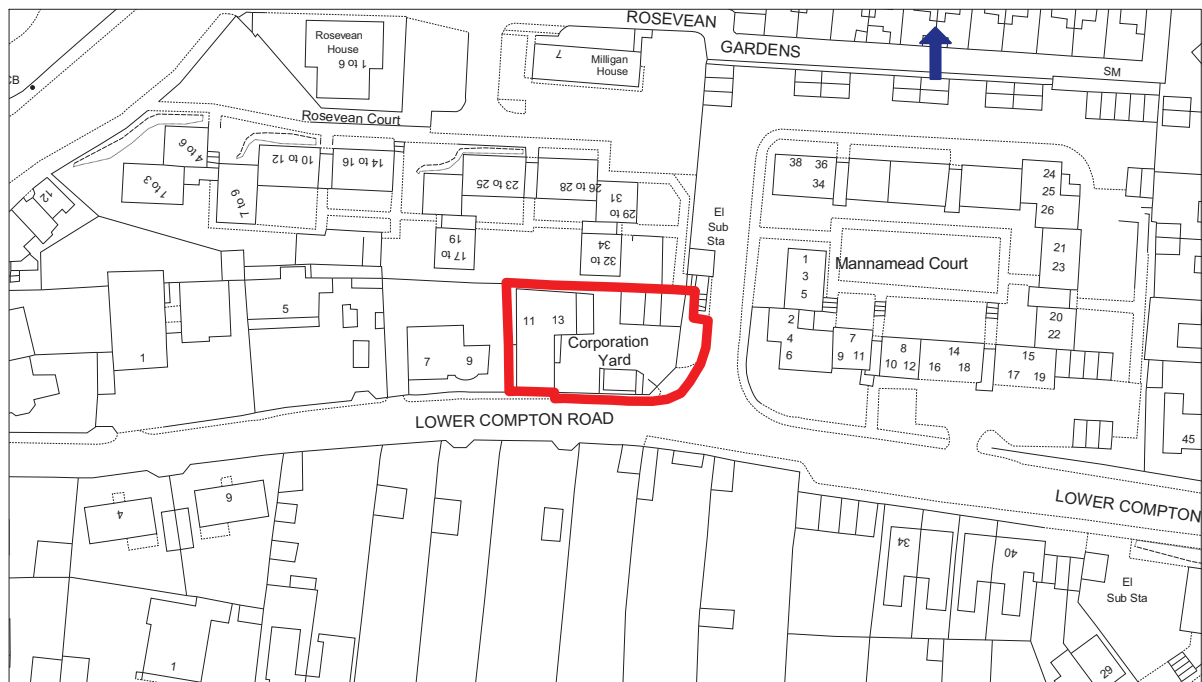
- The principle of loss of the existing office use and conversion of the first and second floors into student accommodation
- The quality of student accommodation provided
- The design and appearance of the proposed development
- Impact upon the amenities of neighbouring properties and the character of the surrounding area
- The adequacy of access and parking arrangements

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
- PPG23 - Planning and Pollution Control
- PPS3 - Housing
- PPS1 - Delivering Sustainable Development
- CS28 - Local Transport Consideration
- CS32 - Designing out Crime
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS20 - Resource Use
- CS21 - Flood Risk
- CS03 - Historic Environment
- CS05 - Development of Existing Sites
- CS01 - Sustainable Linked Communities
- CS02 - Design
- CS15 - Housing Provision
- CS16 - Housing Sites
- PPS4 - Economic Growth

**ITEM: 09**

<b>Application Number:</b>	10/01749/FUL
<b>Applicant:</b>	Spectrum Housing Group
<b>Description of Application:</b>	Priority supported housing project for families consisting of eleven residential rooms together with associated communal and staff facilities, and secure ground floor parking area
<b>Type of Application:</b>	Full Application
<b>Site Address:</b>	11 TO 13 LOWER COMPTON ROAD PLYMOUTH
<b>Ward:</b>	Compton
<b>Valid Date of Application:</b>	15/10/2010
<b>8/13 Week Date:</b>	<b>10/12/2010</b>
<b>Decision Category:</b>	Member Referral
<b>Case Officer :</b>	Jeremy Guise
<b>Recommendation:</b>	Grant conditionally subject to S106 Obligation, delegated authority to refuse if not signed by 30th January 2011
<b>Click for Application Documents:</b>	<a href="http://www.plymouth.gov.uk">www.plymouth.gov.uk</a>



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**This application is reported to committee following referral by Councillor Richard Ball, Ward Member, whose concerns include serious reservations about traffic access, the consultation exercise may not have covered every negative aspect of this proposed development, thus failing to achieve a balanced view; that the Mannamead area is rapidly becoming overloaded with managed multiple occupancy establishments, and that that the proposal has insufficient place for children's play and parking in the area is difficult.**

## **OFFICERS REPORT**

### **Site Description**

The application site is a roughly rectangular shaped piece of land (approx.0.5 ha in area) located on the corner of Lower Compton Road and Belle Acre Close in the Compton ward, an established residential neighbourhood, to the north of the city centre. It is currently occupied by a mixture of single and two storey buildings surrounded by high stone and brick walls in association with its' previous use as City Council housing deport. The main building is a flat roofed utilitarian structure which contains windows at first floor level that face in all directions, including northwards towards the communal gardens of Rosevean Court.

Land levels in the surrounding area rise quite steeply towards the north (Higher Compton), with ground level for the Rosevean flats being a full storey height higher. There is also a gentler fall across the site from west to east.

The surrounding area is predominantly residential in character: comprising three storey blocks of purpose built flats to the north, Rosevean Court, and east and the extensive walled rear gardens of older Victorian and Edwardian houses to the south. An architectural practice occupies Lansdowne House, the attractive, bay fronted, villa that neighbours the site to the west.

### **Proposal Description**

Planning permission is sought for a 2-4 storey building, to provide a new 'Priority supported housing project for families'(Gross internal floor space 410sqm). This would consist of eleven residential rooms together with associated communal and staff facilities, and secure ground floor parking area. The applicants, Spectrum Housing Association, explain that the existing refuge provides unsuitable, outdated accommodation.

The ground floor would provide a parking court for 6 vehicles (2 suitable for use by people with disabilities) accessed off Lower Compton Road. The existing site access, on the chamfered corner of Lower Compton and Belle Acre Close, would be downgraded to a secondary pedestrian access, with the main vehicular and pedestrian access relocated to a new, more centrally positioned, opening. Apart from parking, the remainder of the ground floor would comprise: entrance hall; lift and stair wells; administrative office and kitchenette; plant room; refuse store and WC. A small external smoking area and cycle store would be included at the eastern end.

The first floor would contain most of the communal accommodation associated with the use centred on a courtyard, which opens to the south: a large shared kitchen and dining room; children's room; communal lounge; teen room and laundry at the western end clustered around a small (85sqm) central courtyard that doubles as an external play area. In addition it would provide three standard rooms (3 bed capacity) and one bedroom capable of use by a person with disabilities (3 bed capacity). The second floor would contain a further three standard rooms (3 bed capacity); another bedroom capable of use by a person with disabilities; a small meeting room and office with roof terrace. The third floor would contain one standard room with kitchenette; two single rooms a plant room and store room.

In the Design and Access statement that architect describes the proposal as follows:-

*'A contemporary design aesthetic with a limited number of materials has been developed for the scheme. Whilst the building does not seek to be 'iconic' we are conscious that, as a new building, it will inevitably have an impact on the surrounding area. It is therefore important to achieve a coherent design that will complement and enhance its existing context.*

*The existing site benefits from a stone boundary wall to Lower Compton Road. Although the site is enclosed with existing masonry walls it is anticipated that, due to the formation of new openings, the existing stone wall will need to be rebuilt during the construction stage. It is proposed that the wall will be reconfigured and rebuilt and the design team will look at the possibilities of reusing the existing stone during the detail design stages.*

*The stone boundary wall at ground floor level will create a 'plinth' to the proposed building. In conjunction with the massing and the horizontal subdivision of the uses within the building, the design concept seeks to express the elevations as a series of horizontal elements. The horizontal elements, or slices, start with the stone plinth, continue with the slightly smaller first floor and then the much reduced second and third floors which have their short elevations facing towards Lower Compton Road.*

*The proposed enclosure and guarding detail to the first floor courtyard has been incorporated as an integral part of the elevation design. It is configured as a wide opening to continue the horizontal design theme and is unfilled with timber fins to provide a level of privacy whilst at the same time allowing as much light as possible into the courtyard and communal rooms beyond.*

*In order to help minimise the overall height of the building it is proposed to incorporate a flat roof behind a low parapet wall.*

*The palette of materials that is being proposed includes: stone for some of the plinth areas, through coloured white render, powder coated aluminium, windows and contrasting coloured cladding panels as a feature material.*



*We are proposing to incorporate a recessed channel detail to separate the floors and further emphasise the horizontal design concept. The channel detail will match the proposed coping detail.'*

Eight parking spaces proposed, two of which suitable for use by people with disabilities, together with 9 cycle spaces are shown on site.

### **Relevant Planning History**

Ref. 89/01512/OUT - Outline application to develop land for residential purposes (Regulation 5 proposal) 1<sup>st</sup> August 1989.

### **Consultation Responses**

**Highway Authority:** Do not wish to raise any objections in principal to the proposed Supported Housing Project development on what is currently a disused council depot.

The application site is close by Manamead Road, which is a Classified Local Distributor Road and part of the strategic highway network, and located within an easily accessible and largely residential area. There are existing bus stops on Manamead Road, Compton Park Road, and Egguckland Road that provide good access to the City Centre and wider areas beyond. There are also local shops close by on Egguckland Road that are within easy walking distance of the proposed development. Additionally the Mutley Plain shopping centre is within easy and convenient reach of the application site. The Local Development Framework (LDF) indicates that the application site is considered to be highly accessible, having an accessibility score of between 70 & 79%, and this high level of accessibility also supports lower car parking levels at the application site.

The application site is situated on the north side and toward the west end of Lower Compton Road, on a corner plot at the junction of Rosevean Gardens. This section of Lower Compton Road is a no through road, having long since been closed off with bollards at its west end junction with Manamead Road. It no longer serves as a feeder road for the wider residential area, but is now a relatively quiet residential cul-de-sac. There are cul-de-sacs of Rosevean Gardens and Belle Acre Close coming off it on the north side, with no through vehicular traffic. The carriageway in this section of Lower Compton Road between Manamead Road and the junction of Compton Park Road varies in width from between 6 and 9 metres, which is sufficient to provide for two-way traffic and also accommodate the on-street car parking that occurs in places along the street where car parking is unrestricted.

As the section of Lower Compton Road between Compton Park Road and Manamead Road is not a through road, vehicle speeds are expected to be relatively low. Incidence of accidents and conflict are also very low, there has been just one recorded incident within a five year period. (The incident recorded as 'Slight', was a low speed non-impact conflict between a car and a motor bike that occurred just west of the Bell Acre Close junction and was attributed to driver error). The City Council records indicate that apart from



this one single incident of conflict, there have not been any further recorded incidents within the whole length of Lower Compton Road in the last 5 years.

The Lower Compton Depot site (formerly a Plymouth City Council maintenance base and yard) when in use would have generated associated vehicle trips by both private cars and commercial vehicles, along with a demand for car parking, of a level commensurate with that of a commercial depot type use, with a likelihood of overspill car parking occurring within the street.

The existing site benefits from a stone boundary wall to Lower Compton Road, although it is anticipated that, due to the formation of new openings the existing stone wall will need to be removed and rebuilt. The proposed development work would have a direct impact on the structure of the Highway Maintainable at Public Expense, and the work would need to be monitored by the managers of the local highway network.

Six car parking spaces would be provided within the ground floor undercroft area for residents, visitors and staff. It is anticipated the car parking area will primarily be used by staff and visitors. Secure cycle parking will also be provided for residents, visitors, and staff within the undercroft area, and this will be overlooked by the ground floor office to provide a level of natural surveillance. The secure and weather-proof cycle storage would be provided to encourage cycling as an alternative sustainable means of transport.

A new vehicle access is proposed from Lower Compton Road moving the current vehicle access, by five metres or so along Lower Compton Road and away from its existing position on the corner of Mannamead Court. The proposed vehicle access and boundary wall fronting Lower Compton Road would be set back at ground floor level (as shown in the application) to provide a degree of inter-visibility at the proposed new secure vehicle entrance/exit. The proposed secure pedestrian access is shown on the corner of the site where the original vehicular access/egress was positioned. It is shown in the application and would be necessary to reinstate the footway where the existing vehicle crossing is positioned, and construct a new vehicle footway crossing (private driveway type) in the position shown on the application plan.

A condition to require provision of a pair of pedestrian drop pram crossing be provided across the altered junction of Rosevean Court is sought. Further details would be required for the reinstatement of the alterations to the junction including alterations to the kerb-line showing pedestrian crossing points and the proposed new vehicle entrance. Notwithstanding the details shown on the application drawing the new vehicle footway crossing should provide pedestrian priority and be constructed as per the layout for a private driveway entrance, with a continuous but lowered kerb-line to form the entrance (not a junction with radius kerbs as shown in the application). In order to preserve the local distinctiveness the granite kerb-line should be maintained in Lower Compton Road and around the junction into Rosevean Gardens until it meets the required pedestrian drop crossing (a small amount

of reclaimed additional granite kerb is likely to be required for this), at which point it would seem convenient to make the change to concrete kerbs as currently existing in Rosevean Gardens.

Conditions relating to reinstatement of footway, communal car parking provision, cycle provision, cycle storage, further details, and code of practice during construction are sought in the event that planning permission is granted.

**Public Protection Service** - Have no objection to the above application, but recommend conditions relating to reporting of unexpected contamination and code of practice are attached in the event that planning permission is granted.

**Police Architectural Liaison Officer (PALO):-** The Police Architectural Liaison Officer is generally supportive of the proposal considering it to be a defensible, secure, structure. However, he recommended the use of solid wooden doors to prevent sight and verbal abuse of clients through a mesh or railed gate and offers advise on this and window specification.

#### **Housing need / Affordable housing**

The Housing Enabling team has been working in partnership with Spectrum Housing Association to identify a suitable site and has identified this former council depot site as being ideal.

The Housing need for this proposed development has the highest level of priority, and has been strategically identified by the Council for a number of years. Subject to receipt of funding, the development will contribute to the City's growth agenda, not only in the building phase but also in the longer term - by increasing the capacity of affordable housing development in the City.

The location of this development proposal has been carefully chosen to meet the needs of the project/ clients, in a location selected to ensure minimal impact on its surroundings. The design of the proposed development has been adjusted to take account of local residents' comments and is reflective of the massing of surrounding buildings. The design of the project will also meet on site energy production objectives as set out in policy CS20.

#### **Representations**

A site notice has been posted and neighbouring properties notified of the application. This has resulted in receipt of 20 letters of representation (L.O.R.'s), including one from councillors Ball and Stark, a local ward members, which contains a petition signed by 138 people opposing the proposal and another from Cllr Watkins (Cabinet Member for Children & Young People) supporting the proposal:-

**Member Referral Cllr. Ball** - I must register a "Call In" to ensure that the Planning Application for the former Compton Depot is determined by the Planning Committee after hearing from those who object to the development.

There are a significant number of residents, who live close to the former Depot, who have been in touch with me to voice their concerns.

The Residents have serious reservations about traffic access, a marked increase in the number of vehicles using a road where little facility exists for extra traffic and a significant increase in the requirement for vehicle parking.

Moreover, and because of the sensitivity of the this programme, I am concerned that the Consultation exercise may not have covered every negative aspect of this proposed development but could have placed a biased emphasis of the benefits - therefore failing to achieve a balanced view.

There is also a deep concern amongst residents that the general Mannamead area is rapidly becoming overloaded with managed multiple occupancy establishments. The City Council abandoned the "Saturation Policy" that might, in the past, have mitigated the profligacy of one type of business in an area – now no protection exists within the City's Constitution from such over exploitation.

- This is a quiet residential area. Placing a refuge in its midst is beyond belief
- Insufficient place for children's play - concern that if insufficient space is provided it will be displaced into the communal grounds of adjacent flats disturb the peace and quiet of the area
- Parking in the area is difficult

**Councillor Joan Watkins** - if this application goes before full Committee I intend to speak at the Planning Meeting in support of the application.

The other LORs can be summarised as follows:-

#### Inadequate access and parking

The access road to the site is from a dangerous corner where numerous accidents have already occurred. The volume of traffic using the top end of the cul-de-sac has increased substantially in recent years particularly staff visiting Halcrow Engineering Consultancy and the Design Development architectural practice. With additional users / fire engines /ambulances turning into limited space there is the potential for a serious head -on collision. Increasing traffic flows in the area, and this particular junction, seems irresponsible (a set of photographs which show the narrowness of the junction on the upper part of Lower Compton Road is enclosed)

Six parking spaces, two reserved for use by people with disabilities, is insufficient for staff, residents and visitors. Parking is at a premium. Roads in the area are over-parked with local services - residential care homes, doctors' surgeries, business allotments and special schools. The area is already heavily congested and the road is frequently completely full of parked cars. Inevitably with much increased traffic entering what is effectively a 'dead end' there will be further congestion and parking issues. Adding 31 bed spaces

and 8 staff plus their visitors' and the inevitable number of support services will make the existing problems intolerable.

We have a garage directly opening onto Lower Compton Road will make it impossible to use, if a car is parked opposite as the road is quite narrow.

Over concentration of institutional uses / additional pressure on services

Fully support the principle of a refuge of this kind, but do not consider this site to be a suitable location for it in view of the restrictive size of the plot and concentration of residential institutional uses - such as care homes, and multi let properties and charity homes - in the area. The refuge should be sited in an area of the city where few care homes and hostels already exist. The number and scale of these developments is now altering fundamentally the whole character of the area in a way that will put pressure on other local facilities - schools, children's' playgrounds, doctor's practices and social services provision. Wish to object in the strongest possible terms. Granting approval to this new proposal will only serve to exacerbate the situation further and will place excessive pressure on both local infrastructure and services.

The application is being made on the basis that there is a need for the service to be provided. It is beyond the remit of the city council and should be dealt with in some other way.

Design & appearance

The proposed building is totally out of keeping with the area. It is not of an appropriate type, form, scale, mix and density in relation to its location

The building will be much higher than what is currently built there. It will be second only to the church as the largest building in the area and dominate the adjacent block of flats. The developers seem to be cramming too much into an already fully developed area fails to see how it will make a positive contribution to the character of the area. It appears to be overdevelopment.- out of proportion to the existing buildings.

The surrounding close density buildings are finished in soft brick. A four storey building with lilac paintwork will stand out like a sore thumb against the brick built blocks of Mannamead Court Rosevean Court. The use of metal grills is out of keeping with the area. There is no green landscaping to soften the harsh affects.

The so-called 'south facing playground' is nothing more than a well in the middle of the building which will be unsuitable when it is raining, only getting sun in the middle of the day. Outside play space wholly inadequate for number of occupants. There could be a substantial number of children wide range from 0 to 16.

The building could look quite smart in the right setting but it is feared that it might stand out and dominate the area. It looks like an office block / hostel or other commercial building. A smaller building would fit in and be less of an

eyesore. The building is directly on the road and not set back. It would extend over the pavement dripping water over the pedestrians when it rains. Reconsider the size and shape of the building before giving planning permission

The appearance of the buildings is 'defensible' it will be obvious that it is not an ordinary block of flats. These types of buildings are supposed to be discrete. The design of the building will mitigate against residents having any real prospect of being part of the community.

#### Extra noise and disturbance

We are appalled that such a project was ever envisaged for Mannamead. In our opinion it will lead to social problems in the future. The refuge fills us with dread when we think about the noise we can expect from arguing parents, shouting children and skateboards. We do not want potentially violent people with social problems outside the site. The area is poorly lit. There will be call outs to the police if angry people come to the premises. For everyone's safety a unit like this should be highly visible on a main and not tucked in a dark back street

This has always been a quiet residential suburb. The cumulative effect of existing developments has already been to raise disturbance and noise levels to an unacceptable level on many occasions. The proposal will increase the noise, in what is currently a peaceful residential location with predominantly mature and elderly residents. There will be noise day and night from residents with 24 hour access for staff/ residents / emergency vehicles

#### Impact on the amenities of neighbouring properties

The proposed building shows windows on all sides. These will overlook flats and gardens in Mannamead Court, gardens in Compton Park Road , gardens in Lower Compton Road and flats and gardens in the Rosevean complex . The west elevation is within 12 m of the immediate neighbour's boundary - which is less than the planning guidelines.

#### Loss of Tree

It does not make sense to remove the only tree on the boundary. No one should touch our lovely tree. The sycamore tree does not require extensive lopping. There is really only one limb 'over the wall' and there is a root protection zone that is not in the control of the developers

#### Miscellaneous

The site is undervalued at £100,000. It should be £150,000- £200,000. I object to the valuation as a council tax payer. It should be sold on the open market for residential development and the proceeds put back into the city council's coffers.

Double standards planning permission garden Compton Park. In its dealings the Local Planning authority should be seen to be acting even handily. A buyer of my building plot opposite has pulled out when he found out about this proposal. The price of my house will depreciate. I have lived in my house



since 1972 and seen such a lot of building – I'm sure that this will destroy the area.

Concerned about the capacity of the old drains to cope with the extra water and sewerage Requires more adequate street lighting.

The site is too small and meets few basic needs

### **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 principle of providing a priority supported housing project for families on this site (policies CS01, CS04, and CS15 of the Core Strategy)
- The design and appearance of the proposed development including the adequacy of the play space (Policy CS02, CS20, CS32 and CS34 of the Core Strategy)
- Impact upon the residential amenity of the neighbouring residential property (Policy CS34 of the Core Strategy)
- Impact upon the character of the conservation area, adjacent listed building and tree (Policy CS03 and Policy CS18 of the Core Strategy)
- Community Benefits / Planning Obligations arising from this development (Policy CS33 of the Core Strategy)
- The adequacy of access and parking arrangements (Policy CS28 of the Core Strategy)

### **The principle of providing a priority supported housing project for families on this site**

The site is currently vacant, but was formerly a council depot. That depot has now been relocated to another site within Plymouth. Notwithstanding the fact that Hartley and Mannamead Sustainable Neighbourhood Assessment identifies the area as providing few local job opportunities, the loss of the existing employment use – the Core Strategy policy CS05 (development of existing sites) consideration – and its' redevelopment to provide specialist residential accommodation can be accepted on the grounds that there are clear sustainable community benefits in meeting one of the City's strategic priority housing need objectives.

The location of this development proposal has been carefully chosen to meet the needs of the project/ clients, in a location selected to ensure minimal impact on its surroundings. Although a number of local residents perceive there to be an overconcentration of residential institutions/ supported housing

premises in the area, and have raised this as one of their main reasons for objecting to the application, the survey evidence does not support this contention. The National data base identifies a total of 4,835 properties as being within half a mile radius of the site. Of these residential institutions/ supported housing premises make up just 17 of these - less than 1%.

The proposed affordable residential units would be provided with low level support and is intended to provide temporary accommodation for vulnerable families. School allocations for children within those families will be assessed on a case by case basis, but no automatic priority will be given to the development's resident children, over other local children in the local school catchment area.

The proposed use, 'Priority supported housing project for families', falls within the C2 (residential institution category) of the use Classes Order. Use of the building by a different client group, within that use class category, would be possible without further planning permission. The view that use by a different client group raises 'wholly different considerations' that should be 'safeguarded' against is not shared. Government advice is clear that Local Planning Authorities should not seek to further sub divide use classes, by narrowly proscribing uses, unless there is sound planning justification for doing so. In this case the proposal has been designed with a specific client group in mind, and is most likely to be used for that client group in the foreseeable future, but alternate clients would not raise substantially different planning considerations. In practical terms, using a condition to restrict the approved use within a use class would simply be to make it more difficult for Spectrum, or subsequent owners, to use the property as an accounting asset when they raising funds.

### **The design and appearance of the proposed development**

The existing depot buildings make little positive contribution towards the street scene, with none being of sufficient architectural merit to justify retention.

The proposed building has been designed specifically for this site to take into account the constraints and opportunities it provides. The highest three / four storey element is located on the eastern side where its' scale and mass would give the building sufficient presence on the street corner to compliment the large three storey flats blocks that surround the site to the north and east. The lower, predominantly two storey element, mediates the transition between the flats and the more domestic scale of the Victorian villa to the west. The ground floor elevation comprises stone walls, ventilation grills and gates. This presents a defensive exterior appearance which aligns with the stone boundary wall of the neighbouring Victorian Villa and in many ways echoes the high stone garden boundary walls and garage openings on the southern side of lower Compton Road, opposite. The horizontal emphasis is followed through at first floor level which, because level differences, aligns with the ground floor of the neighbouring villa. Fenestration details are carefully considered with contrasting feature panels used to create rectilinear openings in a deliberative pattern that is neither random or symmetric. The result is elevations that exude a lively playfulness of bespoke architectural expression.



Satisfying the applicants' requirements for an 11 bed hostel building on a fairly small, suburban, regeneration site, whilst designing a distinctive building that positively contributes to such a diverse exiting townscape is challenging. It is considered that the applicant's architects have exceeded the requirements of Policies CS02 (Design) and CS34 (Planning Application Considerations) and designed a quality building that would be among the best in the area.

**Design of proposed residential environment including the adequacy of the play space**

The proposal has a number of specific design requirements. It must provide an attractive living environment for the users, both the vulnerable client group and the staff who work with them, whilst providing a secure, safe, refuge in a homely domestic environment. It is considered that the proposed design meets these requirements, although some residual concerns remain about the institutional character of long, artificially lit, corridors on the north west corner of the first floor. Private and public realms are clearly defined with access funnelled through the ground floor gateway, where it can easily be monitored and controlled by staff. This 'defensive' arrangement makes unauthorised access extremely difficult and fully satisfies the requirements of the Police Architectural Liaison officer.

All the residential accommodation is proposed on the upper floors where it follows the general conventions of domestic house layout. The communal rooms, and south facing courtyard, are located on the western side of the first floor where there is space for families to socialise and cook together and for children to play. This leaves the eastern part of the building as the dormitory wing where three floors of bedrooms, in diminishing tiers, allow private sleeping space. The proposal will exceed the 20% 'Lifetime Homes' standard by providing 2 of the 11 units as fully accessible for people with disabilities

The level of external amenity space provided in the central courtyard and smoking area is limited, but considered to be adequate given the temporary nature of residential stays. The Development Guidelines SPD makes some reference to external amenity space in section 2.4 but does not provide useful guidance on the amount of external amenity space required for a residential institution of this kind. The suggestions that it should be of sufficient size to accommodate swings and trampolines are not considered to be helpful, as these are not accommodated in most gardens. Mutley Park is located 5 minutes walk away to the west and Hartley Pleasure Gardens 10 minutes walk away to the north.

The layout provides for light and airy rooms that satisfies the requirements and policy CS15.

The Design and Access statement that accompanies the submission confirms that the proposal will comply with Policy CS20 (Sustainable Resource use) and provide 15% on site renewable energy generation. Conditions to ensure that this is designed and installed are considered appropriate.

**Impact upon the residential amenity of the neighbouring residential property**

The proposed relationship with neighbouring with neighbouring property is considered to be satisfactory and in compliance with Policy CS34 (Planning Application Considerations).

There will be some overlooking of neighbouring property from the proposed development, but it will be overlooking from a distance. This type of overlooking is a common and accepted feature of the urban environment. Most of the habitable rooms have windows on the south or east elevations, where they primarily face towards the street and only at a distance neighbouring blocks of flats or gardens. No west facing windows are proposed on the boundary. West facing windows are confined to the third and fourth floors, set back from the boundary 11m and 15m respectively, and serving staff offices and corridors. They will afford side angled sight of the communal garden of Rosevean Court and, at a distance, the opposite flank elevation of the flats. This is an area that is mutually overlooked by opposite wings of the existing flats. The north facing windows shown are to be obscure glazed and/or high level. Their purpose is to provide light to service corridors and store rooms. They do not serve habitable rooms.

The third and fourth floors of the proposed building have been located roughly opposite to the side elevation of the neighbouring Rosevean Court flats which contains no windows. This arrangement uses the layout of neighbouring property and the difference in levels to ensure that the height and mass of the proposed building does not cause excessive overshadowing to neighbours.

Concerns have been raised that the proposed use will attract public order offences/disturbances – however this concern is not borne out by evidence. Police call out evidence from the existing priority supported housing premises shows 23 police call outs (requiring immediate site attendance) in the last 14 years of operation. This compares to 12 police call outs (requiring immediate attention) in the same period to the application site maintenance depot premises.

**Impact upon the character of the conservation area and off site tree**

The Manamead conservation area is located to the south and the west, but is sufficiently distant from the proposed development for it not to affect the character and setting of the area. The proposal does not conflict with Policy CS03 (Historic Environment) of the adopted Core strategy.

The entire red lined application site is covered by buildings or hard tarmac surface, but there is a small area of landscaped verge land between the site and the link road to the east that is in separate ownership. This land contains a semi- mature sycamore tree, and shrubs and is bounded on the western side by a 2-3m high brick wall which steps up with the rising land.

Having explored the implications of designing a building in a way that allows retention of the tree, the applicants concluded that it would be better if the tree

were removed and the area landscaped. This was shown on the original submission drawing. It had the advantage of allowing secondary high level windows be proposed at ground floor level on the eastern elevation of the proposed building, providing better natural light to the staff office / kitchen and reducing the shading to the proposed cycle storage and smoking areas.

However, during the course of consideration of the application it become apparent that the applicants do not control this piece of land and are not in a position to remove of the tree or demolish of the wall. Amended plans have therefore been sought which show the proposed development contained wholly within the red lined site area with the tree untouched, other than the removal of overhanging branches. (estimated, by the applicant, at approx. 50%)

The tree is not specifically protected by a Tree Preservation Order (TPO) and is not located in a conservation area. Consequently there are no planning constraints to prevent it being felled or lopped. But under Policy CS18 (Plymouth's green space) there is a general commitment for the LPA to use its planning powers to safeguard important trees and hedgerows, and to secure provision for soft landscaping where appropriate as part of development.

The tree is pleasant and makes a positive contribution towards the character of the street. Approving a development proposal so close to it will, in all probability, suppress its future growth potential and compromise its contribution to the street scene. But, this is a common sycamore tree and these concerns are not, on balance, considered sufficient to justify either a refusal or further radical redesign of the proposal.

### **The adequacy of access and parking arrangements**

The policy framework for consideration of the adequacy of parking and access arrangements is set out in Policy CS34 (Planning Application considerations) of the Adopted core strategy which states:-

*Planning permission will be granted if all relevant considerations are properly addressed. These will include whether the development*  
*8. Provides for safe and satisfactory access and making a contribution to meeting the parking requirement arising from necessary car use*

The Highway Authority's view that the proposed arrangements are satisfactory is shared. In physical terms relocating the vehicular access away from the corner further to the west, along Lower Compton Road, and segregating the pedestrian entrance improves upon the existing layout.

The site has been vacant for two years, and locals have grown used to it being quiet, but previously it was a council housing depot. In that use there were 4 permanent staff based at the premises, and an average of 6 maintenance vehicles operated from it. About 10 staff also used the premises as their base for off site operations. It is not considered that the proposed use will significantly increase the number of vehicle movements in the area.

The proposed use is unlikely to attract significantly greater levels of traffic. It is well located in relation to public transport, local shops and facilities and the circumstances of prospective residents mean that most are unlikely to have private cars. Limited on site parking is proposed for dropping off and collection, parking for people with disabilities and for staff some of whom will be working night shifts. However, contrary to objectors' perceptions, surrounding streets do not suffer from excessive congestion and are not particularly dangerous. Accident statistics data records just one slight accident in the last 5 years (attributed to driver error). It is considered that the proposal satisfies the requirements of policy CS34 in respect of proposed access and parking arrangements.

### **Section 106 Obligations**

The proposal generates no contribution requirements under the Council's Planning Obligations and affordable housing SPD. It proposes a public facility and is exempt from tariff contribution. But S106 clause to ensure that it remains as 'affordable' housing is required and sought.

### **Equalities & Diversities issues**

The accommodation has been designed to be accessible to people with disabilities with two rooms specially equipped to meet their needs.

Many of the clients housed in the facility will be among the most vulnerable sections of the community in the city and there is much merit in delivering specialist residential accommodation that is safe and attractive whilst they rebuild their lives.

### **Conclusions**

The existing accommodation occupied by the 'Priority supported housing project for families' is less than ideal. The provision of a purpose built facility, built to an attractive design on a disused council housing depot, realises, in tangible form, our commitment to building sustainable linked communities that: improve health well being and social care of local; people, reduce inequalities and help people at all stages of their life to enjoy the best possible health.

### **Recommendation**

In respect of the application dated **15/10/2010** and the submitted drawings, **09715/EX-01;09715\_EX02; 09715\_EX03; 09715\_EX04; 09715\_EX08; 09715\_EX09; 09715\_EX10; 09715\_SD09A; 09715\_SD10A; 09715\_SD11A; 09715\_SD12A; 09715\_SD13A 09715\_SD22; 09715\_SD\_06; 09715\_SD\_05B; 09715\_SD04J; 09715\_SD03K and 09715\_SD02J** , it is recommended to: **Grant conditionally subject to S106 Obligation, delegated authority to refuse if not signed by 30th January 2011**

### **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.

APPROVED PLAN NUMBERS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans

09715/EX-01;09715\_EX02; 09715\_EX03; 09715\_EX04; 09715\_EX08;  
09715\_EX09; 09715\_EX10; 09715\_SD09A; 09715\_SD10A; 09715\_SD11A;  
09715\_SD12A; 09715\_SD13A 09715\_SD22; 09715\_SD\_06; 09715\_SD\_05B;  
09715\_SD04J; 09715\_SD03K and 09715\_SD02J.

Reason:- To ensure that the development accords strictly with the submitted plans hereby approved in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy.

EXTERNAL MATERIALS

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

Reason:

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

SURFACING MATERIALS

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

Reason:

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

LANDSCAPE DESIGN PROPOSALS

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

Reason:

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

#### LANDSCAPE WORKS IMPLEMENTATION

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

#### Reason:

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

#### DETAILS OF BOUNDARY TREATMENT

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

#### Reason:

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

#### REFUSE PROVISION

(8) Before the development hereby permitted is first occupied bins for disposal of refuse shall be provided on site in accordance with the approved plan. The refuse storage provision shall henceforth permanently made available for future occupiers of the site.

Reason: In order to ensure that adequate, safe and convenient refuse storage provision is provided and made available for use by future occupiers in accordance with Sustainable Design SPD.

#### CODE OF PRACTICE DURING CONSTRUCTION

(9) During development of the scheme approved by this planning permission, the developer shall comply with the relevant sections of the Public Protection Service, Code of Practice for Construction and Demolition Sites, with particular regards to the hours of working, crushing and piling operations, control of mud on roads and the control of dust.

Reason: The proposed site is in immediate vicinity to existing residential properties, whose occupants will likely be disturbed by noise and/or dust during demolition or construction work and to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.



#### SOUND INSULATION OF BUILDINGS

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

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

#### PROVISION OF PARKING AREA

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

Reason:

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

#### CYCLE PROVISION

(12) No dwelling shall be occupied until space has been laid out within the site in accordance with the approved plan for 8 bicycles to be parked.

Reason:

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

#### APPROVAL EXTERNAL LIGHTING SCHEME

(13) Full details of an external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work. The lighting scheme shall be implemented prior to the occupation of the building.

Reason:

To ensure adequate and attractive lighting arrangements are in place prior to the first occupation of the dwellings.

#### LIFETIME HOMES

(14) Notwithstanding the submitted drawings, unless otherwise previously agreed in writing with the Local Planning Authority, at least 20% of the residential units hereby permitted shall be first constructed and subsequently maintained to Lifetime Homes standards.

Reason:

In order to meet the needs of disabled people so that they may live as part of the community in accordance with adopted City of Plymouth Core Strategy Objective 10, Policy CS15 and relevant Central Government advice.



#### COMMUNAL CAR PARKING PROVISION

(15) No dwelling shall 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:

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

#### CYCLE STORAGE

(16) 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.

#### FURTHER DETAILS

(17) 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:- reinstatement of footway, kerb-line, vehicle crossing & dropped pram crossings; including plan and section drawings showing levels, construction details, and materials, for approval. 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.

#### LIFETIME HOMES

(18) Notwithstanding the submitted drawings, unless otherwise previously agreed in writing with the Local Planning Authority, at least 20% of the residential units hereby permitted shall be first constructed and subsequently maintained to Lifetime Homes standards.

#### Reason:

In order to meet the needs of disabled people so that they may live as part of the community in accordance with adopted City of Plymouth Core Strategy Objective 10, Policy CS15 and relevant Central Government advice.

#### REPORTING UNEXPECTED CONTAMINATION

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

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

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

(ii) an assessment of the potential risks to:

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

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

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

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

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

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

#### REINSTATEMENT OF FOOTWAY

(20) The development shall not be brought into use until the existing footway crossing (now redundant) has been removed and the footway reinstated.

Reason:

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.

#### FURTHER DETAILS

(21) 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:- reinstatement of footway, kerb-line, vehicle crossing & dropped pram crossings; including plan and section drawings showing levels, construction details, and materials, for approval. 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.

#### WINDOWS ON THE NORTHERN ELEVATION

(22) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), all windows on the northern elevation of the proposed development shall be either high level or obscure glazed prior to occupation and permanently maintained in that condition. Reason:- To prevent overlooking of neighbouring residential property and protect amenities.

#### DIRECT IMPACT ON HMPE

(1) The proposed development work would have a direct impact on the structure of the Highway Maintainable at Public Expense and the applicant would need to contact the managers of the highway network who would authorise and oversee the works in the highway, which should be facilitated by way of a licence and fees in accordance with this authorities procedure for the construction of a Commercial Vehicle Crossings (In the first instance contact the 'Street Care Coordinator' on 01752 237949).

#### CODE OF PRACTICE

(2) A copy of the Public Protection Service, Code of Practice for Construction and Demolition Sites is available from <http://www.plymouth.gov.uk/homepage/environmentandplanning/pollution/noise/construction.htm> or on request from the Environmental Protection and Monitoring Team.

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

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

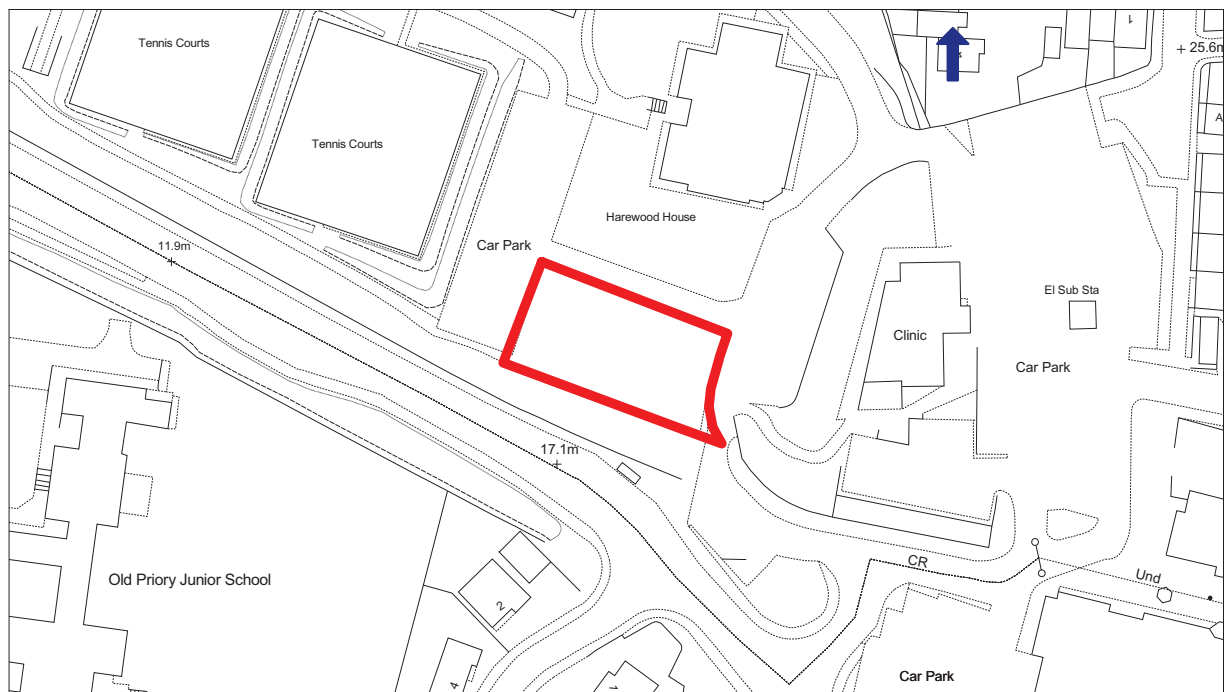
- The principle of providing a priority supported housing project for families on this site
  - The design and appearance of the proposed development including the adequacy of the play space
  - Impact upon the residential amenity of the neighbouring residential property
  - Impact upon the character of the conservation area, adjacent listed building and tree
  - Community Benefits / Planning Obligations arising from this development
  - The adequacy of access and parking arrangements
- , 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  
PPG25 - Flood Risk  
PPS3 - Housing  
PPS1 - Delivering Sustainable Development  
PPS23 - Planning & Pollution Control  
CS28 - Local Transport Consideration  
CS32 - Designing out Crime  
CS33 - Community Benefits/Planning Obligation  
CS34 - Planning Application Consideration  
CS20 - Resource Use  
CS21 - Flood Risk  
CS22 - Pollution  
CS03 - Historic Environment  
CS01 - Sustainable Linked Communities  
CS02 - Design  
CS15 - Housing Provision  
PPS5 - Planning for the Historic Environment

**ITEM: 10**

<b>Application Number:</b>	10/01861/FUL
<b>Applicant:</b>	Resound Health
<b>Description of Application:</b>	New library (single storey structure to replace the library destroyed by fire in 2008)
<b>Type of Application:</b>	Full Application
<b>Site Address:</b>	PLYMPTON LIBRARY, RIDGEWAY PLYMPTON PLYMOUTH
<b>Ward:</b>	Plympton St Mary
<b>Valid Date of Application:</b>	01/11/2010
<b>8/13 Week Date:</b>	<b>31/01/2011</b>
<b>Decision Category:</b>	Member Referral
<b>Case Officer :</b>	Jeremy Guise
<b>Recommendation:</b>	Grant Conditionally
<b>Click for Application Documents:</b>	<a href="http://www.plymouth.gov.uk">www.plymouth.gov.uk</a>



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**This application is reported to committee following referral by Councillor John Lock, Chair of Planning Committee, whose view is that as a public building, the new library proposal, should be assessed at Planning Committee where members of the public and ward councillors have the opportunity to apply to speak.**

## **OFFICERS REPORT**

### **Site Description**

The application site is a 0.19ha piece of land located to the south of Harewood House, between it and the Ridgeway District Centre Plympton.

Harewood House, a purpose built community building which has a particular style with extensive roof and distinctive hexagonal window features. The library formally occupied a site to the south of it but was destroyed by fire in August 2008.

The site is on higher ground than the Ridgeway Road to the south. A 2m, high boundary wall runs along the site stepping down with the land. Levels fall away to the west and north. A series of terraces, containing tennis courts and Bowling Green abut the site to the west. There is an attractive aspect to the North West with views towards Dartmoor.

Parking (51 spaces) is located in an area to the west of the former library, and south west of Harewood House, with the area to the North West a sunken area of shrubbery and trees. Access to the site is from the south east via a road which snakes around the NHS clinic and Harewood House on its way to Plympton swimming pool.

### **Proposal Description**

Planning permission is sought to build a new library on the site (31x15m dimensions approximately 458sqm in total). Plans show a simple rectangular block structure with pitched roof built in roughly the same position as the previous library. It would be a single storey portal type frame structure with clear span 15.5m tie bracing in the centre.

Externally walls are shown mostly of render interspersed, in places, with fenestration and the occasional larch cladding panel. The metal roof would have skylights either side of the ridge, to provide natural light and ventilation to the centre of the building, and solar panels to satisfy the Policy CS20 requirement that it incorporate on site renewable energy production equipment to off set at least 15% of predicted carbon emissions. Access would be from the north and configured to meet the requirements of people with disabilities.

The Design and Access statement that accompanies the application shows the indicative position of a surgery and clinic on the western part of the site. This demonstrates that the proposal is not incompatible with those long term aspirations, although it would be completely subject to securing a separate planning permission - including careful consideration of the re-location of the existing car park. With the exception of the loss of three spaces within the



footprint of the proposed building itself, this proposal does not alter the exiting parking arrangements at the site or the route whereby they are accessed. The existing car park fully retained.

Since submission the applicants have been asked, and have agreed to add, an additional window into the northern elevation to improve natural surveillance and, until such time as the health centre is built, provide an attractive outlook from the proposed meeting room over the park towards Dartmoor.

### **Relevant Planning History**

- 09/01103/OUT - Outline application to develop land by erection of mixed use building to include library, GP surgery and NHS clinic/health centre, with associated works including provision of parking and landscaping. Conditional planning permission GRANTED subject to S106 legal agreement 1<sup>st</sup> Sept. 2009

### **Consultation Responses**

**Highway Authority** – comments awaited. To be reported in an addendum report.

**Public Protection Service:-** Have no objection to the application, but recommend conditions relating to reporting of unexpected contamination and code of practice be attached in the event that the application is approved

**Police Architectural Liaison Officer (PALO) - Devon and Cornwall Constabulary** are not opposed to the granting of planning permission for this application, but have the following observations: -

- This area of Plympton does attract anti social persons particularly during the evenings and weekends. Measures should be build in to the design of this building to try and mitigate any opportunities for this new building to be a target for vandalism etc.
- It is recommend that there are gable end windows in the North West and South East elevations. This will allow overlooking from the building. Both these sides of the building will be attractive for graffiti sprayers so any overlooking will be helpful.
- The smooth white render finish for the walls will again make this building attractive for graffiti so it is recommend that only the top half of the wall is finished in this white render finish and the bottom half of the walls has a finish that will not show up paint so easily, e.g. natural stone.
- The bin stores should be secured. This will deter arsonist from setting fire to the bins.
- Around the building, particularly vulnerable sides as mentioned above, there should be a defensible space created and this planted out with defensive planting, which should be kept to about a metre in height. This will look attractive and deter persons from getting close to the sides of the building.



- CCTV should be considered for the building. The architects are advised to contact the PALO before any final decisions are made on the positions of CCTV cameras.

### **Representations**

Notices were posted around the site and neighbours were notified of the reserved matters application. This has resulted in receipt of three letters of representation (LOR's) including one from Councillor Lock in his capacity as a Plympton councillor.

**Councillor Lock** – Requests that the application be referred to the Planning Committee. The new library will be a public building and it is in the interest of the public that this application be held in public to give any member of the public the opportunity to apply to speak and also Ward Councillors.

The other LOR's can be summarised as follows:-

- Excellent plans for the site being the original location which fits well into the design and layout of this very attractive community area of Plympton.
- Totally oppose further building such as a medical or multi use clinic. This would ruin the whole design of open space facilities. If the money becomes available, then an extension in keeping with the library design could be considered to upgrade the library facilities.
- Pleased to see at last plans for our new library, but disappointed it is much smaller than the one we were promised. I am also concerned to see the outline of phase 2 which will take away car parking spaces which are at a premium on this site and will be very obstructive on this very sensitive area of Plympton. It will also prevent any further expansion of the library should the need arise.

### **Analysis**

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

The key issues in this case are

- The principle of developing a new library on this site (policies CS01, CS12, and CS31 of the Adopted Core Strategy)
- The design and appearance of the proposed development (Policy CS02, CS20, CS32 and CS34 of the Adopted Local Plan)
- Impact upon the amenities of neighbouring properties and uses (Policy CS34 of the Core strategy)
- Impact upon trees (Policy CS18 of the Core strategy)
- The adequacy of access and parking arrangements (Policy CS28 of the Core strategy)

**The principle of developing a new library, clinic and surgery on this site**

When the old library burnt down and surrounding trees were damaged in August 2008, along with the loss of stock and inconvenience of temporary re-housing (first at Harewood House, then 95-99 the Ridgeway – its current location), it was recognised that there was a rare opportunity to develop a new purpose built library on the site. The proximity of the site to the Plympton District Centre, bus stops and well used car parks demonstrate the continuing suitability of the site for a library use and compliance with Policy CS12 (Cultural / leisure Development Considerations). Policy CS12 supports cultural uses in District Centres as long as they are of an appropriate scale and will contribute to the creation of sustainable linked communities.

There is some disappointment that the more ambitious scheme, involving library, clinic, and surgery, which secured outline planning permission last year, will not at present go ahead. But in the light of the current funding situation, and the pressing need to secure a new purpose built library for Plympton, it is considered advisable to secure the replacement library. The fact that the proposal does not preclude the subsequent addition of the surgery and clinic at a future date is welcome in relation to creating sustainable linked communities and making best use of previously developed land.

**The design and appearance of the proposed development**

The proposal has been designed to provide a large open span space, with airy roof space, on a limited budget. It succeeds in satisfying the operating requirements of library services. It also succeeds in terms of providing a light, energy efficient, building that makes a positive contribution to the townscape and is perfectly acceptable in relation to policy CS02 (Design) considerations. However, the design does not incorporate much in relation to architectural embellishments or idiosyncratic quirkiness - the qualities that create a distinctive and memorable public building. It is to be hoped that the surgery / clinic element, which now occupies the more prominent location within the site above the park, will provide scope to add this dimension to the overall group when, eventually, it is added.

**Impact upon the amenities of neighbouring properties and uses**

Although there are no residential buildings in the area, Harewood House, a much used institutional building with community run café, is located immediately to the north. The proposal replaces, on a slightly larger footprint, the previous library and recreates a similar relationship in respect of massing scale and built form.

**Impact upon trees**

In broad terms the proposed building occupies the location of the previous library building and has little impact upon existing trees. Some fir trees, adjacent to Ridgeway were badly damaged in the fire and have subsequently been removed.

**The adequacy of access and parking arrangements**

The applicants have agreed to a request that they look in greater detail at showing the pedestrian footpaths around the building, particularly those to the south. There are not believed to be any significant highway issues, but further comments on the detail will be held over to addendum report, once views of the Highway Authority have been finalised.

### **Equalities & Diversities issues**

As a public building the library, clinic will be fully accessible to people with disabilities.

### **Section 106 Obligations**

There are no new Section 106 implications arising from this application.

Libraries are identified as (para, 3.4 of the planning obligations & affordable Housing Supplementary planning Document) as categories towards which contributions from the Plymouth Development Tariff will be spent. As such they are exempt from providing tariff contributions.

### **Conclusions**

This proposal represents a scaling back from the earlier ambitious plans for a new library, clinic and surgery on the site - at least for the time being. But it still proposes an elegant new library that is fit for purpose and unlike the previous outline scheme is believed to be deliverable in current circumstances. It is recommended for approval.

### **Recommendation**

In respect of the application dated **01/11/2010** and the submitted drawings, **2528-L1102; 2528-L300; 2528-L200; 2528-L201 & 2528-L202** , 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.

#### **DEVELOPMENT IN ACCORDANCE WITH APPROVED PLAN NUMBERS**

(2) The development hereby permitted shall be carried out in accordance with the following approved plans 2528-L1102; 2528-L300; 2528-L200; 2528-L201 & 2528-L202

Reason:- To ensure that the development accords strictly with the submitted plans hereby approved in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy.

#### **CODE OF PRACTICE**

(3) During the development of the scheme approved by this planning permission, the developer shall comply with the relevant sections of the Public

Protection Service , Code of Practice fro Construction and demolition sites , with particular regards to hours of working , crushing and piling operations , control of mud on roads and dust.

Reason:

To protect the 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.

#### EXTERNAL MATERIALS

(4) 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

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

Reason:

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

#### LANDSCAPE DESIGN PROPOSALS

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

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.

#### REFUSE DETAILS

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

Reason: In order to ensure that adequate, safe and convenient refuse storage provision is provided and made available for use by future occupiers.

#### LIGHTING SCHEME

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

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

#### CYCLE PROVISION - insert number

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

(11) 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.

#### ON SITE RENEWABLE ENERGY EQUIPMENT

(12) Unless otherwise agreed previously in writing with the Local Planning Authority, prior to any development taking place, the applicant shall provide to the Local Planning Authority a report for approval identifying how for the period up to 2016, a minimum of 15% of the carbon emissions for which the development is responsible will be off-set by low carbon production methods.

The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations.

Unless otherwise agreed in writing, the approved on-site renewable energy production methods shall be provided in accordance with these details prior to the first occupation of the development and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

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

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

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

The principle of developing a new library on this site  
The design and appearance of the proposed development  
Impact upon the amenities of neighbouring properties and uses  
Impact upon trees

The adequacy of access and parking arrangements

, 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

PPG17 - Sport and Recreation

PPG23 - Planning and Pollution Control

PPS9 - Biodiversity and geological conservation

PPS1 - Delivering Sustainable Development

PPS6 - Planning for Town Centres

CS32 - Designing out Crime

CS33 - Community Benefits/Planning Obligation

CS34 - Planning Application Consideration

CS18 - Plymouth's Green Space

CS20 - Resource Use

CS01 - Sustainable Linked Communities

CS02 - Design

CS15 - Housing Provision

CS12 - Cultural / Leisure Development Considerations

CS31 - Healthcare Provision

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## PLANNING COMMITTEE

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Decisions issued for the following period: 9 November 2010 to 6 December 2010

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**Note - This list includes:**

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

**Item No 1**

**Application Number:** 10/00401/FUL **Applicant:** Mr P Shaw  
**Application Type:** Full Application  
**Description of Development:** Change of use of guest house to form accommodation for 10 students  
**Site Address** ROSALAND HOTEL, 32 HOUNDISCOMBE ROAD  
PLYMOUTH  
**Case Officer:** Stuart Anderson  
**Decision Date:** 06/12/2010  
**Decision:** Refuse

---

**Item No 2**

**Application Number:** 10/00609/FUL **Applicant:** Mr and Mrs S Crocker  
**Application Type:** Full Application  
**Description of Development:** Double private motor garage with garden room above (existing shed to be removed)  
**Site Address** 40 DUNSTONE ROAD PLYMSTOCK PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 09/11/2010  
**Decision:** Application Withdrawn

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**Item No**        **3**

**Application Number:**        10/00698/FUL    **Applicant:** Mr Kamaie  
**Application Type:**            Full Application  
**Description of Development:** Demolition of office building and erection of a pair of three-storey semi-detached dwellinghouses, with integral private motor garages and parking spaces  
**Site Address**                    LAND AT REAR OF 10 WOODSIDE    PLYMOUTH  
**Case Officer:**                 Karen Gallacher  
**Decision Date:**                22/11/2010  
**Decision:**                        Application Withdrawn

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**Item No**        **4**

**Application Number:**        10/00700/LBC    **Applicant:** Mr Kamaie  
**Application Type:**            Listed Building  
**Description of Development:** Demolition of office building and rear boundary wall  
**Site Address**                    LAND AT REAR OF 10 WOODSIDE    PLYMOUTH  
**Case Officer:**                 Karen Gallacher  
**Decision Date:**                22/11/2010  
**Decision:**                        Application Withdrawn

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**Item No**        **5**

**Application Number:**        10/00860/FUL    **Applicant:** Plymouth City Council  
**Application Type:**            Full Application  
**Description of Development:** Extensions and alterations to school including 7 new classrooms, new playground over existing pool and new pedestrian access arrangements (three temporary classrooms and existing nursery to be demolished)  
**Site Address**                    COMPTON C OF E PRIMARY SCHOOL HIGHER  
COMPTON ROAD    PLYMOUTH  
**Case Officer:**                 Janine Warne  
**Decision Date:**                22/11/2010  
**Decision:**                        Grant Conditionally

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**Item No**        **6**

**Application Number:**        10/00947/TPO    **Applicant:** Mrs Judith Sheehy  
**Application Type:**            Tree Preservation  
**Description of Development:** Horse Chestnut - Thin/reduce lower crown (minor works)  
**Site Address**                    REAR OF 9 ALBERT ROAD STOKE PLYMOUTH  
**Case Officer:**                 Chris Knapman  
**Decision Date:**                11/11/2010  
**Decision:**                        Grant Conditionally

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**Item No**        **7**

**Application Number:**        10/00997/FUL    **Applicant:** Plymstock Utd Colts  
**Application Type:**            Full Application  
**Description of Development:** Positioning of shipping container, for storage of sports equipment  
**Site Address**                    LAND ADJ 37 ROCKY PARK ROAD PLYMOUTH  
**Case Officer:**                 Robert Heard  
**Decision Date:**                02/12/2010  
**Decision:**                        Refuse

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**Item No**        **8**

**Application Number:**        10/01013/FUL    **Applicant:** Mrs T Gerry  
**Application Type:**            Full Application  
**Description of Development:** Two-storey extension  
**Site Address**                    CHARLTON HOUSE, 55 MANNAMEAD ROAD PLYMOUTH  
**Case Officer:**                 Janine Warne  
**Decision Date:**                09/11/2010  
**Decision:**                        Refuse

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**Item No**        **9**

**Application Number:**        10/01018/FUL    **Applicant:** W Williamson  
**Application Type:**            Full Application  
**Description of Development:** Develop part of rear garden by erection of a pair of semi-detached starter dwelling houses  
**Site Address**                    28 HALLERTON CLOSE MAINSTONE PLYMOUTH  
**Case Officer:**                Carly Francis  
**Decision Date:**                15/11/2010  
**Decision:**                        Grant Conditionally

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**Item No**        **10**

**Application Number:**        10/01102/FUL    **Applicant:** Charter Homes (SW) Ltd & Pilgr  
**Application Type:**            Full Application  
**Description of Development:** Erection of two detached dwellings (amendments to dwellings approved under reference 08/00214/FUL)  
**Site Address**                    47 ELBURTON ROAD PLYMSTOCK PLYMOUTH  
**Case Officer:**                Stuart Anderson  
**Decision Date:**                25/11/2010  
**Decision:**                        Grant Conditionally

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**Item No**        **11**

**Application Number:**        10/01136/FUL    **Applicant:** Oreston Primary School  
**Application Type:**            Full Application  
**Description of Development:** Change of use of public open space to school garden allotment  
**Site Address**                    ORESTON PRIMARY SCHOOL, ORESTON ROAD  
PLYMOUTH  
**Case Officer:**                Jon Fox  
**Decision Date:**                09/11/2010  
**Decision:**                        Grant Conditionally

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**Item No 12**

**Application Number:** 10/01145/FUL **Applicant:** Donson Ltd  
**Application Type:** Full Application  
**Description of Development:** Develop site by erection of 8 terraced houses and setting out of wildlife habitat  
**Site Address** LAND AT PLEASURE HILL CLOSE PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 29/11/2010  
**Decision:** Refuse

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**Item No 13**

**Application Number:** 10/01156/FUL **Applicant:** South Western Ambulance Serv  
**Application Type:** Full Application  
**Description of Development:** Installation of portacabin to be used as rest facility for on-call paramedics and formation of two ambulance parking bays  
**Site Address** PARKWAY SPORTS CLUB, ERNESETTLE LANE  
ERNESETTLE PLYMOUTH  
**Case Officer:** Janine Warne  
**Decision Date:** 10/11/2010  
**Decision:** Grant Conditionally

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**Item No 14**

**Application Number:** 10/01205/PR **Applicant:** Denis Noble Builders  
**Application Type:** LDC Proposed Develop  
**Description of Development:** Private motor garage  
**Site Address** 23 TORR LANE PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 10/11/2010  
**Decision:** Issue Certificate - Lawful Use

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**Item No 15**

**Application Number:** 10/01211/FUL **Applicant:** Mr Adrian Harris  
**Application Type:** Full Application  
**Description of Development:** Conservatory on 3rd floor roof terrace  
**Site Address** 39 JACKSON CLOSE PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 09/11/2010  
**Decision:** Grant Conditionally

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**Item No 16**

**Application Number:** 10/01299/FUL **Applicant:** Vosper Motorhouse  
**Application Type:** Full Application  
**Description of Development:** Front entrance atrium, rear curtain wall glazing with two associated rear access doors (removal of existing canopy), new glazed canopy and internal alterations  
**Site Address** VOSPERS MOTORHOUSE, MARSH MILLS RETAIL PARK  
MARSH MILLS PLYMOUTH  
**Case Officer:** Janine Warne  
**Decision Date:** 06/12/2010  
**Decision:** Grant Conditionally

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**Item No 17**

**Application Number:** 10/01319/LBC **Applicant:** Plymouth City Council  
**Application Type:** Listed Building  
**Description of Development:** Refurbish ground floor male and female toilets and update layout (to meet Disability Discrimination Act 2005)  
**Site Address** PLYMOUTH GUILDHALL, ROYAL PARADE PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 24/11/2010  
**Decision:** Grant Conditionally

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**Item No 18**

**Application Number:** 10/01336/FUL **Applicant:** Brook Street Properties  
**Application Type:** Full Application  
**Description of Development:** Redevelopment to provide 470sqm of A1/A2 commercial floorspace; 8 x 1 bed affordable flats/maisonettes and associated car parking and landscaping. (Part resubmission of ref 09/01375/FUL to allow phased development)  
**Site Address** FORMER CARDINAL SERVICE STATION LAND ADJACENT 64 WOLSELEY ROAD PLYMOUTH  
**Case Officer:** Jeremy Guise  
**Decision Date:** 11/11/2010  
**Decision:** Grant Subject to S106 Obligation - Full

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**Item No 19**

**Application Number:** 10/01367/FUL **Applicant:** College Properties (Plymouth) L  
**Application Type:** Full Application  
**Description of Development:** Extension at second-floor level to form bedroom for existing second-floor flat and formation of room in roofspace for use as home office/storage  
**Site Address** 14 MEADFOOT TERRACE PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 19/11/2010  
**Decision:** Grant Conditionally

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**Item No 20**

**Application Number:** 10/01407/FUL **Applicant:** Plymouth Hospitals NHS Trust  
**Application Type:** Full Application  
**Description of Development:** Single storey extension to oncology department  
**Site Address** DERRIFORD HOSPITAL, DERRIFORD ROAD PLYMOUTH  
**Case Officer:** Janine Warne  
**Decision Date:** 26/11/2010  
**Decision:** Grant Conditionally

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**Item No 21**

**Application Number:** 10/01412/FUL **Applicant:** Portobello Developments PLC  
**Application Type:** Full Application  
**Description of Development:** Change of use of ground floor to 4 flats, revised layout for 8 flats previously approved on first and second floors, and associated works to provide parking and bin storage  
**Site Address** HORNBY COURT,7 CRAIGIE DRIVE PLYMOUTH  
**Case Officer:** Karen Gallacher  
**Decision Date:** 06/12/2010  
**Decision:** Grant Conditionally

---

**Item No 22**

**Application Number:** 10/01452/FUL **Applicant:** Town House (Plymouth) Ltd  
**Application Type:** Full Application  
**Description of Development:** Demolition of existing public house and construction of six storey building (with seventh storey lift (stair core) Accommodating 51 units of student accommodation divided into 10 cluster flats, together with associated refuse and cycle storage and two vehicle drop off point  
**Site Address** THE TOWN HOUSE,32 HARWELL STREET PLYMOUTH  
**Case Officer:** Mark Evans  
**Decision Date:** 25/11/2010  
**Decision:** Application Withdrawn

---

**Item No 23**

**Application Number:** 10/01455/OU **Applicant:** Land Registry  
**Application Type:** Outline Application  
**Description of Development:** Outline application to demolish existing building and erection of 74 dwellings, associated roads and parking, landscaping, creation of a play area and installation of an underground attenuation tank  
**Site Address** PLUMER HOUSE, TAILYOUR ROAD PLYMOUTH  
**Case Officer:** Robert McMillan  
**Decision Date:** 26/11/2010  
**Decision:** Application Withdrawn

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**Item No 24**

**Application Number:** 10/01461/FUL **Applicant:** Rev. Paul Smith  
**Application Type:** Full Application  
**Description of Development:** Continued use as coffee shop and internet café (A3)  
**Site Address** THE AMERICANO COFFEE HOUSE 2 CORNWALL STREET CITY CENTRE PLYMOUTH  
**Case Officer:** Karen Gallacher  
**Decision Date:** 24/11/2010  
**Decision:** Grant Conditionally

---

**Item No 25**

**Application Number:** 10/01476/FUL **Applicant:** Plymouth Community Homes  
**Application Type:** Full Application  
**Description of Development:** Continue use of former dwelling as warden's office and erection of rear conservatory to enlarge meeting room  
**Site Address** 6 ST ELIZABETH CLOSE PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 11/11/2010  
**Decision:** Grant Conditionally

---

**Item No 26**

**Application Number:** 10/01481/FUL **Applicant:** Miss Katherine Taylor  
**Application Type:** Full Application  
**Description of Development:** Replacement windows to sitting area and kitchen and formation of two bay windows  
**Site Address** 26 THORN PARK PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 09/11/2010  
**Decision:** Grant Conditionally

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**Item No 27**

**Application Number:** 10/01483/CA **Applicant:** Miss Katherine Taylor  
**Application Type:** Conservation Area  
**Description of Development:** Replacement windows to sitting area and kitchen and formation of two bay windows  
**Site Address** 26 THORN PARK PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 09/11/2010  
**Decision:** Grant Conditionally

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**Item No 28**

**Application Number:** 10/01487/FUL **Applicant:** Mr and Mrs R Boobier  
**Application Type:** Full Application  
**Description of Development:** Continue use as two self-contained flats  
**Site Address** 46 BURNHAM PARK ROAD PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 09/11/2010  
**Decision:** Grant Conditionally

---

**Item No 29**

**Application Number:** 10/01500/FUL **Applicant:** Mr Trevor Atkins  
**Application Type:** Full Application  
**Description of Development:** Develop part of garden by erection of a detached two-bedroom dwellinghouse and private motor garage/workshop (Renewal of permission for scheme approved under application 07/01345)  
**Site Address** 38 MANOR PARK DRIVE PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 11/11/2010  
**Decision:** Grant Conditionally

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**Item No 30**

**Application Number:** 10/01506/FUL **Applicant:** Mr Kevin Wilson  
**Application Type:** Full Application  
**Description of Development:** Single storey porch and front extension  
**Site Address** 27 ASHLEIGH CLOSE PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 01/12/2010  
**Decision:** Grant Conditionally

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**Item No 31**

**Application Number:** 10/01517/LBC **Applicant:** Mr A Reynolds  
**Application Type:** Listed Building  
**Description of Development:** Replace corrugated steel shed roof with natural slate roof  
**Site Address** OLD BREWERY COTTAGE 57 FORE STREET PLYMPTON PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 25/11/2010  
**Decision:** Grant Conditionally

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**Item No 32**

**Application Number:** 10/01519/FUL **Applicant:** Mr & Mrs Welsh  
**Application Type:** Full Application  
**Description of Development:** Two storey side extension  
**Site Address** 20 MOORLAND DRIVE PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 11/11/2010  
**Decision:** Grant Conditionally

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**Item No 33**

**Application Number:** 10/01524/FUL **Applicant:** Dr S Seeyave  
**Application Type:** Full Application  
**Description of Development:** Alterations to roof of existing front dormer to provide french doors and fan lights.  
**Site Address** 12 GRAND PARADE PLYMOUTH  
**Case Officer:** Adam Williams  
**Decision Date:** 23/11/2010  
**Decision:** Grant Conditionally

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**Item No 34**

**Application Number:** 10/01525/FUL **Applicant:** Mr Colin Matten  
**Application Type:** Full Application  
**Description of Development:** First floor side extension  
**Site Address** 46 DOVER ROAD PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 10/11/2010  
**Decision:** Grant Conditionally

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**Item No 35**

**Application Number:** 10/01531/FUL **Applicant:** Citymark Partnership Ltd  
**Application Type:** Full Application  
**Description of Development:** Change of use of first, second, third and fourth floors of building from office use (Class B1) to 75 units of student accommodation and associated car parking (9 spaces) and cycle storage  
**Site Address** ROYAL BUILDING,7 ST ANDREWS CROSS PLYMOUTH  
**Case Officer:** Mark Evans  
**Decision Date:** 01/12/2010  
**Decision:** Application Withdrawn

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**Item No 36**

**Application Number:** 10/01535/FUL **Applicant:** Mr & Mrs D Beeny  
**Application Type:** Full Application  
**Description of Development:** Single-storey rear extension including formation of rooms in original and new roofspace and associated front and side rooflights  
**Site Address** 32 REVELL PARK ROAD PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 10/11/2010  
**Decision:** Grant Conditionally

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**Item No 37**

**Application Number:** 10/01536/FUL **Applicant:** Mr M Jinks  
**Application Type:** Full Application  
**Description of Development:** Single-storey rear extension and side porch  
**Site Address** 65 MERRIVALE ROAD BEACON PARK PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 03/12/2010  
**Decision:** Grant Conditionally

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**Item No 38**

**Application Number:** 10/01557/FUL **Applicant:** Ms Nicola Evans  
**Application Type:** Full Application  
**Description of Development:** Primary care centre, including dental practice, pharmacy and two GP surgeries (re-submission of expired scheme previously approved 20th September 2007 under ref 07/01092/FUL)  
**Site Address** LAND AT CUMBERLAND CENTRE, DAMEREL CLOSE PLYMOUTH  
**Case Officer:** Jeremy Guise  
**Decision Date:** 22/11/2010  
**Decision:** Grant Conditionally

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**Item No 39**

**Application Number:** 10/01558/FUL **Applicant:** Mr J Briggs  
**Application Type:** Full Application  
**Description of Development:** First floor rear extension  
**Site Address** 8 LYNHER STREET PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 23/11/2010  
**Decision:** Grant Conditionally

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**Item No 40**

**Application Number:** 10/01559/FUL **Applicant:** Mr & Mrs S Wagstaff  
**Application Type:** Full Application  
**Description of Development:** Construction of one, two bed dwelling on three stories  
**Site Address** 110 ALBERT ROAD PLYMOUTH  
**Case Officer:** Jeremy Guise  
**Decision Date:** 10/11/2010  
**Decision:** Grant Conditionally

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**Item No 41**

**Application Number:** 10/01575/FUL **Applicant:** Mr Darren Corbett  
**Application Type:** Full Application  
**Description of Development:** Two storey side extension (Resubmission of 10/01135/FUL)  
**Site Address** 17 SARUM CLOSE PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 23/11/2010  
**Decision:** Grant Conditionally

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**Item No 42**

**Application Number:** 10/01577/FUL **Applicant:** Mr J C Munday  
**Application Type:** Full Application  
**Description of Development:** Change of use and conversion of single dwelling to form two, one-bedroom self-contained flats  
**Site Address** 16 COLLINGWOOD AVENUE PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 09/11/2010  
**Decision:** Grant Conditionally

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**Item No 43**

**Application Number:** 10/01582/FUL **Applicant:** Amber New Homes  
**Application Type:** Full Application  
**Description of Development:** Change of use and conversion of vacant shop to form self-contained flat including reinstatement of rear parking bay; and formation of rooms in roofspace of first-floor flat including rear dormer and front rooflights  
**Site Address** 81 BELGRAVE ROAD PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 11/11/2010  
**Decision:** Grant Conditionally

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**Item No 44**

**Application Number:** 10/01585/FUL **Applicant:** Mrs Vivienne Willis  
**Application Type:** Full Application  
**Description of Development:** Replacement of uPVC windows and doors with timber  
**Site Address** 102d DURNFORD STREET PLYMOUTH  
**Case Officer:** Adam Williams  
**Decision Date:** 03/12/2010  
**Decision:** Grant Conditionally

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**Item No 45**

**Application Number:** 10/01586/LBC **Applicant:** Mrs Vivienne Willis  
**Application Type:** Listed Building  
**Description of Development:** Replacement of uPVC windows and doors with timber  
**Site Address** 102d DURNFORD STREET PLYMOUTH  
**Case Officer:** Adam Williams  
**Decision Date:** 03/12/2010  
**Decision:** Grant Conditionally

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**Item No 46**

**Application Number:** 10/01587/PR **Applicant:** Mr Dan Whitley  
**Application Type:** LDC Proposed Develop  
**Description of Development:** Rear dormer window  
**Site Address** 51 STUART ROAD STOKE PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 16/11/2010  
**Decision:** Issue Certificate - Lawful Use

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**Item No 47**

**Application Number:** 10/01588/FUL **Applicant:** Mrs Margaret White  
**Application Type:** Full Application  
**Description of Development:** Change of use and subdivision of ground-floor flat to form two self-contained flats  
**Site Address** SEATON VILLA, PENTILLIE ROAD PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 09/11/2010  
**Decision:** Grant Conditionally

---

**Item No 48**

**Application Number:** 10/01590/FUL **Applicant:** Plymouth City Council  
**Application Type:** Full Application  
**Description of Development:** Change of use from Business (B1) and General Industrial (B2) use classes, to Business, General Industrial and Storage/Distribution use classes (B8)  
**Site Address** 4 AND 5 HAXTER CLOSE BELLIVER INDUSTRIAL ESTATE PLYMOUTH  
**Case Officer:** Janine Warne  
**Decision Date:** 19/11/2010  
**Decision:** Grant Conditionally

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**Item No 49**

**Application Number:** 10/01591/FUL **Applicant:** Mr Robert Davis  
**Application Type:** Full Application  
**Description of Development:** Front porch and toilet, and detached double private motor garage to rear  
**Site Address** 455 BLANDFORD ROAD PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 17/11/2010  
**Decision:** Grant Conditionally

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**Item No 50**

**Application Number:** 10/01595/FUL **Applicant:** Mr P Minchella  
**Application Type:** Full Application  
**Description of Development:** First floor side extension, extension to front porch, rear conservatory with provision of store to lower ground floor and formation of decked patio area  
**Site Address** 53 WINDERMERE CRESCENT DERRIFORD PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 09/11/2010  
**Decision:** Grant Conditionally

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**Item No 51**

**Application Number:** 10/01598/FUL **Applicant:** Mr James Gill  
**Application Type:** Full Application  
**Description of Development:** Erection of detached dwellinghouse  
**Site Address** LAND BETWEEN 1 RAILWAY COTTAGES AND 9 LAWSON GROVE PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 25/11/2010  
**Decision:** Refuse

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**Item No 52**

**Application Number:** 10/01600/FUL **Applicant:** T.J. Purdy Ltd  
**Application Type:** Full Application  
**Description of Development:** New shopfront  
**Site Address** 75 HYDE PARK ROAD PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 10/11/2010  
**Decision:** Grant Conditionally

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**Item No 53**

**Application Number:** 10/01603/FUL **Applicant:** Four Rivers Developments  
**Application Type:** Full Application  
**Description of Development:** Retention of single-storey rear extension, and alterations, including alteration to window  
**Site Address** 33 MOUNT GOULD ROAD PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 02/12/2010  
**Decision:** Grant Conditionally

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**Item No 54**

**Application Number:** 10/01606/FUL **Applicant:** St Matthews Church  
**Application Type:** Full Application  
**Description of Development:** Installation of access ramp and associated handrail with stepped access  
**Site Address** ST MATTHEWS CHURCH, SHERFORD ROAD PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 01/12/2010  
**Decision:** Grant Conditionally

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**Item No 55**

**Application Number:** 10/01607/FUL **Applicant:** Mr Gallagher  
**Application Type:** Full Application  
**Description of Development:** Single storey side extension, including replacement of existing garage, and conservatory to rear  
**Site Address** 15 JENNYCLIFF LANE PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 11/11/2010  
**Decision:** Grant Conditionally

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**Item No 56**

**Application Number:** 10/01610/FUL **Applicant:** Apollo Five Ltd  
**Application Type:** Full Application  
**Description of Development:** Change of use from dwelling house (class C3) to house in multiple occupation (Class C4)(five bedrooms)  
**Site Address** 35 RIDGE PARK AVENUE PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 10/11/2010  
**Decision:** Application Withdrawn

---

**Item No 57**

**Application Number:** 10/01611/FUL **Applicant:** Mr Durden  
**Application Type:** Full Application  
**Description of Development:** Two storey side and rear extension  
**Site Address** 133 DUNRAVEN DRIVE PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 16/11/2010  
**Decision:** Grant Conditionally

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**Item No 58**

**Application Number:** 10/01616/FUL **Applicant:** Mr Jim Donahoe  
**Application Type:** Full Application  
**Description of Development:** Rear conservatory (existing conservatory to be removed)  
**Site Address** 20 DRAX GARDENS PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 16/11/2010  
**Decision:** Grant Conditionally

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**Item No 59**

**Application Number:** 10/01620/FUL **Applicant:** Mr & Mrs Templeton  
**Application Type:** Full Application  
**Description of Development:** Rear conservatory  
**Site Address** 38 PLAISTOW CRESCENT PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 10/11/2010  
**Decision:** Grant Conditionally

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**Item No 60**

**Application Number:** 10/01621/FUL **Applicant:** Mr & Mrs Newton  
**Application Type:** Full Application  
**Description of Development:** Front porch and rear conservatory  
**Site Address** 28 YEOMANS WAY PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 15/11/2010  
**Decision:** Grant Conditionally

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**Item No 61**

**Application Number:** 10/01622/FUL **Applicant:** Mrs M Jones  
**Application Type:** Full Application  
**Description of Development:** Rear conservatory  
**Site Address** 9 HURST CLOSE PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 15/11/2010  
**Decision:** Grant Conditionally

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**Item No 62**

**Application Number:** 10/01624/OU **Applicant:** Mr E R Astbury  
**Application Type:** Outline Application  
**Description of Development:** Outline application to develop land by erection of two detached dwellings (renewal of previous permission)  
**Site Address** LAND TO REAR 69 ORESTON ROAD PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 16/11/2010  
**Decision:** Grant Conditionally

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**Item No 63**

**Application Number:** 10/01628/TPO **Applicant:** Mrs Murdock  
**Application Type:** Tree Preservation  
**Description of Development:** Crown lift Oak by 2-3 metres  
**Site Address** 7 HURST CLOSE PLYMOUTH  
**Case Officer:** Chris Knapman  
**Decision Date:** 18/11/2010  
**Decision:** Grant Conditionally

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**Item No 64**

**Application Number:** 10/01629/TPO **Applicant:** Mr John Warren  
**Application Type:** Tree Preservation  
**Description of Development:** Minor tree pruning works  
**Site Address** 24 BURLEIGH MANOR PLYMOUTH  
**Case Officer:** Chris Knapman  
**Decision Date:** 25/11/2010  
**Decision:** Grant Conditionally

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**Item No 65**

**Application Number:** 10/01631/FUL **Applicant:** Mr Edney and Mrs Stone  
**Application Type:** Full Application  
**Description of Development:** Demolition of existing front porch and replacement with conservatory  
**Site Address** 17 SOUTHWAY DRIVE PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 22/11/2010  
**Decision:** Grant Conditionally

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**Item No 66**

**Application Number:** 10/01636/FUL **Applicant:** Mr and Mrs Beckwith  
**Application Type:** Full Application  
**Description of Development:** First floor side extension  
**Site Address** 88 KIT HILL CRESCENT PLYMOUTH  
**Case Officer:** Louis Dulling  
**Decision Date:** 10/11/2010  
**Decision:** Grant Conditionally

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**Item No 67**

**Application Number:** 10/01639/FUL **Applicant:** Plymouth One Ltd and Plymouth  
**Application Type:** Full Application  
**Description of Development:** Change of use from A1 (shop) to A3 restaurant/café  
**Site Address** 19 RALEIGH STREET PLYMOUTH  
**Case Officer:** Karen Gallacher  
**Decision Date:** 10/11/2010  
**Decision:** Grant Conditionally

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**Item No 68**

**Application Number:** 10/01642/FUL **Applicant:** Miss Abby Alexander  
**Application Type:** Full Application  
**Description of Development:** Change of use and conversion of residential institution to form a dwellinghouse, including enlarged conservatory and formation of carers accommodation in roofspace with dormer windows and other alterations  
**Site Address** WITHY BARN, WINSBURY COURT PLYMOUTH  
**Case Officer:** Janine Warne  
**Decision Date:** 19/11/2010  
**Decision:** Grant Conditionally

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**Item No 69**

**Application Number:** 10/01643/FUL **Applicant:** Crownhill Estates Ltd RBS  
**Application Type:** Full Application  
**Description of Development:** Change of use, conversion and first floor extension to offices to form 3 self contained flats and a maisonette (renewal of permission notice 07/01277/FUL)  
**Site Address** 19 THE GATEHOUSE THE SQUARE PLYMOUTH  
**Case Officer:** Karen Gallacher  
**Decision Date:** 25/11/2010  
**Decision:** Grant Conditionally

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**Item No 70**

**Application Number:** 10/01644/LBC **Applicant:** Crownhill Estates RBS  
**Application Type:** Listed Building  
**Description of Development:** Change of use, conversion and first floor extension to offices to form 3 self contained flats and a maisonette (renewal of permission notice 07/01279/LBC)  
**Site Address** 19 THE GATEHOUSE THE SQUARE PLYMOUTH  
**Case Officer:** Karen Gallacher  
**Decision Date:** 25/11/2010  
**Decision:** Grant Conditionally

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**Item No 71**

**Application Number:** 10/01645/ADV **Applicant:** Co-operative Group Ltd  
**Application Type:** Advertisement  
**Description of Development:** Two externally illuminated fascia signs and one internally illuminated projecting sign  
**Site Address** 2 PEVERELL PARK ROAD PEVERELL PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 10/11/2010  
**Decision:** Grant Conditionally

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**Item No 72**

**Application Number:** 10/01653/FUL **Applicant:** Mr & Mrs S Worth  
**Application Type:** Full Application  
**Description of Development:** Double private motor garage (existing double private motor garage to be removed) and removal of single storey structure at rear.  
**Site Address** TURRET WILLOWS 241 THE RIDGEWAY PLYMPTON PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 11/11/2010  
**Decision:** Grant Conditionally

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**Item No 73**

**Application Number:** 10/01658/FUL **Applicant:** Mr V Collings  
**Application Type:** Full Application  
**Description of Development:** Change of use of private amenity space to residential curtilage to be used as extension to existing garden space including the erection of log cabin, greenhouse and sheds  
**Site Address** LAND REAR OF WEST DOWN ROAD PLYMOUTH  
**Case Officer:** Janine Warne  
**Decision Date:** 23/11/2010  
**Decision:** Grant Conditionally

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**Item No 74**

**Application Number:** 10/01659/FUL **Applicant:** Mr John Frude  
**Application Type:** Full Application  
**Description of Development:** Two storey side extension to form annex accommodation and demolition of existing garage  
**Site Address** 171 ALMA ROAD PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 22/11/2010  
**Decision:** Grant Conditionally

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**Item No 75**

**Application Number:** 10/01660/LBC **Applicant:** Mr and Mrs Nigel Jackson  
**Application Type:** Listed Building  
**Description of Development:** Removal of two fireplaces and surrounds from ground-floor reception rooms and replacement with Victorian style timber painted surrounds and cast iron insert, removal of door and boarding to staircase on first-floor, removal of door and partition to dressing room on first-floor, and removal of timber boarding and cupboard to second floor landing  
**Site Address** LOUVILLE, 100 CHURCH ROAD PLYMSTOCK PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 26/11/2010  
**Decision:** Refuse

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**Item No 76**

**Application Number:** 10/01661/FUL **Applicant:** Mr and Mrs Nigel Jackson  
**Application Type:** Full Application  
**Description of Development:** Single-storey rear extension and two-storey rear tower extension (existing kitchen and bathroom lean-to and store to be removed) and widening of existing driveway  
**Site Address** LOUVILLE, 100 CHURCH ROAD PLYMSTOCK PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 22/11/2010  
**Decision:** Grant Conditionally

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**Item No 77**

**Application Number:** 10/01662/LBC **Applicant:** Mr and Mrs Nigel Jackson  
**Application Type:** Listed Building  
**Description of Development:** Single-storey rear extension and two-storey rear tower extension (existing kitchen and bathroom lean-to and store to be removed), widening of existing driveway, reface front elevation and rear staircase wall with slate hanging, replacement windows to front elevation and various minor internal and external repairs  
**Site Address** LOUVILLE, 100 CHURCH ROAD PLYMSTOCK PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 22/11/2010  
**Decision:** Grant Conditionally

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**Item No 78**

**Application Number:** 10/01664/FUL **Applicant:** Hidden Hearing Limited  
**Application Type:** Full Application  
**Description of Development:** Internal alterations to unit and change of use of No. 153 to Hearing Care Service  
**Site Address** 153 to 155 ARMADA WAY PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 24/11/2010  
**Decision:** Grant Conditionally

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**Item No 79**

**Application Number:** 10/01665/ADV **Applicant:** Hidden Hearing Limited  
**Application Type:** Advertisement  
**Description of Development:** Internally illuminated fascia sign, 2 non-illuminated fascia signs (approved) and 1 internally illuminated projecting sign to No. 153 Armada Way (refused)  
**Site Address** 153 to 155 ARMADA WAY PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 24/11/2010  
**Decision:** Advertisement Split Decision

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**Item No 80**

**Application Number:** 10/01666/FUL **Applicant:** Mr D Reid  
**Application Type:** Full Application  
**Description of Development:** Erection of garage to side of dwelling  
**Site Address** 5 DUCANE WALK PLYMOUTH  
**Case Officer:** Adam Williams  
**Decision Date:** 22/11/2010  
**Decision:** Grant Conditionally

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**Item No 81**

**Application Number:** 10/01667/ADV **Applicant:** Co-operative Group Ltd  
**Application Type:** Advertisement  
**Description of Development:** 3 externally illuminated fascia signs and internally illuminated totem sign  
**Site Address** 349 SOUTHWAY DRIVE PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 10/11/2010  
**Decision:** Grant Conditionally

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**Item No 82**

**Application Number:** 10/01669/FUL **Applicant:** The Veterinary Hospital Group  
**Application Type:** Full Application  
**Description of Development:** Single-storey extension and alterations to existing veterinary hospital building and construction of new staff carpark  
**Site Address** THE VETERINARY HOSPITAL, COLWILL ROAD  
ESTOVER PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 24/11/2010  
**Decision:** Grant Conditionally

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**Item No 83**

**Application Number:** 10/01670/FUL **Applicant:** Mr/s J Ellis  
**Application Type:** Full Application  
**Description of Development:** First floor side extension above existing garage  
**Site Address** 7 VENN WAY PLYMOUTH  
**Case Officer:** Adam Williams  
**Decision Date:** 23/11/2010  
**Decision:** Grant Conditionally

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**Item No 84**

**Application Number:** 10/01671/FUL **Applicant:** Mr N Read  
**Application Type:** Full Application  
**Description of Development:** Formation of room in roofspace including rear dormer and two front rooflights  
**Site Address** 162 UNDERWOOD ROAD PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 18/11/2010  
**Decision:** Grant Conditionally

---

**Item No 85**

**Application Number:** 10/01672/FUL **Applicant:** Mrs C NcNelly  
**Application Type:** Full Application  
**Description of Development:** Formation of room in roofspace including rear dormer and two front rooflights  
**Site Address** 164 UNDERWOOD ROAD PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 18/11/2010  
**Decision:** Grant Conditionally

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**Item No 86**

**Application Number:** 10/01675/FUL **Applicant:** Mr M Jarvis  
**Application Type:** Full Application  
**Description of Development:** Part single-storey, part two-storey rear extension (existing single-storey structure to be removed)  
**Site Address** 8 WOBURN TERRACE PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 25/11/2010  
**Decision:** Grant Conditionally

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**Item No 87**

**Application Number:** 10/01676/FUL **Applicant:** CROWNHILL DENTAL PRACTI  
**Application Type:** Full Application  
**Description of Development:** Two storey rear extension  
**Site Address** CROWNHILL DENTAL PRACTICE 48 MORSHEAD ROAD PLYMOUTH  
**Case Officer:** Adam Williams  
**Decision Date:** 25/11/2010  
**Decision:** Grant Conditionally

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**Item No 88**

**Application Number:** 10/01679/FUL **Applicant:** Plymouth One Ltd and Plymouth  
**Application Type:** Full Application  
**Description of Development:** Change of use from A3 (Resturant/café) to A5 (Hot food takeaway)  
**Site Address** 11 RALEIGH STREET PLYMOUTH  
**Case Officer:** Karen Gallacher  
**Decision Date:** 24/11/2010  
**Decision:** Grant Conditionally

---

**Item No 89**

**Application Number:** 10/01681/FUL **Applicant:** Mr Barry Stubbles  
**Application Type:** Full Application  
**Description of Development:** Single storey rear extension  
**Site Address** 143 ALMA ROAD PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 03/12/2010  
**Decision:** Grant Conditionally

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**Item No 90**

**Application Number:** 10/01682/FUL **Applicant:** Mr Murray  
**Application Type:** Full Application  
**Description of Development:** First-floor rear extension  
**Site Address** 22 ST JOHNS DRIVE PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 15/11/2010  
**Decision:** Grant Conditionally

---

**Item No 91**

**Application Number:** 10/01683/FUL **Applicant:** Mr F Hosking  
**Application Type:** Full Application  
**Description of Development:** First-floor side extension  
**Site Address** 49 ORESTON ROAD PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 15/11/2010  
**Decision:** Grant Conditionally

---

**Item No 92**

**Application Number:** 10/01684/TPO **Applicant:** Mr John Pitcher  
**Application Type:** Tree Preservation  
**Description of Development:** Tree management works  
**Site Address** 8 GLADE CLOSE PLYMOUTH  
**Case Officer:** Jane Turner  
**Decision Date:** 22/11/2010  
**Decision:** Grant Conditionally

---

**Item No 93**

**Application Number:** 10/01686/FUL **Applicant:** Mr Les Oats  
**Application Type:** Full Application  
**Description of Development:** Change of use of ground floor solarium (class D2), beauty salon (sui generis) and residential flat into a single family dwelling  
**Site Address** 73/77 ST EDWARD GARDENS PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 19/11/2010  
**Decision:** Grant Conditionally

---

**Item No 94**

**Application Number:** 10/01693/RE **Applicant:** J.M Homes  
**Application Type:** Reserved Matters  
**Description of Development:** Application for the approval of reserved matters following outline approval under application 10/00005/OUT for the erection of replacement dwellinghouse with intergral garage (existing dwelling and outbuildings to be removed)  
**Site Address** 118 ELBURTON ROAD PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 29/11/2010  
**Decision:** Grant Conditionally

---

**Item No 95**

**Application Number:** 10/01695/FUL **Applicant:** Mr B.J. Pullen  
**Application Type:** Full Application  
**Description of Development:** Two-storey rear extension (lower ground and ground floor level) (existing conservatory to be removed)  
**Site Address** 38 MERAFIELD DRIVE PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 15/11/2010  
**Decision:** Grant Conditionally

---

**Item No 96**

**Application Number:** 10/01697/TPO **Applicant:** Mrs Jill Jared  
**Application Type:** Tree Preservation  
**Description of Development:** Prune Lime Tree  
**Site Address** 11A STANBOROUGH ROAD PLYMOUTH  
**Case Officer:** Chris Knapman  
**Decision Date:** 25/11/2010  
**Decision:** Grant Conditionally

---

**Item No 97**

**Application Number:** 10/01698/TPO **Applicant:** Mr Mark Wood  
**Application Type:** Tree Preservation  
**Description of Development:** 2 Oaks - crownlift  
1 Horse Chestnut - crownlift  
Conifer - fell  
**Site Address** 42 GLENFIELD ROAD PLYMOUTH  
**Case Officer:** Jane Turner  
**Decision Date:** 22/11/2010  
**Decision:** Grant Conditionally

---

**Item No 98**

**Application Number:** 10/01700/TC **Applicant:** Ali Treharne  
**Application Type:** Trees in Cons Area  
**Description of Development:** Re-pollarding and felling of various trees in front and rear garden.  
**Site Address** 18 PENLEE WAY PLYMOUTH  
**Case Officer:** Jane Turner  
**Decision Date:** 09/11/2010  
**Decision:** Grant Conditionally

---

**Item No 99**

**Application Number:** 10/01701/FUL **Applicant:** Mr Michael Trathen  
**Application Type:** Full Application  
**Description of Development:** Change of use of part of ground and first floor from café (approved but vacant) to office and residential flat, with associated external alterations (revision to planning permission notice no. 04/01504/FUL)  
**Site Address** EVOLUTION COVE, 35 DURNFORD STREET PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 30/11/2010  
**Decision:** Refuse

---

**Item No 100**

**Application Number:** 10/01704/PR **Applicant:** Mrs Vivienne Lamerton  
**Application Type:** LDC Proposed Develop  
**Description of Development:** Rear conservatory  
**Site Address** 19 WOODWAY PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 16/11/2010  
**Decision:** Refuse to Issue Cert - (Ex)

---

**Item No 101**

**Application Number:** 10/01705/FUL **Applicant:** Billacombe Motors Ltd  
**Application Type:** Full Application  
**Description of Development:** Continue use of former petrol filling station for use for car sales and ancillary use of separate forecourt and circulation area for the unloading of cars  
**Site Address** SUGAR MILL BUSINESS PARK, BILLACOMBE ROAD PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 01/12/2010  
**Decision:** Grant Conditionally

---

**Item No 102**

**Application Number:** 10/01710/FUL **Applicant:** Mr Ryan Bearcroft  
**Application Type:** Full Application  
**Description of Development:** Vehicle hardstanding  
**Site Address** 71 FROGMORE AVENUE PLYMOUTH  
**Case Officer:** Adam Williams  
**Decision Date:** 25/11/2010  
**Decision:** Grant Conditionally

---

**Item No 103**

**Application Number:** 10/01711/FUL **Applicant:** Mr/s Adams  
**Application Type:** Full Application  
**Description of Development:** Single-storey rear extension (existing conservatory to be removed)  
**Site Address** 4 PERRYMAN CLOSE PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 26/11/2010  
**Decision:** Grant Conditionally

---

**Item No 104**

**Application Number:** 10/01712/FUL **Applicant:** Mr Mark Tucker  
**Application Type:** Full Application  
**Description of Development:** Subdivision and change of use of bank to create 2 shop units and alterations to shopfront to include new entrance  
**Site Address** 50 CORNWALL STREET CITY CENTRE PLYMOUTH  
**Case Officer:** Karen Gallacher  
**Decision Date:** 25/11/2010  
**Decision:** Grant Conditionally

---

**Item No 105**

**Application Number:** 10/01713/PR **Applicant:** Mr P Harris  
**Application Type:** LDC Proposed Develop  
**Description of Development:** Rear dormer  
**Site Address** 76 BOWDEN PARK ROAD PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 25/11/2010  
**Decision:** Issue Certificate - Lawful Use

---

**Item No 106**

**Application Number:** 10/01715/FUL **Applicant:** Mr James Armstrong  
**Application Type:** Full Application  
**Description of Development:** Single-storey rear extension  
**Site Address** 12 WATERLOO STREET STOKE PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 16/11/2010  
**Decision:** Application Withdrawn

---

**Item No 107**

**Application Number:** 10/01717/FUL **Applicant:** Mr and Mrs Hill  
**Application Type:** Full Application  
**Description of Development:** Front conservatory  
**Site Address** 6 TRENTHAM CLOSE PLYMOUTH  
**Case Officer:** Adam Williams  
**Decision Date:** 25/11/2010  
**Decision:** Refuse

---

**Item No 108**

**Application Number:** 10/01719/FUL **Applicant:** Mr P Borrill  
**Application Type:** Full Application  
**Description of Development:** Two-storey rear extension  
**Site Address** 17 SHORTWOOD CRESCENT PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 16/11/2010  
**Decision:** Refuse

---



**Item No 109**

**Application Number:** 10/01720/FUL **Applicant:** Mr and Mrs Richard Paltridge  
**Application Type:** Full Application  
**Description of Development:** Erection of three-storey dwelling with integral garage  
**Site Address** LAND AT DEPTFORD PLACE PLYMOUTH  
**Case Officer:** Stuart Anderson  
**Decision Date:** 02/12/2010  
**Decision:** Grant Conditionally

---

**Item No 110**

**Application Number:** 10/01721/FUL **Applicant:** Mr Daniel Conley  
**Application Type:** Full Application  
**Description of Development:** Change of use of basement into self-contained flat, including the installation of an external stairway at the rear  
**Site Address** 34 MUTLEY ROAD PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 06/12/2010  
**Decision:** Refuse

---

**Item No 111**

**Application Number:** 10/01743/TPO **Applicant:** Mr Philip Gerry  
**Application Type:** Tree Preservation  
**Description of Development:** Remove one Acacia and one Holly tree  
**Site Address** 17 KINGSLAND GARDENS CLOSE PLYMOUTH  
**Case Officer:** Jane Turner  
**Decision Date:** 29/11/2010  
**Decision:** Grant Conditionally

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**Item No 112**

**Application Number:** 10/01744/EXU **Applicant:** Four Rivers Developments  
**Application Type:** LDC Existing Use  
**Description of Development:** Four flats  
**Site Address** 33 MOUNT GOULD ROAD GREENBANK PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 02/12/2010  
**Decision:** Issue Certificate - Lawful Use

---

**Item No 113**

**Application Number:** 10/01745/FUL **Applicant:** Mrs Lennox  
**Application Type:** Full Application  
**Description of Development:** Replace upper floor timber windows with uPVC windows  
**Site Address** 51 PORTLAND ROAD PLYMOUTH  
**Case Officer:** Kirsty Barrett  
**Decision Date:** 10/11/2010  
**Decision:** Application Withdrawn

---

**Item No 114**

**Application Number:** 10/01748/TPO **Applicant:** Mrs Hilary Band  
**Application Type:** Tree Preservation  
**Description of Development:** Reduce chestnut by 3 metres  
**Site Address** 4 BLUE HAZE CLOSE PLYMOUTH  
**Case Officer:** Chris Knapman  
**Decision Date:** 26/11/2010  
**Decision:** Refuse

---

**Item No 115**

**Application Number:** 10/01755/24 **Applicant:** Vodafone Ltd  
**Application Type:** GPDO PT24  
**Description of Development:** Determination as to whether prior approval is required for 3 additional antennas within a larger shroud to a total of 6 antennas and placement of an additional spitfire cabinet  
**Site Address** ADJ 422 TAVISTOCK ROAD PLYMOUTH  
**Case Officer:** Adam Williams  
**Decision Date:** 06/12/2010  
**Decision:** Prior approval not req PT24

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**Item No 116**

**Application Number:** 10/01768/ADV **Applicant:** Co-operative Group Ltd  
**Application Type:** Advertisement  
**Description of Development:** 5 externally illuminated fascia signs  
**Site Address** 59 THE BROADWAY PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 18/11/2010  
**Decision:** Grant Conditionally

---

**Item No 117**

**Application Number:** 10/01772/TPO **Applicant:** Mrs Hannah Robinson  
**Application Type:** Tree Preservation  
**Description of Development:** Tulip tree - thin by 20% and other pruning works to raise crown to 15 feet above ground and shorten close to house  
**Site Address** 3 BAINBRIDGE AVENUE PLYMOUTH  
**Case Officer:** Jane Turner  
**Decision Date:** 29/11/2010  
**Decision:** Grant Conditionally

---

**Item No 118**

**Application Number:** 10/01779/FUL **Applicant:** Mr & Mrs Miller  
**Application Type:** Full Application  
**Description of Development:** Dormer window to rear  
**Site Address** 41 RHEOLA GARDENS PLYMOUTH  
**Case Officer:** Adam Williams  
**Decision Date:** 06/12/2010  
**Decision:** Grant Conditionally

---

**Item No 119**

**Application Number:** 10/01813/FUL **Applicant:** Mr and Mrs Williams  
**Application Type:** Full Application  
**Description of Development:** Rear conservatory  
**Site Address** 8 NEWNHAM CLOSE PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 02/12/2010  
**Decision:** Grant Conditionally

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**Item No 120**

**Application Number:** 10/01829/FUL **Applicant:** Mrs Joanne Katz  
**Application Type:** Full Application  
**Description of Development:** Rear conservatory  
**Site Address** 52 TERN GARDENS PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 02/12/2010  
**Decision:** Grant Conditionally

---

**Item No 121**

**Application Number:** 10/01838/TC **Applicant:** Ms B Treays  
**Application Type:** Trees in Cons Area  
**Description of Development:** Two Yew trees - minor pruning of lower branches  
**Site Address** 81 MANNAMEAD ROAD PLYMOUTH  
**Case Officer:** Chris Knapman  
**Decision Date:** 25/11/2010  
**Decision:** Grant Conditionally

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**Item No 122**

**Application Number:** 10/01887/CA **Applicant:** HMCS  
**Application Type:** Conservation Area  
**Description of Development:** CLADDING AND CCTV REPLACEMENT  
**Site Address** THE LAW COURTS, ARMADA WAY PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 12/11/2010  
**Decision:** CAC Not Required

---

**Item No 123**

**Application Number:** 10/01994/CA **Applicant:** HUNTERS PERSONNEL LTD  
**Application Type:** Conservation Area  
**Description of Development:** INTERNAL WORK  
**Site Address** 7 THE CRESCENT PLYMOUTH  
**Case Officer:**  
**Decision Date:** 25/11/2010  
**Decision:** CAC Not Required

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

Application Number **10/00122/ADV**  
Appeal Site **UNIT A2, PETS AT HOME LTD, FRIARY RETAIL PARK EXETER STREET PLYMOUTH**  
Appeal Proposal Two non- illuminated fascia signs  
Case Officer Thomas Westrope

Appeal Category  
Appeal Type Written Representations  
Appeal Decision Allowed  
Appeal Decision Date 02/08/2010  
Conditions  
Award of Costs

Awarded To

Appeal Synopsis

The Planning Authority's view was that the proposed signs would result in an unacceptable loss of amenity to the surrounding area as they would cause advertisement clutter. The inspector found that the non-illuminated fascia signs proposed would not be harmful to the character or appearance of the area and would therefore not conflict with policies CS02 or CS34. The inspector's view was that the façade of the unit is reasonably spacious and uncluttered and the proposed advertisements will not harm amenity.

Application Number **10/01303/FUL**  
Appeal Site **33 GRANTHAM CLOSE PLYMOUTH**  
Appeal Proposal Two-storey rear extension and single-storey lean-to to side  
Case Officer Kate Saunders

Appeal Category REF  
Appeal Type Written Representations  
Appeal Decision Allowed  
Appeal Decision Date 30/11/2010  
Conditions  
Award of Costs

Awarded To

Appeal Synopsis

The inspector disagreed with the council's decision that the proposal would have a harmful impact on neighbouring properties. The Inspector gave particular weight to the neighbouring extension at No.32 minimising the impact on that property. The appeal was allowed with a matching materials and no further windows condition.

Application Number **09/01869/FUL**  
Appeal Site **67 LOWER PARK DRIVE PLYMOUTH**  
Appeal Proposal Retention of car port  
Case Officer Stuart Anderson

Appeal Category  
Appeal Type Written Representations  
Appeal Decision Dismissed  
Appeal Decision Date 09/11/2010  
Conditions  
Award of Costs

Awarded To

Appeal Synopsis

Inspector noted that there is a defining sense of openness to the area which is emphasised further by the general absence of structures within the front gardens. He considered that the carport is an unforgiving, utilitarian, and alien structure which disrupts the regularity of the housing layout and reduces the spacious feel of the area.

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