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

www.plymouth.gov.uk/democracy

Date: 04/01/11 Telephone Enquiries 01752 304469 / Fax 01752 304819
01752 307815
Please ask for Ross Jago / Katey Johns e-mail ross.jago@plymouth.gov.uk /
katey.johns@plymouth.gov.uk

PLANNING COMMITTEE

DATE: THURSDAY 13 JANUARY 2011
TIME: 1.00 PM
PLACE: COUNCIL HOUSE, ARMADA WAY, PLYMOUTH

Members –

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

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

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

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 - 8)

The Committee will be asked to confirm the minutes of the meeting held on 16 December, 2010.

4. CHAIR'S URGENT BUSINESS

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

5. QUESTIONS FROM MEMBERS OF THE PUBLIC

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

6. PLANNING APPLICATIONS FOR CONSIDERATION (Pages 9 - 10)

The Assistant Director of Development (Planning Services) will submit a schedule asking Members to consider Applications, Development proposals by Local Authorities and statutory consultations under the Town and Country Planning Act 1990 and the Planning (Listed Building and Conservation Areas) Act 1990. Members of the Committee are requested to refer to the attached planning application guidance.

6.1 RIVER VIEW, PLYMOUTH 10/01680/FUL (Pages 11 - 18)

Applicant:	Sanctuary Housing Group
Ward:	Sutton & Mount Gould
Recommendation:	Grant Conditionally subject to S106 Obligation

- 6.2** 6 PERSEVERANCE COTTAGES, BORINGDON HILL, PLYMOUTH 10/02054/FUL **(Pages 19 - 24)**
- Applicant: Mr. & Mrs. O'Connor
Ward: Plympton St. Mary
Recommendation: Grant Conditionally
- 6.3** CHELSON MEADOW RECYCLING PARK, THE RIDE, PLYMOUTH 10/02029/FUL **(Pages 25 - 32)**
- Applicant: Plymouth City Council
Ward: Plymstock Radford
Recommendation: Grant Conditionally
- 6.4** 135 ELBURTON ROAD, ELBURTON, PLYMOUTH 10/02023/PRDE **(Pages 33 - 36)**
- Applicant: Mr. G. Evel
Ward: Plymstock Dunstone
Recommendation: Issue Certificate – Lawful Use Cert (PRO)
- 6.5** LAND AT ERNESETTLE LANE, PLYMOUTH 10/01533/REM **(Pages 37 - 42)**
- Applicant: The Trustees of St. Budeaux Congregation of Jehovah
Ward: Honicknowle
Recommendation: Grant Conditionally
- 6.6** PLUMER HOUSE, TAILYOUR ROAD, PLYMOUTH 10/02066/OUT **(Pages 43 - 56)**
- Applicant: Land Registry
Ward: Budshead
Recommendation: Refuse
- 6.7** AREA 1B CLITTAFFORD ROAD, SOUTHWAY, PLYMOUTH 10/01965/FUL **(Pages 57 - 64)**
- Applicant: Taylor Wimpey
Ward: Southway
Recommendation: Grant Conditionally subject to S106 Obligation, Delegated authority to refuse if Obligation not signed by 08/02/11
- 6.8** DORSMOUTH, DRUNKEN BRIDGE HILL, PLYMOUTH 10/01814/OUT **(Pages 65 - 80)**
- Applicant: Mrs. Maureen Lawley
Ward: Plympton Erle
Recommendation: Grant Conditionally

7. PLANNING APPLICATION DECISIONS ISSUED

(Pages 81 - 114)

The Assistant Director of Development (Planning Services) acting under powers delegated to him by the Council will submit a schedule outlining all decisions issued from 6 December, 2010, to 3 January, 2011, including –

- 1) Committee decisions;
- 2) Delegated decisions, subject to conditions where so indicated;
- 3) Applications withdrawn;
- 4) Applications returned as invalid.

Please note that these Delegated Planning Applications are available for inspection at First Stop Reception, Civic Centre.

8. APPEAL DECISIONS

(Pages 115 - 116)

A schedule of decisions made by the Planning Inspectorate on appeals arising from the decision of the City Council will be submitted. Please note that this schedule is available for inspection at First Stop Reception, Civic Centre.

9. EXEMPT BUSINESS

To consider passing a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) ... of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

PART II (PRIVATE COMMITTEE)

AGENDA

MEMBERS OF THE PUBLIC TO NOTE

that under the law, the Committee is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

NIL

Planning Committee

Thursday 16 December 2010

PRESENT:

Councillor Lock, in the Chair.

Councillor Roberts, Vice-Chair.

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

Also in attendance: Ray Williams (Lead Planning Officer), Julie Rundle (Lawyer) and Katey Johns (Democratic Support Officer).

The meeting started at 1 pm and finished at 5.05 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.

59. 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. Stephens	64.5. New Cooperage, Royal William Yard, Plymouth 10/01384/FUL	Member of Stonehouse Residents' Association	Personal
Councillor Stevens	64.7. Land North of Student Car Park, Paradise Road, Plymouth 10/00595/CAC	Speaker is a relative	Personal
Councillor Lock	64.10. Plympton Library, Ridgeway, Plympton, Plymouth 10/01861/FUL	Has expressed an opinion publicly on the matter	Prejudicial

60. MINUTES

Agreed the minutes of the meeting held on 18 November, 2010, subject to the following amendment –

Minute 56.7 – 33 Whiteleigh Villas, Plymouth 10/01280/OUT. The inclusion of an additional refusal reason, namely "Access Arrangements".

(Councillor Steven's proposal to amend the minutes, having been seconded by Councillor Mrs. Bowyer, was put to the vote and declared carried).

CHAIR'S URGENT BUSINESS

61. **Plymstock Quarry**

The Chair reported that there would be an extra meeting of the Committee on 20 January, 2011, at 1.00 pm to consider the Plymstock Quarry application. This would be preceded by a site visit on 18 January, 2011, commencing at 9.30 am with the departure of a minibus from the Council House.

62. **Christmas Drinks**

The Chair and Vice-Chair invited Committee Members and officers to join them for Christmas drinks and nibbles immediately following the meeting.

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

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

There were no questions from members of the public.

64. **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 64.3, 64.5, 64.6, 64.7, 64.8, 64.9 and 64.10.

64.1 33 EDWARDS DRIVE, PLYMOUTH. 10/01633/FUL

(Mr. P. Blackmore)

Decision:

Application **REFUSED** on the grounds that the proposed development, by virtue of scale, massing and design, would have an unacceptable impact on the adjoining property, and would therefore be contrary to policies CS02, CS34 and the Development Guidelines Supplementary Planning Document.

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

64.2 7 QUEENS ROAD, LIPSON, PLYMOUTH. 10/00556/FUL

(Mr. M. Hunns)

The Case Officer reported that whilst detailed plans had now been received and refusal reason no. 4 no longer applied, the application was still recommended for refusal for reasons 1-3 as set out in the report.

Decision:

Application **REFUSED**.

(At the invitation of the Chair, the Committee heard from Councillor Haydon, ward member, speaking against the application).

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

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

64.3 TORR HOME, THE DRIVE, PLYMOUTH. 10/1592/FUL

(Torr Home)

Decision:

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

(At the invitation of the Chair, the Committee heard from Councillor Dr. Mahony, ward member, speaking against the application).

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

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

64.4 FORMER ENVIRON EUROPE LTD, ERNESETTLE LANE, PLYMOUTH. 10/01601/FUL

(Visitract Ltd.)

Decision:

Application **GRANTED** conditionally.

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

64.5 NEW COOPERAGE, ROYAL WILLIAM YARD, PLYMOUTH. 10/01384/FUL

(Urban Splash South West Ltd.)

Decision:

Application **MINDED TO GRANT** conditionally, as amended by the addendum report, subject to S106 Obligation, delegated authority to Assistant Director of Development and Regeneration (Planning Services) to agree use conditions, delegated authority to refuse if Obligation not signed by 31 January, 2011.

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

65.6 LAND NORTH OF STUDENT CAR PARK, PARADISE ROAD, PLYMOUTH. 10/00594/FUL

(Scott Wilson)

Decision:

Application **GRANTED** conditionally.

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

64.7 LAND NORTH OF STUDENT CAR PARK, PARADISE ROAD, PLYMOUTH. 10/00595/CAC.

(Scott Wilson)

Decision:

Application **GRANTED** conditionally.

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

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

64.8 TAMAR HOUSE, ST ANDREWS CROSS, PLYMOUTH. 10/01677/FUL

(Drake's View Ltd.)

Decision:

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

(Councillor Wheeler's proposal that a significant start be included within the S106 Obligation, having been seconded by Councillor Browne, was put to the vote and declared carried).

64.9 11 TO 13 LOWER COMPTON ROAD, PLYMOUTH. 10/01749/FUL

(Spectrum Housing Group)

Decision:

Application **GRANTED** conditionally, as amended by the addendum report, subject to S106 Obligation, delegated authority to refuse if not signed by 30 January, 2011.

(At the invitation of the Chair, the Committee heard from Councillor Ball, ward member, speaking against the application).

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

64.10 PLYMPTON LIBRARY, RIDGEWAY PLYMPTON, PLYMOUTH. 10/01861/FUL

(Resound Health)

Decision:

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

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

(Councillor Roberts, Vice-Chair, took the Chair for consideration of this item).

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

(At the invitation of the Chair, the Committee heard from Councillor Nicholson, ward member, speaking in support of the application).

65. **PLANNING APPLICATION DECISIONS ISSUED**

The Committee received a report of the Assistant Director of Development (Planning Services) on decisions issued for the period 9 November to 6 December, 2010, including –

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

Agreed that the reasons for refusal in respect of delegated decision item no. 7 be forwarded to Councillor Mrs. Foster.

66. **APPEAL DECISIONS**

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

67. **EXEMPT BUSINESS**

There were no items of exempt business.

SCHEDULE OF VOTING

PLEASE NOTE

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

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PLANNING COMMITTEE – 16 December 2010

SCHEDULE OF VOTING

Minute No. & Application		Voting For	Voting Against	Abstained	Excluded from voting due to Interest Declared	Absent
Minutes of meeting held on 18/11/10		Councillors Mrs. Bowyer, Delbridge, Lock, Roberts, Mrs. Stephens, Thompson, Tuohy, Vincent and Wheeler.		Councillors Browne and Mrs. Foster.		
64.1	33 Edwards Drive, Plymouth 10/01633/FUL	Councillors Browne, Mrs. Foster, Lock and Roberts.	Councillors Mrs. Bowyer, Delbridge, Mrs. Stephens, Stevens, Thompson, Tuohy, Vincent and Wheeler.			
64.2	7 Queens Road, Lipson, Plymouth 10/00556/FUL	Unanimous				
64.3	Torr Home, The Drive, Plymouth 10/01592/FUL	Councillors Mrs. Bowyer, Browne, Delbridge, Mrs. Foster, Lock, Roberts, Mrs. Stephens, Thompson, Tuohy and Wheeler.	Councillor Stevens.			Councillor Vincent.
64.4	Former Environ Europe Ltd., Ernesettle Lane, Plymouth 10/01601/FUL	Councillors Mrs. Bowyer, Browne, Delbridge, Mrs. Foster, Lock, Roberts, Mrs. Stephens, Stevens, Thompson, Tuohy and Wheeler.				Councillor Vincent.
64.5	New Cooperage, Royal William Yard, Plymouth 10/01384/FUL	Councillors Mrs. Bowyer, Browne, Delbridge, Mrs. Foster, Lock, Roberts, Mrs. Stephens, Stevens, Thompson, Tuohy and Wheeler.				Councillor Vincent.
64.6	Land North of Student Car Park, Paradise Road, Plymouth 10/00594/FUL	Councillors Mrs. Bowyer, Browne, Delbridge, Mrs. Foster, Lock, Roberts, Mrs. Stephens, Thompson, Tuohy and Wheeler.				Councillors Vincent and Stevens.

Minute No. & Application		Voting For	Voting Against	Abstained	Excluded from voting due to Interest Declared	Absent
64.7	Land North of Student Car Park, Paradise Road, Plymouth 10/00595/CAC	Councillors Mrs. Bowyer, Browne, Delbridge, Mrs. Foster, Lock, Roberts, Mrs. Stephens, Thompson, Tuohy and Wheeler.				Councillors Vincent and Stevens.
64.8	Tamar House, St. Andrews Cross, Plymouth 10/01677/FUL	Councillors Mrs. Bowyer, Browne, Delbridge, Mrs. Foster, Lock, Roberts, Mrs. Stephens, Stevens, Thompson, Tuohy and Wheeler.				Councillor Vincent.
	Vote on Amendment Vote on Recommendation	Councillors Mrs. Bowyer, Browne, Delbridge, Mrs. Foster, Lock, Roberts, Mrs. Stephens, Stevens, Thompson, Tuohy and Wheeler.				Councillor Vincent.
64.9	11 to 13 Lower Compton Road, Plymouth 10/01749/FUL	Councillors Mrs. Bowyer, Browne, Delbridge, Mrs. Foster, Lock, Roberts, Mrs. Stephens, Thompson and Wheeler.	Councillors Stevens and Tuohy.	Councillor Vincent.		
64.10	Plympton Library, Ridgeway, Plympton, Plymouth 10/01861/FUL	Councillors Browne Delbridge, Mrs. Foster, Roberts, Mrs. Stephens, Stevens, Thompson, Vincent and Wheeler.			Councillor Lock.	Councillors Mrs. Bowyer and Tuohy.

PLANNING APPLICATIONS FOR CONSIDERATION

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

Addendums

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

Public speaking at Committee

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

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

- Ward Member
- Objector
- Supporter

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

Committee Request for a Site Visit

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

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

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

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

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

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

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

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

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

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

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

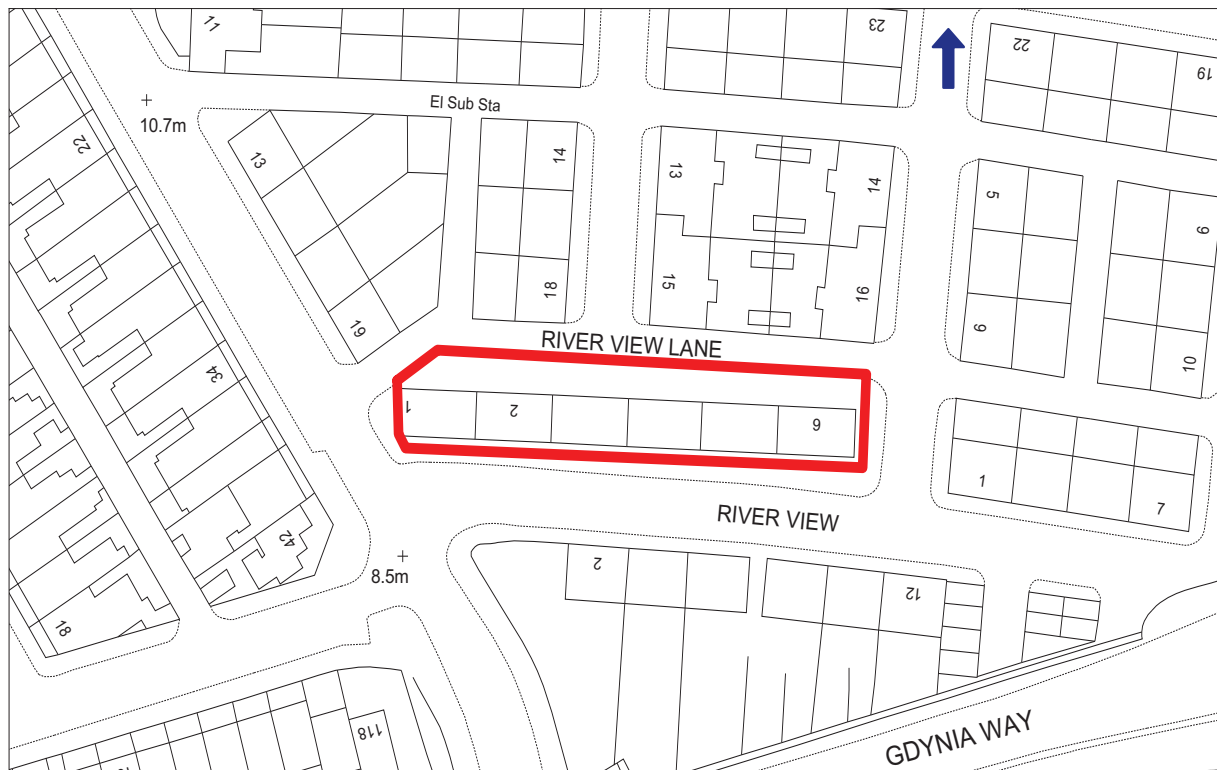
Decisions contrary to Officer recommendation

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

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

ITEM: 01

Application Number:	10/01680/FUL
Applicant:	Sanctuary Housing Group
Description of Application:	Redevelopment of site with 3 storey housing development of 25 units consisting of 21 flats, 3 houses and 1 duplex apartment with associated cycle storage, refuse storage and amenity space (demolition of existing building)
Type of Application:	Full Application
Site Address:	RIVER VIEW PLYMOUTH
Ward:	Sutton & Mount Gould
Valid Date of Application:	04/11/2010
8/13 Week Date:	03/02/2011
Decision Category:	Major Application
Case Officer :	Robert Heard
Recommendation:	Grant conditionally subject to S106 Obligation
Click for Application Documents:	www.plymouth.gov.uk



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Recommendation

In respect of the application dated **04/11/2010** and the submitted drawings, **09186L0100, 09186L0101, 09186L0201, 09186L0401, 09186L0501, 09186L0901, 09186L4101, 09186A0601, 09186L02.03** and accompanying **Design and Access Statement** , it is recommended to: **Grant conditionally subject to S106 Obligation**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 09186L0100, 09186L0101, 09186L0201, 09186L0401, 09186L0501, 09186L0901, 09186L4101, 09186A0601, 09186L02.03.

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.

DETAILS OF BOUNDARY TREATMENT

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

Reason:

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

SITE CHARACTERISATION

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

and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

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

(ii) an assessment of the potential risks to:

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

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

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

Reason:

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

SUBMISSION OF REMEDIATION SCHEME

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

Reason:

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

IMPLEMENTATION OF APPROVED REMEDIATION SCHEME

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

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

Reason:

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

REPORTING OF UNEXPECTED CONTAMINATION

(7) 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 5.

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.

CODE OF PRACTICE

(8) 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.

NOISE

(9) All dwellings shall be constructed in accordance with BS8233:1999 so as to provide sound insulation against externally generated noise. The good room criteria shall be applied, meaning there must be no more than 30 dB LAeq for living rooms (0700 to 2300 daytime) and 30 dB LAeq for bedrooms (2300 to 0700 night-time), with windows shut and other means of ventilation provided. Levels of 45 dB LAf.max shall not be exceeded in bedrooms (2300 to 0700 night-time).

Reason:

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

EXTERNAL MATERIALS

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

Reason:

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

PROVISION OF DRAINAGE WORKS

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

Reason:

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

SUSTAINABLE RESOURCE USE

(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. These details shall be based upon drawing 09186L02.03 and the applicants Renewable Energy Supplementary Statement.

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.

LIFETIME HOMES

(13) Notwithstanding the submitted drawings, details showing how 20% of the residential units hereby approved shall be constructed to Lifetime Homes standard shall be submitted to and approved in writing by the Local Planning Authority, prior to development on site commencing. The agreed units shall be permanently maintained to Lifetime Homes standard.

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.

CODE OF PRACTICE

(1) 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

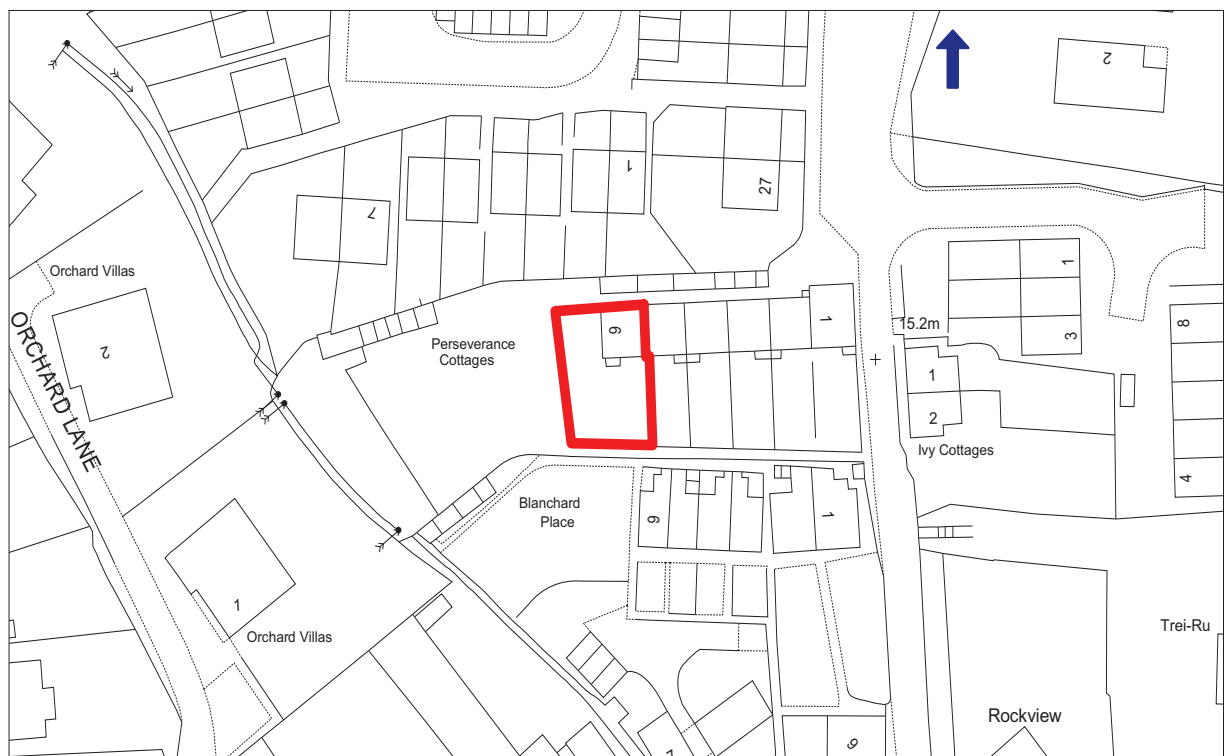
Having regard to the main planning considerations, which in this case are considered to be: the impact of the development on visual amenity, residential amenity and the surrounding highway network, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (1) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

- PPS3 - Housing
- CS28 - Local Transport Consideration
- CS32 - Designing out Crime
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS20 - Resource Use
- CS21 - Flood Risk
- CS01 - Sustainable Linked Communities
- CS02 - Design
- CS15 - Housing Provision

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ITEM: 02

Application Number:	10/02054/FUL
Applicant:	Mr & Mrs O'Connor
Description of Application:	Two-storey side/rear extension and single-storey rear extension (existing kitchen extension to be removed)
Type of Application:	Full Application
Site Address:	6 PERSEVERANCE COTTAGES, BORINGDON HILL PLYMOUTH
Ward:	Plympton St Mary
Valid Date of Application:	03/12/2010
8/13 Week Date:	28/01/2011
Decision Category:	Member/PCC Employee
Case Officer :	Kate Saunders
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



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OFFICERS REPORT

This application is being brought before committee as one of the applicants is a Plymouth City Council employee

Site Description

6 Perseverance Cottages is an end of terrace property located in the Plympton area of the city. The terrace is accessed from Boringdon Hill via a small footpath. There is no vehicular access to the property which allows the dwelling to enjoy a relatively secluded location. The property is situated on a sloping site which runs down from north to south. There are neighbouring terraces positioned at a higher and lower level to the north and south with an area of undeveloped land to the west.

Proposal Description

Two-storey side/rear extension and single-storey rear extension (existing kitchen extension to be removed)

Relevant Planning History

No relevant background planning history

Consultation Responses

No external consultations requested or received

Representations

One letter of representation received from the adjoining property, No. 5 Perseverance Cottages. The main issues raised are:

- Loss of light to garden
- Loss of light to ground floor reception room

Analysis

The main issues to consider with this application are the effect on the amenities of neighbouring properties and the impact on the character and appearance of the area.

The property enjoys a secluded location in the Plympton area of the City. The proposal is for a substantial two-storey extension measuring 3.9 metres wide by 10.9 metres deep. The development will extend 3.8 metres beyond the current rear building line. A single-storey lean-to structure will then be

attached to the side of the two-storey element, extending towards the boundary with No. 5 Perseverance Cottages.

In many circumstances an extension of this size would not be acceptable; however, taking in to account the site circumstances, it is not considered an overdevelopment in this case. The property has a relatively large garden and, due to the properties inconspicuous location, the development will cause no harm to the character or appearance of the area. The extension has been sensitively designed to reflect the form and detailing of the original house and offers a sufficient level of subordination to ensure that it does not dominate the original cottage. Fenestration details to the front elevation will match existing and slate hanging is proposed to the first-floor which will add further interest.

The comments received from the adjoining property are noted; however it is considered that the development will not cause significant harm to neighbours' amenities. The single-storey element is situated 4 metres from the boundary with No. 5, with the two-storey structure positioned a further 2.4 metres away. The distance from the boundary ensures the proposal will not break the 45-degree guidance with any neighbouring habitable windows. The development is therefore unlikely to cause any substantial loss of light or outlook. In terms of privacy, no windows are proposed in the side elevation of the two-storey structure therefore current privacy levels will be retained. A set of patio doors will be positioned in the side of the single-storey structure; however there is existing boundary treatment which will screen this element of the works.

The distance of the development from the boundary will also prevent any dominating or overbearing effect on the neighbouring habitable rooms or rear garden area.

The gardens of this terrace are south-facing and therefore enjoy good levels of light. The development is likely to result in some loss of light to the neighbouring garden however this would be towards the latter part of the day. This fact alone is not considered sufficient to warrant refusal of the application.

Properties to the west are situated over 50 metres away and will not be affected by the proposal. The terrace to the north is situated at a higher level and again existing relationships will not be jeopardised by the development.

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

Equalities & Diversities issues

No equality and diversity issues to be considered

Conclusions

The proposal will not be detrimental to neighbours' amenities or the visual quality of the area and is therefore recommended for approval.

Recommendation

In respect of the application dated **03/12/2010** and the submitted drawings, **10009 S.100, 10009 S.01, 10009 S.02, 10009 S.03, 10009 S.05, 10009 S.06, 10009 S.07, 10009 S.08, 10009 S.101, 10009 L.01B, 10009 L.02B, 10009 L.05B, 10009 L.06B, 10009 L.07B, 10009 L.08B, 10008 L.09B** , 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.

PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 10009 S.100, 10009 S.01, 10009 S.02, 10009 S.03, 10009 S.05, 10009 S.06, 10009 S.07, 10009 S.08, 10009 S.101, 10009 L.01B, 10009 L.02B, 10009 L.05B, 10009 L.06B, 10009 L.07B, 10009 L.08B, 10008 L.09B.

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

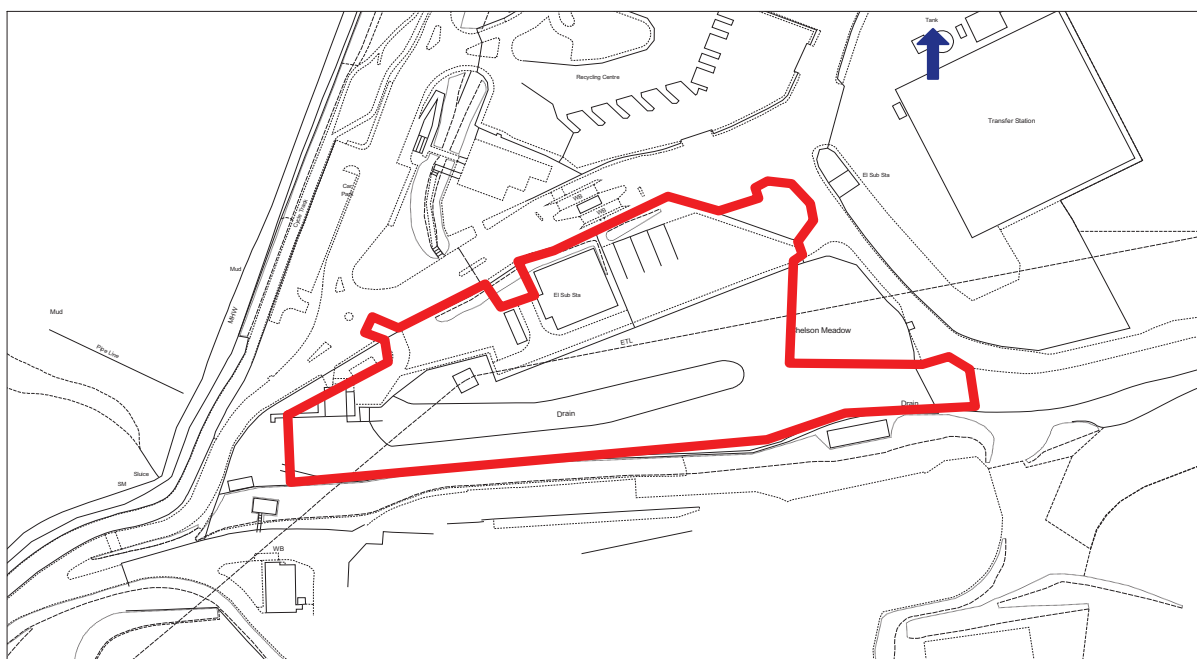
Having regard to the main planning considerations, which in this case are considered to be: effect on neighbouring properties and the impact on the character and appearance of the area, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and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

CS34 - Planning Application Consideration
SPD1 - Development Guidelines

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ITEM: 03**Application Number:** 10/02029/FUL**Applicant:** Plymouth City Council

Description of Application: Upgrade and redevelopment works within the southern part of the Recycling Park, including the infilling of a leachate lagoon and removal of glass recycling bays, and the construction of two leachate buffer tanks (7m high) and underground service diversions. Part of the area would be used for flood attenuation, and part for continued waste management activities.

Type of Application: Full Application**Site Address:** CHELSON MEADOW RECYCLING PARK THE RIDE
PLYMOUTH**Ward:** Plymstock Radford**Valid Date of Application:** 26/11/2010**8/13 Week Date:** **21/01/2011****Decision Category:** Major Application**Case Officer :** Alan Hartridge**Recommendation:** Grant Conditionally**Click for Application Documents:** www.plymouth.gov.uk

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OFFICERS REPORT

Site Description

Although the Chelson Meadow Recycling complex has been established for many years the landfill area was closed to imported refuse material in 2008. The complex is situated east of the tidal River Plym and to the north of the disused former Blue Circle cement works complex (Plymstock Quarry site) which is at a higher level beyond a bank of mature trees. The Ride - a minor road off the A379 signalised junction at the eastern end of Laira Bridge – runs alongside the Plym and defines the western boundary. This is the route used by all vehicles currently visiting the Chelson Meadow Recycling Park. Part of the national cycle route 27 also runs alongside the river bank and gives both pedestrian and cycle access to Saltram House and associated National Trust property to the north.

The site comprises 1.22ha of land within the south west corner of the Chelson Meadow Recycling Park complex and is currently used for waste management activities, for tipping and storage of collected bottles and for the treatment of water that has drained away from within the landfill tip – known as leachate. The drain or leat carries the contaminated liquid into a 6,500sq. m leachate lagoon and the site also comprises treatment apparatus –including a large rectangular lift pumping station and it's motor control centre and a building structure housing 4 Sequential Batch Reactors which treat the pumped leachate prior to discharge to the Plym via a short outfall .

The leat defines the southern boundary and the site lies to the south of the Recycling Park's Greenhouse Centre and weighbridge controlled stations on a haul road.

The site is close to the Entrance Gates from The Ride. A large Refuse Transfer Station steel framed building (67m x 63m x 12m high within a 1.8m high-fenced concrete compound) is located to the east of the site and access to this and to the site is gained from the haul road.

Overhead electricity cables cross part of the site and an electricity pylon is within the site.

Proposal Description

The applicants state that this proposal is specifically required to address permit requirements from the Environment Agency for preventing the discharge of untreated effluent to the Plym and for ensuring that any suspended solids are to an acceptable level. The proposal is to abandon the existing leachate lagoon as leachate attenuation would be provided by two above ground storage tanks (21.5m diameter tanks open-topped and elevated 7m above existing ground level) and the installation and upgrading of associated pipelines.

The existing leachate lagoon would be infilled and capped with an impermeable surface and would be 3.8m AOD in the west to over 4.5m AOD in the east. The higher eastern half would be for general site operations (e.g.

skip drop off point, car parking, small scale temporary storage of materials) while the lower western half would be reserved for flood storage to afford continued flood protection to the proposed Leachate Treatment Plant complex.

The proposal involves the demolition of existing glass recycling bays and this facility is to be relocated to another site within the complex that has the benefit of a recent planning permission. This aspect of the proposal is specifically required not only because the land is needed for the construction of the above ground storage tanks, but also to address the concerns about noise from the existing glass tipping/breaking operations by the applicants who are involved with the proposed mixed use development at Plymstock Quarry. These applicants would enter into an agreement to contribute to the relocation costs of these bays (in the event of their obtaining planning permission) as the proposed new site would be further away from their development site and unlikely to cause any disturbance.

Relevant Planning History

The most relevant history is;

1963 Planning permission to use Chelson Meadow for waste disposal purposes (Devon CC)

1992 Revised contours and a programme of final restoration approved (Devon CC)

93/00852/C1884 Erection of Visitor Centre with car parking

93/00978/30 Provision of Leachate Treatment Plant

03/00836/FUL Construction of leachate cut off wall and associate drainage

Close to the site:

95/00038 Improvements to Civic Amenities site including new buildings

96/00749 Change of use of trial composting building to materials reclamation facility

98/01041/FUL Retention and extension of existing building to provide a materials re-cycling facility.

05/00474/FUL Develop part of landfill site by provision of waste transfer station

05/01939 –revised scheme for the Waste Transfer Station.

A relevant associated application:

10/00636/FUL –planning permission for the construction of replacement glass bays.

Consultation Responses

English Heritage

Awaited

Environment Agency –

Awaited

Western Power Distribution

Awaited

Highway Authority -
Awaited

Public Protection Services –
No objections.

Having discussed the application with the Environment Agency land quality has been considered and is being dealt with by them, and having reviewed the documents submitted by the applicant, we agree with the noise assessment undertaken and therefore have no objections or comments to make with regards to noise.

Representations
None

Analysis

Chelson Meadow has a long association with landfill and waste management (see planning history) and the southwest corner is the centre for the city's waste management, treatment and recycling service and this is recognised in site policy W4 of the Waste Development Plan Document 2006-2021 adopted 2008. This adopted WDPD addresses national policy PPS10 and local Core strategy CS25 as does the North Plymstock area Action plan 2006-2021 adopted 2007 (policy NP14).

Although landfill has reached capacity and the phased capping and restoration works are underway, waste management and treatment will continue at this southwest corner into the foreseeable future and there is a need for the effective treatment of leachate draining from the landfill site for the foreseeable future.

It is considered that the applicant's proposal for improvements to waste management operations in this location accords with WDPD policy W4. This is an appropriate location for realising opportunities for improvement works associated with the treatment of leachate as the proposal is essentially for the upgrading and redevelopment of the existing works and operations that are already in this location.

It is considered that the improvement works improve efficiency, to the benefit the environment. The measures proposed should cause no unacceptable impact on water quality in accordance with Council policy CS22.

As advised in the Government's Planning Policy Statement (PPS10) the control of processes are a matter for the relevant pollution control regime and not planning authorities. There are several strands of environmental health legislation to control the harmful effects of waste management particularly the Environmental Protection Act 1990. It is considered that the applicants have included sufficient information upon the nature of the activity proposed and possible polluting effects in the submitted Environmental Statement to enable the planning application to be determined.

The applicants have submitted a supporting letter from the Environment Agency indicating that the proposal would improve environmental impacts on the Plym estuary (the mudflats and salt marsh are a County Wildlife Site of

conservation value) and also provided supporting survey information as required by policy W4. The only area of any ecological interest within the site is the leachate lagoon supporting small areas of swamp vegetation and scrub. However it is considered that these habitats are unlikely to support notable species and are well-represented elsewhere nearby. There should be no unacceptable impacts on wildlife but an overall opportunity for environmental benefits to the Plym estuary and the proposed would accord with policies CS19 and W4.

The applicants have supplied a flood impact assessment and propose mitigation measures to address the potential impacts that flooding events would have. It is considered that the proposed containment of run off from the capped site in the manner proposed within the existing southern leat would be in accordance with Council policies CS21, NP14 and W4 and provide continued flood protection for this part of the complex.

Council policies CS34, NP14 and W4 require the provision of appropriate sensitive design and layout having regard to compatibility with the surroundings and the landscape setting. It is considered that this includes the setting within the built complex and the relationship with Saltram park (a registered parkland); Saltram House (a listed building); the proposed new neighbourhood at Plymstock Quarry and its prominence from National cycle route 27 and the Plym Estuary.

The likely adverse impacts arising from the siting of the future buildings and structures have been assessed by the applicants, and particularly the impact of the proposed 7m high tanks. It is considered that, with 12m high buildings adjacent, the proposed style and siting and layout would be compatible with its surroundings in accordance with CS34.

It is particularly important to respect the character and quality of the Saltram House estate and cross-sections have been submitted to illustrate that the tanks have been carefully sited to concentrate development within the existing built environment and thereby limit the possibility of any new visual intrusion. It is considered that by integrating the tanks and buildings with those already in this part of the site the impact from the Plym and cycle path is reduced and is accepted to comply with the requirements of Council policies CS34, NP14 and W4.

This part of the complex is completely screened from Saltram House and the proposal should not have an adverse impact upon its setting in accordance with policy W4.

The concentration of buildings and structures in this area should also safeguard any adverse impact from elevated positions in the registered parkland in accordance with policy CS03.

The existing belt of trees and scrub vegetation on the steep slope that rises beyond the southern leat and security fence acts as an important screen between the Chelson Meadow Waste Management complex of buildings and structures and the Plymstock Quarry development site. Unfortunately there is an insufficient space to enhance that by planting up a strip within the application site. However, the owners of the Plymstock Quarry development site have given an assurance that they have no intention of removing the

vegetation along this slope. It would probably be managed and maintained in accordance with any planning permission obtained for the Plymstock Quarry site. Furthermore the Council's suggested masterplan layout for Plymstock Quarry is shown in NPAAP and it is envisaged that the rear of future workshop premises would be positioned close to this boundary acting as a screen to the proposed residential area.

Proposed Policy CS22 states that planning permission will not be granted for development proposals that would give rise to harmfully polluting effects and the Council's Public Protection Unit are aware of the analysis undertaken by the Environment Agency in this regard, and the noise/odour assessments, and have no objections. It is considered that the proposal would accord with policy CS22. Indeed, it is considered that the applicants' proposals to relocate the bottle banks would be beneficial to the future development of Plymstock Quarry (hence the willingness of that developer to make a financial commitment to this).

It is considered that this proposal also compliments the recent planning permission 10/00636/FUL for the relocation of the noisy bottle bank to a more distant location within the complex (approx 200m north of the existing site).

There should be no increase in vehicular numbers as a result of this development and therefore no unacceptable impacts on the highway network as required by Council policy W4.

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

There is no S106 agreement in respect of this application.

Equalities & Diversities issues

No salient issues relating to this particular planning application.

Conclusions

In carrying out the development in accordance with the submitted details, and in complying with licensing regulations and planning conditions there should be no adverse impact from the proposed operations upon the surrounding area.

It is considered that there will be environmental benefits in improving the treatment of leachate and in providing flood attenuation measures and that the proposed buildings and structures, sited adjacent to established buildings in this waste management complex, should safeguard heritage and landscape concerns in accordance with Council policies CS03,CS22, CS34 ,NP14 and W4

It is considered that the applicants have adequately addressed matters relating to potential nuisance to the proposed new neighbourhood at Plymstock Quarry in accordance with Council policies NP14 and W4

Recommendation

In respect of the application dated **26/11/2010** and the submitted drawings, **Environment Statement dated 19th november 2010 including site location plan 0610 DV01661-01; site plan 0611 DV01661-01; cross sections 0612 DV01661-01; key plan 0001 DV01661-P2; Lagoon works plan 0241 DV01661-P2; works section 0243 and 0245 DV01661-P2; Demolition works 0901 DV01661-P2** , 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.

SPECIFIED USE RESTRICTION

(2) The eastern end of the capped lagoon shall be used for storage purposes only and for no other purposes including any other purpose in Class B of the Schedule to the Town and Country (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason:

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

APPROVED PLANS

(3) The development hereby permitted shall be carried out in accordance with the approved plans in the Environmental Statement dated 19th November 2010: including site location plan 0610 DV01661-01; site plan 0611 DV01661-01; cross sections 0612 DV01661-01; key plan 0001 DV01661-P2; Lagoon works plan 0241 DV01661-P2; works section 0243 and 0245; DV01661-P2; Demolition works 0901 DV01661-P2.

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.

PPS10 - Planning for Sustainable Waste Management

CS34 - Planning Application Consideration

CS22 - Pollution

CS19 - Wildlife

CS21 - Flood Risk

CS03 - Historic Environment

PPS25 - Development and Flood Risk

W4 - Controlling, Reusing and Recycling Waste

NP14 - Chelson Meadow Waste Management Centre

ITEM: 04

Application Number:	10/02023/PRDE
Applicant:	Mr G Evel
Description of Application:	Two storey rear extension
Type of Application:	LDC Proposed Develop
Site Address:	135 ELBURTON ROAD ELBURTON PLYMOUTH
Ward:	Plymstock Dunstone
Valid Date of Application:	24/11/2010
8/13 Week Date:	19/01/2011
Decision Category:	Member/PCC Employee
Case Officer :	Simon Osborne
Recommendation:	Issue Certificate - Lawful Use Cert (PRO)
Click for Application Documents:	www.plymouth.gov.uk



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OFFICERS REPORT

This application is brought to committee because the applicant's partner is a Plymouth City Council employee.

Site Description

135 Elburton Road is a split-level detached dwellinghouse, being single-storey at the front and two-storey at the rear.

Proposal Description

The proposal is for a Certificate of Lawfulness for a Proposed Development of a two-storey rear extension.

Relevant Planning History

None

Consultation Responses

N/A

Representations

N/A

Analysis

The main issue is to consider the application against its compliance with Class A, Part 1, of the Schedule to The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008.

The proposal complies with section A.1 (a) of the above order and will not result in the total area of the curtilage covered by buildings exceeding 50% of the total area of the curtilage.

The proposal complies with section A.1 (b) and does not exceed the height of the highest part of the roof of the existing dwellinghouse.

The proposal complies with section A.1 (c) and the eaves of the extension do not exceed the height of the eaves of the existing dwellinghouse.

The proposal complies with section A.1 (d) and the extension does not extend beyond a wall which fronts a highway and forms either the principal elevation or a side elevation of the original dwellinghouse.

Section A.1 (e) does not apply for two-storey proposals.

The proposal complies with section A.1 (f). The extension does not extend beyond the rear wall of the dwellinghouse by more than 3 metres and is not within 7 metres of any boundary of the dwellinghouse opposite the rear wall of the dwelling house.

The proposal complies with section A.1 (g). The extension is not within 2 metres of a boundary.

Section A.1 (h) does not apply for extensions located at the rear.

Section A.1 (i) does not apply and the proposal does not include the construction of a veranda, balcony or raised platform, the installation of a microwave antenna, the installation of a chimney, flue or soil and vent pipe or the alteration to any part of the roof of the dwelling house. The proposal does include a Juliet balcony; however Government guidance states that Juliet balconies should not be treated as a balcony or raised platform for the purpose of the legislation.

Section A.2 does not apply and the dwellinghouse is not located within a conservation area.

The extension appears to comply with the conditions set out in section A.3. In this respect, the proposed side windows in the original house are considered to be ground-floor windows.

The recommendation is to issue a Certificate, making reference to the conditions in section A.3.

Recommendation

In respect of the application dated **24/11/2010** and the submitted drawings, **Site Location Plan, 56:01:2010, 56:02:2010, 56:03:2010, 56:04:2010, 56:05:2010, 56:06:2010** , it is recommended to: **Issue Certificate - Lawful Use Cert (Prop)**

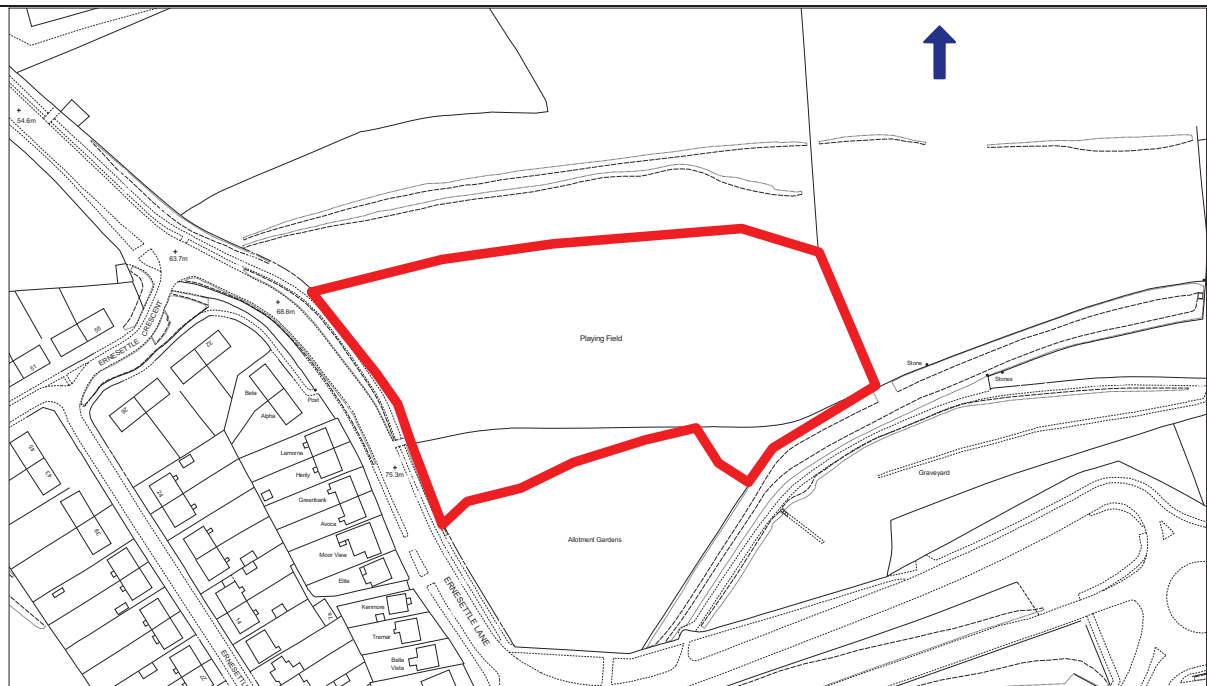
Conditions

The proposed development complies with Class A, Part 1, of the Schedule to The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, providing the standard conditions contained in section A.3 are adhered to. The proposal is therefore permitted development (subject to the said standard conditions) and a Certificate of Lawfulness is hereby issued.

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ITEM: 5

Application Number:	10/01533/REM
Applicant:	The Trustees of St Budeaux Congregation of Jehovah
Description of Application:	Reserved matters application (appearance) for religious meeting hall with associated car parking
Type of Application:	Reserved Matters
Site Address:	LAND AT ERNESETTLE LANE PLYMOUTH
Ward:	Honicknowle
Valid Date of Application:	21/09/2010
8/13 Week Date:	21/12/2010
Decision Category:	Major Application
Case Officer :	Carly Francis
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



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OFFICERS REPORT

Site Description

The site covers 1.89 hectares and is located within the St Budeaux area of the city with access off Ernesettle Lane. This is a greenscape area that is bounded to the south by dense overgrowth which has established itself over the earth embankment which forms a scheduled ancient monument. The northern and eastern boundaries are lined with hedges. To the western boundary is Ernesettle Lane, which is fenced off and lined with clusters of small trees, following this are the dwellings of Ernesettle Crescent.

Proposal Description

Reserved matters application (appearance) for religious meeting hall with associated car parking.

Relevant Planning History

10/01170 Reserved matters application (landscaping, layout, scale) for religious meeting hall with associated car parking- GRANTED CONDITIONALLY.

09/00669 Outline application to develop land by the erection of buildings to provide a religious meeting hall, and a nursing home with associated car parking and landscaping area; with details of means of access to site- GRANTED CONDITIONALLY.

Consultation Responses

English Heritage- recommend that the application be determined in accordance with national and local policy guidance and on the basis of Plymouth City Councils specialist conservation advice.

Representations

Nil.

Analysis

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

The main policies relevant to this planning application are CS02 and CS34 from the adopted Core Strategy and the Design Supplementary Planning Document.

The principle of developing this site with a nursing care home and religious meeting hall has already been accepted through the granting of outline planning permission. The access was agreed at outline stage and the reserved matters of landscaping, layout and scale for the religious meeting hall have also now been approved. This application is for the last reserved matter for the religious meeting hall, 'appearance'. The reserved matters for the nursing home will be the subject of a future application.

Amended plans were received following further discussion regarding the appearance of building. The plans now submitted incorporate a number of improvements which achieve a better quality design.

The main improvements to the design of the building include the introduction of a dark grey plinth to create a 'base' for the building to sit and to tie the 'base theme' across the site, it is proposed that some of the retaining walls are formed in this colour. Much more natural stone is also now proposed as the dominant use of brickwork was raised as a concern. Natural stone has been introduced into the elevations and it is also now proposed on the walls along the entrance drive to the bus bays. The appearance of the building is explained in detail below, looking at each elevation in turn.

The principal Ernesettle Lane elevation is broken up with the inclusion of 3 gable wall details which create a rhythm to the design. Each gable is punctuated with a glazing element. To further emphasis the gable features three quarters of each of them will be timber clad over a plinth of brickwork, this adds interest and helps to minimise the mass of brickwork to the elevation.

The main access into the building is located central to the rear elevation and opposite the proposed car parking area. The glazed entrance is recessed into the building and flanked by what are now proposed as natural stone clad walls. The rest of this elevation shall be predominantly brickwork panels with a timber 'roof' detail along the full length. Following further discussion about the design additional windows are now proposed in this elevation. This was previously a blank elevation with no windows; the proposed high level windows will provide natural light into the ancillary rooms (toilets etc) of the building complex and break up this elevation. This elevation is further broken up by the inclusion of planters to be formed in natural stone.

The north side elevation can be argued to be of least significance to the overall design. Views to it will be limited by the extent of landscape planting to the boundary and also the proximity of the outbuildings to it. However the principles of the development are maintained throughout. It is proposed that a brick plinth is formed along this elevation; there are also external stairs to the fire door which shall be natural stone. The timber cladding 'roof detachment' detail runs the length of the elevation and the timber cladding detail from the front elevation is wrapped around the corner to provide an additional feature to this side elevation.

The south side elevation runs parallel to the new access road into the site. The elevation will be partially obscured from view due to the site levels. The cladding 'roof detachment' detail runs the full length of the elevation, with the wall below split into panels by the location of full height window units providing natural light into the auditorium areas. The elevation also includes the 'secondary' entrance point into the building. This area is recessed into the building footprint to create a covered entranceway. The use of full height glazing panels ensures plenty of natural light is provided into the lobby area of the building. The timber cladding detail from the front elevation is wrapped around the corner to provide an additional feature to this side elevation. To the right hand side the natural stone planter detail is continued from the entrance elevations.

Having examined each elevation in detail against the details already approved under the reserved matter 'landscaping', the scheme as a whole creates a strong identity, whilst using a local palette of materials. Whilst the use of brick is retained, the amount of it and its dominance has been tempered by the use of timber cladding, natural stone and also a plinth detail around the building. The inclusion of further windows has also enabled the mass of the elevation to be reduced and further interest added. With these improvements, it is now considered that the 'appearance' of the proposed religious meeting hall is acceptable and it accords with policies CS02, CS34 and the Design Supplementary Planning Document.

Section 106 Obligations

Nil.

Equalities & Diversities issues

This application will provide accommodation for Jehovah's Witnesses from five local congregations within the City of Plymouth.

Conclusions

The details submitted for the reserved matter of 'appearance' for the religious meeting hall are deemed acceptable and therefore it is recommended that this matter be approved.

Recommendation

In respect of the application dated **21/09/2010** and the submitted drawings, **001, 051 E, 100, 101, 102, 110 B, 111 B, 112 B, 113 B, 120 B, 121 B, 122 B, and accompanying Design and Access Statement** , it is recommended to:
Grant Conditionally

Conditions

EXTERNAL MATERIALS

(1) 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.

PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 001, 051 E, 100, 101, 102, 110 B, 111 B, 112 B, 113 B, 120 B, 121 B, 122 B.

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: OUTLINE/ RESERVED MATTERS CONDITIONS

(1) The applicant's attention is drawn to the conditions attached to the substantive outline planning permission (ref.09/00669/OUT) together with those attached to the reserved matters approval for landscaping, layout and scale (ref.10/01170/REM) and the need to adhere to these conditions in the implementation of this reserved matters approval. A separate application(s) will be required in respect of the reserved matters for the nursing home.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: acceptability of the details of the appearance of the building, 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:

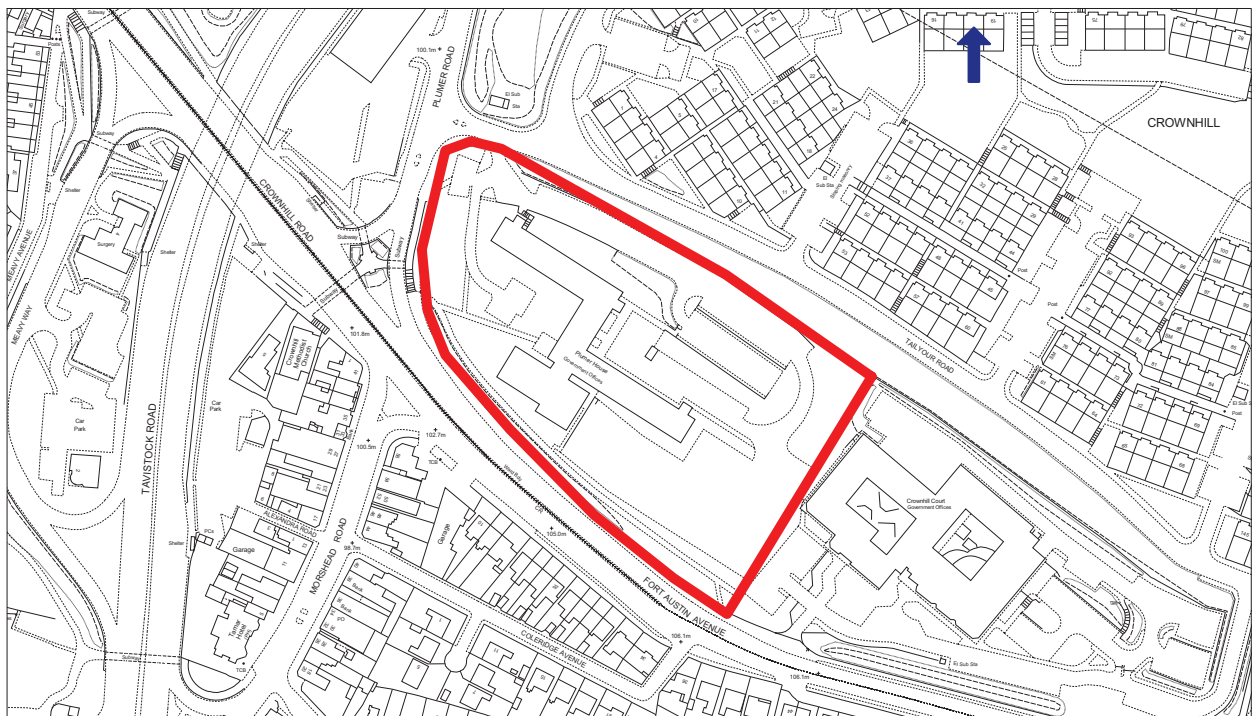
CS34 - Planning Application Consideration

CS02 - Design

DSPD - Design Supplementary Planning Document

ITEM: 6

Application Number:	10/02066/OUT
Applicant:	Land Registry
Description of Application:	Outline application to demolish the existing building and the erection of 68 houses and associated roads, access, parking and landscaping and installation of an underground attenuation tank
Type of Application:	Outline Application
Site Address:	PLUMER HOUSE, TAILYOUR ROAD PLYMOUTH
Ward:	Budshead
Valid Date of Application:	10/12/2010
8/13 Week Date:	11/03/2011
Decision Category:	Major Application
Case Officer :	Robert McMillan
Recommendation:	Refuse
Click for Application Documents:	www.plymouth.gov.uk



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OFFICERS REPORT

Site Description

The site is at Crownhill bounded by Crownhill Road/Fort Austin Avenue, Plumer Road, Tailyour Road and Crownhill Court Government offices. It has an area of 2.17 hectares. The frontages with the roads are: Fort Austin Avenue 181 metres, Plumer Road 78 metres and Tailyour Road 204 metres. There is housing to the north, offices to the east, housing and Crownhill local centre to the south and the Farmfood shop to the west. The site comprises a five storey office building of 8,547 sq m with extensive areas of open parking to the north, south and east of the building.

There is one point of vehicular access at the western end of Tailyour Road between its junctions with Plumer Road and Hunter Close. There is a subway on Plumer Road that provides access to the Crownhill shops and the Farmfood shop.

The building is raised above Tailyour Road with a treed bank between the road and the existing development. The parking is in a series of terraces. The land rises up from north to south. The top of the bank increases in height above road from west to east by 3 – 6 metres. The base of the building is 6 – 7 metres above Tailyour Road. There is a smaller bank on the south side about 1 metre above Fort Austin Avenue pavement with a footpath on top of the bank.

The site is reasonably landscaped with four large trees just north of the building and younger trees on the western part fronting Plumer Road in addition to the trees along the northern bank.

Proposal Description

This is an outline application with all matters reserved to demolish the building and erect dwellings. (The staff would be relocated to the Land Registry's other building nearby at Seaton Court at William Prance Road opposite the Future Inn Hotel.) The illustrative layout drawing shows the site developed for 68 houses in a cul-de-sac format using the existing vehicular access point. There would be a landscaped area by the entrance to the site above the attenuation tank.. The northern treed bank and southern verge and footpath above the highway would be retained.

Relevant Planning History

The applicant's Planning Support Statement states that the site was the former Plumer Barracks which was demolished in 1966 and the current office building was erected for the Land Registry in the 1970's. Since then there have been minor developments in association with the main use.

Consultation Responses

Highways Agency

No objection.

Environment Agency

No objection subject to a condition on surface water management.

Local Highway Authority (LHA)

Informally the LHA has no objection in principle subject to conditions and section 106 contributions in the negotiated element. This is about £30,000 for a contribution to improvements to the adjacent subways to improve pedestrian facilities for access to Crownhill Local Centre. There is also a requirement of about £35,000 for travel passes for 9 months for the future residents on the site.

Officers hope to be able to give a fuller response in the addendum report.

Public Protection Services

(Comments on the previous application)

No objection subject to conditions

Plymouth City Airport

No objection.

Economic Development Unit

(Comments on the previous application)

No issue with the application due to the availability of other suitable sites in the vicinity, city centre and other locations. They have few enquiries for offices of this size. They would find it difficult to support its retention and do not raise an objection.

Housing Strategy & Renewal

The Housing Enabling team raises no objection to the proposal and supports the housing principles of the scheme which as currently presented accord with the Core Strategy policy CS15 and the Planning Obligation and Affordable Housing SPD (First Review). The application represents an opportunity to make a valuable contribution to both the Affordable and Open Market housing needs of the City. Should permission be granted, the Housing Enabling team would welcome the opportunity to discuss the affordable housing options for the site with the applicant to support the development of any approval of reserved matters application.

Architectural Liaison Officer

Not opposed subject to the parking courtyards having secure boundaries and improved surveillance with one of them.

Representations

The consultation period was still running when the report was prepared. But with the previous application there was just one email of representation making the following points:

1. Disturbance, dust and noise during construction;
2. Will there be a mix of market and affordable homes?
3. Are there any asbestos issues?
4. Property devaluation; and would affected properties receive compensation?

Analysis

The main issues with this application are: the principle of the change of use from offices to housing; design; transport and highways issues, trees and nature conservation and section 106 contributions. The main policies are: CS01 Development of Sustainable Linked Communities, CS02 Design, CS04 Future Employment Provision, CS05 Development of Existing Sites, CS15 Overall Housing Provision, CS16 Spatial Distribution of Housing Sites, CS18 Plymouth's Green Space, CS19 Wildlife, CS20 Sustainable Resource Use, CS21 Flood Risk, CS22 Pollution, CS28 Local Transport Considerations, CS32 Designing Out Crime, CS33 Community Benefits/Planning Obligations, CS34 Planning Application Considerations.

Introduction/Background

This is an important application for the city both in strategic economic terms and design given its prominent gateway location. The Land Registry is an important employer in Plymouth with this site, Seaton House further up Tavistock Road on the Plymouth International Medical and Technology Park (PIMTP) and the storage archive facility at Burrington Way. As part of the general public sector drive to economise and make savings the Land Registry is rationalising its estate nationally. Fortunately it is retaining its presence in Plymouth which the Council fully appreciates in the current economic circumstances. The functions and staff based at Plumer House will relocate to Seaton House. As part of the viability process it needs to dispose of Plumer House. It believes that housing is a suitable use and would wish to sell the site with the benefit of an outline planning permission.

Before making the application the agents had a meeting with the Assistant Director of Development – Planning Services who did not raise any strong issues of concern to the broad principle of the proposal. This was subject to the caveat that the issue of loss of employment space must be dealt with and advised them to use the development enquiry service (DES) and enter into pre-application negotiations with his officers before formally submitting the application.

Just prior to making the application the applicant carried out a public consultation exercise which received an overwhelming positive outcome with 94% of responses in favour of the proposal.

The applicant submitted the application in August 2010, reference 10/01455, without any pre-application engagement with officers. Officers raised the same concern as the Assistant Director at the validation stage and advised the applicant to use the DES. The applicant chose to proceed without having any pre-application discussions with officers.

Although the application is in outline all the detailed matters are reserved. At the outline stage the broad principles of the layout, scale, appearance, access and landscaping must be set. It is also essential to establish the number, size and height of dwellings the site could accommodate to comply with the legislation on outline applications and to provide the basis for the tariff and section 106 agreement. There were design flaws in the layout. To cooperate officers produced a site planning statement (SPS), which is normally done at the pre-application stage, to help the applicant produce a satisfactory design. This showed a different approach to meet the design objectives of the Core Strategy. The applicant's architects did not have time to amend the design to enable the application to be reported favourably. To avoid a recommendation of refusal the applicant withdrew the application on the basis that it would quickly re-submit an acceptable layout in broad accordance with the SPS so it could be reported to this meeting. Officers also offered to work with the architects to produce a suitable design.

The applicant re-submitted on 10 December. There are some changes, the main ones being that houses now front Plumer Road and Crownhill Road/Fort Austin Avenue. But the road layout is still broadly the same and not all the design objections have been overcome. The applicant's reason is because of the constraints of the site with bedrock so close to the surface and drainage requirements: to comply with the SPS would involve costly site preparation works. The applicant is insistent that it is reported to this meeting to meet its strict deadlines for the staff relocation and disposal process. Unfortunately this leaves officers with little option given the shortage of time other than to make an unfavourable recommendation based on the material submitted when the application was validated.

The applicant submitted additional information to attempt to overcome design concerns and officers will update members on this in the addendum report.

Principle of change of use from offices to housing

Loss of employment space

The site is a large office building of about 8547 sq m. The Land Registry is relocating the functions and staff from Plumer House to Seaton Court with no loss of jobs. This is a significant benefit for the city and is welcomed by officers. The applicant has submitted a report entitled "Survey of Employment Needs: Plymouth Economic Area" analysing the current and future market for offices.

Policy CS05 of the Core Strategy allows the development of employment sites for alternative purposes when there are clear environmental, regeneration and sustainable community benefits subject to five criteria. Points 4 and 5 relate to tourism and marine employment sites and are not applicable to this application. In addition to the application site there are Government offices on the adjoining site and large employment provision just to the north at Derriford comprising the Plymouth International Medical and Technology Park, Tamar Science Park and Derriford Business Park as well as Derriford Hospital and Marjons. Further employment space provision will be allocated in the Derriford and Seaton Area Action Plan. The Crownhill Sustainable Neighbourhood Assessment (CSNA) identifies a need to increase the current catchment population to support the local and neighbourhood centres. The use for housing will provide regeneration and sustainable community benefits.

Criterion 1 allows for a change of use provided it is not necessary to meet current or longer term economic development needs. Policy CS04 identifies the main office locations as the city centre with Derriford as the secondary office location. There is a target delivery of 13,000 sq m of new offices per year. The applicant's report identifies a current availability of 32,515 sq m. This will increase to 39,018 sq m when the Council vacates surplus offices. This represents over 2.5 years of supply. There is a possible pipeline future supply of 83,610 sq m. The office take up rate was 13,935 sq m in 2007 and 7,896sq m in 2008. It is likely that it will be lower in 2009 – 2010 owing to the changed economic conditions.

The applicant identifies a potential supply of 130,060 sq m. Based on the above take up rates it says this equates to 10 – 28 years supply. This is confusing as officers using the same data calculate it to be 9.3 – 16.5 years supply. But this is still an adequate supply should Plumer House be developed for housing.

Criterion 2 deals with the appropriateness of the site for the city's key growth sectors. The site could be suited to Medical and Health Care or Business Services but space for these sectors is and will be provided in the Derriford area which is where the current use is being re-located. There is not a shortage of such space and the change of use does not conflict with this point.

Criterion 5 covers the range of job opportunities for local people in the Crownhill neighbourhood. The Crownhill Sustainable Neighbourhood Assessment (CSNA) notes that people are able to work locally given the number of employment sites and employers situated nearby in the Derriford area. The jobs currently provided in Plumer House will not be lost as they will simply transfer to Seaton Court. The application does not conflict with this policy. Consequently the change of use from offices to housing is acceptable and complies with policy CS05.

Housing policy

The principle of housing is acceptable in helping to meet the target of 10,000 new dwellings by 2016. It is an accessible location on bus routes to the city on the northern corridor and also along Crownhill Road/Fort Austin Avenue. It is next to the local centre, about 500 metres from Widey Court Primary School and close to the employment areas at Derriford. The applicant agrees to providing 30% affordable housing and 20% Lifetime Homes. As such it complies with these parts of policy CS15. It also complies with this policy as it is a brownfield site and a priority location in the Derriford/northern corridor area where 3,500 new dwellings are required by 2021. It also supports policy CS01.1 in developing sustainable linked communities by helping the needs of the neighbourhood with the future residents supporting the Crownhill local centre.

Design

Evolution of the layout

This has proved to be the most contentious issue and has proved the advantages of applicants using the development enquiry service before submitting major applications as, in this case, this did not happen. It is a prominent gateway site where it is important that the key design principles are set at the outline stage to set the template for the future reserved matters applications. This is particularly important with the reserved matter of layout which sets the general structure of how the site would be developed.

First layout

The illustrative layout with the first application for 74 houses was prepared, most unusually with no input from officers. It showed access from the existing position in Tailyour Road with the main street in the southern part of the site having two cul-de-sacs off it. There was an attenuation tank in the north western part of the site next to the access close to Tailyour Road with a play area above it. Properties did not front Plumer Road Crownhill Road/Fort Austin Avenue or Tailyour Road. There was an area of parking at the prominent junction of Crownhill Road and Plumer Road. There were concerns of overlooking to the eastern houses from the adjoining office building.

During the determination period officers prepared a site planning statement to guide the applicant in making fundamental changes to the layout and design. This re-positioned the location of the attenuation tank and showed a series of blocks to achieve frontage to the existing and proposed streets and retention of a specimen cedar tree within the site. The applicant's agents did not have sufficient time to amend the scheme to achieve an acceptable scheme. To avoid a recommendation to refuse the applicant withdrew the application on the understanding it would re-submit with an acceptable design that would be reported to this committee meeting.

Site constraints

The applicant's team tried to amend it to comply with the site planning statement. It states that owing to drainage constraints and the geology of the site it is difficult to change the road layout significantly having major cost implications.

The attenuation tank is at the lowest part of the site allowing both highway and general storm water to connect via a gravity connection. The site surveys reveal that underlying bedrock is close to the surface with top soil and fill material 200mm to 1.4m above it. If the attenuation tank were to be re-positioned the bedrock would have to be dug into entailing excessive cost.

Second layout

The amended scheme addresses some of the officers' concerns with houses fronting Plumer Road and Crownhill Road/Fort Austin Avenue, the retention of the Cedar tree and more use of on-street parking. But there are still many concerns. It appears that the properties fronting Crownhill Road will back onto the main street. This also appears to be the case with the properties facing Tailyour Road. There still appear to be problems of overlooking with the properties on the eastern boundary. The architects state that the houses would be double-fronted to overcome these concerns. They submitted additional information while the report was drafted so officers had insufficient time to consider it in detail and will advise members on the effects in the addendum report.

The amended design shows properties in the central part of the site where there would be cases of overlooking contrary to policy CS34. Also to attempt to address officers' concerns the architects have shown nearly all of the house types being "L" shaped with long tenements repeating Plymouth's Edwardian style. The applicant will not develop the site but sell it to a housing developer. It is officers' experience that it is most improbable that such a design would be used as a standard house type when the site is developed.

Detailed points

The key design policies are CS01, CS02, CS32 and CS34.

CS02.1 states that new development at local gateway locations and key approach corridors such as this should be well designed and promote the image of the city.

CS01.2 policy highlights the need to 'deliver development of an appropriate type form, scale, mix and density in relation to the neighbourhoods centre'. This development is adjacent to the Crownhill neighbourhood centre and should therefore be at an appropriate height. The current design does not deliver the scale of 3 storeys along the key frontages nor increasing the height at the nodal south west corner as highlighted in the Site Planning Statement.

CS01.4 policy highlights the need to promote 'a positive sense of place and identity'. This is expanded in the Design SPD, including 4.2, 4.5, 4.6 and 4.7. It is clear from the Sustainable Neighbourhoods Assessment for this area that Crownhill does not have a strong sense of place. There is a lack of street continuity in the current proposals, with different building types along a street frontage, including along Crownhill Road, where the building frontage is also recommended to be set further forward. There does not appear to be emphasis to key corners, which is also identified in the Site Planning Statement and no coherent approach to local distinctiveness.

In accordance with CS01.5, the street layout should seek to increase permeability. The Site Planning Statement highlights the need to consider pedestrian links with Plumer and Crownhill Road, adjacent to the bus and existing or future crossing points providing access to Crownhill Local Centre and explore options to improve pedestrian links to Crownhill Local centre, and local cycle links. The pedestrian connections to Crownhill Road are limited to two with one very narrow footpath.

CS02.6 policy refers to 'public and private spaces that are safe, attractive, easily distinguished, accessible and complement the built form'. The public space is poorly defined and it is not clear what the role or character will be, other than for sustainable drainage purposes.

CS02.7 policy refers to 'incorporate car parking that is integrated with the existing public realm'. This is expanded in the Design SPD 6.14, 6.15 and in particular 6.17 (car courts should include, at most, 10 parking spaces). The central car court is too big and poorly defined and ambiguous with no clear threshold and house fronting onto this. It is not clear that it is a private car court. The 'public' parking area adjacent to the storm attenuation area is unacceptable and parking should be better integrated into the public realm.

The creation of safe environments where crime and antisocial behaviour is designed out is a priority as set out in CS32. The Design SPD expands on this in Chapters 5 and 6 (5.5, 5.8, 5.9, 5.12 and 5.13) and (6.8- 6.12). Development backing onto Tailyour Road is poor and should be avoided. Officers are not convinced that the 'double fronted' development proposed along Crownhill Road and Plumer Road will be successfully resolved, in particular their relationship with the main new street within the development. The row of 3 houses adjacent to the storm attenuation area is poorly incorporated into the layout, with exposed rear gardens overlooking public space. This creates a poor definition between public and private space, which is confused.

In summary the layout, scale and appearance associated with the illustrative layout and house types supporting this outline application would not create a design of development of an appropriate quality at a gateway location on the northern approach corridor in conflict with policies CS01, CS02, CS32 and CS34.

The architects had worked hard to produce additional information at the time the report was prepared to seek to demonstrate how officers' concerns could be overcome. The applicant's and their agents' efforts are fully appreciated especially as this is an outline application. There was too little time for officers to assess it properly and they will update members in the addendum report.

Transport and Highways

The local highway authority has not had enough time to give its formal response. Officers can advise that the transport officers had been working with the applicant's consultants on agreeing the transport assessment and draft travel plan. They stated with the previous application that there are no fundamental transport objections regarding the traffic generation, access and road layout. The parking approach has changed and they may have comments on this issue.

To mitigate the impact of the development section 106 contributions would be required to enhance the underpass to improve facilities for pedestrians and cyclists. Also to encourage the residents to use sustainable means of transport a contribution should be made for travel passes. These would comply with policies CS28 and CS33 and form the negotiated part of the section 106 agreement. The applicant agrees to making these contributions. There are not transport objections to the principle of the development and it is probable that any points of detail could be resolved by negotiation and conditions. Officers will update members on the local highway authority's formal advice in the addendum report.

Trees and nature conservation

The verge on the northern boundary is well treed and these will remain and be reinforced which is positive. There are also trees within the site in particular tall Limes to the north of the building with one to the south. These have been crown-lifted and have an unusual shape as they have adapted to their closeness to the building. With the building removed they could look incongruous and could be susceptible to damage without the protection of the building. In these circumstances their retention is not essential but they should be replaced with suitable species. There is a specimen Blue Cedar on the south side of the building that is shown to be retained. There is a good group of young trees in the western edge of the site and there is potential that some of them could be re-planted. The site could be developed in compliance with policy CS18.4.

This application has been submitted with an Extended Phase 1 Habitat Survey. The survey states that the building may have suitability as a bat roost. Bats are a European Protected Species and as such officers have requested that an Internal Bat Survey is carried out. If signs of bats are found, a licence from Natural England will be necessary before works to the existing building can begin.

The survey makes several recommendations, which along with the results of the bat survey should be combined to form a Mitigation and Enhancement Strategy. This document should also show that net biodiversity gain is being achieved in line with CS19.

Other matters

The Environment Agency has not objected on drainage or flooding grounds, neither has the Public Protection Service on ground contamination or noise reasons, as such the proposal complies with policies CS21 and CS22. On site renewable energy production would be secured by condition to comply with policy CS20.

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

Section 106 Obligations

The applicant has agreed to enter into a section 106 agreement to meet the tariff and the negotiated element. The applicant wishes the application to be considered under the Market Recovery Scheme subject to a reduced time limit and a substantial start soon after permission. The standard terms have to be changed slightly to account for this being an outline application. It is a brown field site so the discount is 50%. The viability report supports the Market Recovery case.

The applicant is offering a tariff payment of £188,258, a negotiated element of £65,100 for improvements to the underpass and travel passes and a management fee of £12,668.

Officers calculations for the tariff and management fee are slightly different and are £210,633 and £16,853 respectively.

The recommendation in this report is to refuse. The detailed justification for the obligation requirements will be provided in the addendum report.

Equalities & Diversities issues

The development would be available for occupation to all equality groups including the elderly. 30% of the dwellings would be affordable homes and 20% of the properties would be built to Lifetime Homes standards. It would not have a negative effect on any equality group.

Conclusions

Officers support and appreciate the Land Registry's policy to retain its presence in Plymouth with no job losses resulting from the relocation to Seaton Court. The principle of the application is acceptable. The applicant has submitted sound evidence to demonstrate that an alternative use of this employment site complies with policy CS05. The site is highly accessible and well suited to housing in compliance with policies CS01.1, CS15, CS16. The transport, trees, nature conservation, drainage, ground contamination and noise matters are satisfactory and can be dealt with by conditions and section 106 terms.

The problem with the application relates to the design flaws. The applicant has insisted that the application must be reported to this meeting. This left officers with no time to negotiate. This is an outline application but the principles of the design, layout, scale and appearance must be set at this stage to comply with legislation and provide the parameters for the detailed scheme to follow with the applications for reserved matters. Officers believe these arise principally from the layout and the applicant's decision to avoid using the development enquiry service (DES). For a site of this size and importance at a gateway approach corridor the DES procedure is the correct one to use where the applicant and officers can negotiate improvements to a scheme as part of the design process within a reasonable period.

Officers accept that there are specific constraints relating to the site's geology and drainage requirements but do not believe these should be the sole determinants in dictating the site's layout.

Based on the illustrative drawing and information submitted when the application was made the main shortcomings include: houses backing onto the principle street within the site and Tailyour Road; lack of street continuity and emphasis at key corners; overlooking and loss of privacy to the properties on the eastern boundary and in the centre of the site; the need for greater permeability; poor definition and characterisation of the public spaces; unacceptable parking courtyards; and the need for more surveillance.

The architects have attempted to overcome some of these concerns by providing unusual "L" shaped houses with some being double-fronted and customised fenestration. They have been submitting additional illustrative material that officers will assess and update members at the meeting.

The application and information that officers had time to assess is unacceptable for the design reasons stated above contrary to policies CS01, CS02, CS32 and CS34.

Recommendation

In respect of the application dated **10/12/2010** and the submitted drawings, **680-100P, 680-300P, 680-301P3, 680-304P3, 03521, R1016-01A, Design and Access Statement, Planning Support Statement, Transport Assessment, Flood Risk Assessment, Tree Survey and Arboricultural**

Impact Assessment, Extended Phase 1 Habitat Survey & Habitat Management Plan, Phase I Desk Study and Phase II Geotechnical, Environmental and Soakaway Investigation Report, Survey of Employment Needs: Plymouth Economic Area and Development Appraisal Report , it is recommended to: **Refuse**

Reasons

INADEQUATE DESIGN

The proposed development shown on the illustrative drawing would provide the basis for the applications for reserved matters, in particular layout, scale and appearance. The layout, siting of buildings, open space and parking courtyards would give rise to an inadequate design quality at this gateway location on a key approach corridor by reason of: houses backing onto the principle street within the site and Tailyour Road; lack of street continuity and emphasis at key corners; overlooking and loss of privacy to the properties on the eastern boundary and in the centre of the site; the need for greater permeability; poor definition and characterisation of the public spaces; unacceptable parking courtyards and the need for a greater level of surveillance. Consequently the application is contrary to policies CS01, CS02, CS32 and CS34 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

PPG13 - Transport

PPS3 - Housing

PPS1 - Delivering Sustainable Development

CS28 - Local Transport Consideration

CS32 - Designing out Crime

CS33 - Community Benefits/Planning Obligation

CS34 - Planning Application Consideration

CS22 - Pollution

CS18 - Plymouth's Green Space

CS19 - Wildlife

CS20 - Resource Use

CS21 - Flood Risk

CS05 - Development of Existing Sites

CS01 - Sustainable Linked Communities

CS02 - Design

CS04 - Future Employment Provision

CS15 - Housing Provision

CS16 - Housing Sites

SPD2 - Planning Obligations and Affordable Housing

SPD1 - Development Guidelines

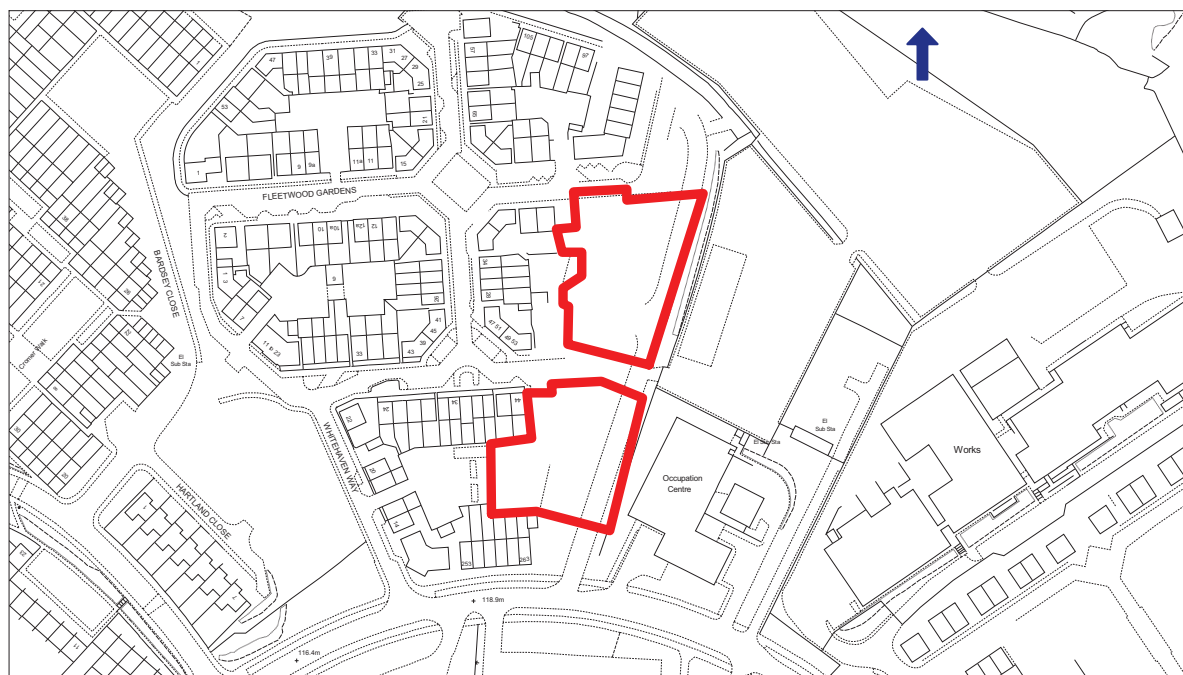
SPD3 - Design Supplementary Planning Document

PPS4 - Economic Growth

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ITEM: 7

Application Number:	10/01965/FUL
Applicant:	Taylor Wimpey
Description of Application:	Substitution of house types on plots 19-26 and 43-50 approved under reserved matters approvals 08/00474 and 09/00245, and the addition of two extra dwellings, increasing the number over the whole site from 156 to 158 dwellings
Type of Application:	Full Application
Site Address:	AREA 1B CLITTAFORD ROAD SOUTHWAY PLYMOUTH
Ward:	Southway
Valid Date of Application:	16/11/2010
8/13 Week Date:	15/02/2011
Decision Category:	Major Application
Case Officer :	Robert McMillan
Recommendation:	Grant conditionally, subject to S106 Obligation, Delegated authority to refuse if obligation not signed by 08/02/11
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OFFICERS REPORT

Site Description

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

Proposal Description

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

Relevant Planning History

10/00844 – FULL - Substitution of house types on plots 19-26 and 43-50 approved under reserved matters approvals 08/00474 and 09/00245, and the addition of two extra dwellings, increasing the number over the whole site from 156 to 158 dwellings – APPROVED by Committee but withdrawn owing to delays in completing the section 106 agreement. (This was identical to the current application.)

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

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

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

Consultation Responses

Plymouth City Airport

No objection.

Highway Authority

No objection subject to a parking condition.

Public Protection Services

No comment.

Housing Strategy and Renewal

Representations

None.

Analysis

The main issues with this application are: the principle of increasing the number of dwellings from 156 to 158; and the impact on the design of the estate and visual and residential amenities of the area. The main policies are: CS01 – Development of Sustainable Linked Communities, CS02 – Design, CS15 – Overall Housing provision, CS28 – Local Transport Considerations, CS33 – Community Benefits/Planning Obligations and CS34 – Planning Application Considerations.

Background

This application is identical to the previous application reference 10/00844 that was approved by members at the meeting on 7 September 2010. Unfortunately the applicant could not complete the section 106 agreement in time and so withdrew the application in October to avoid an unnecessary refusal. The applicant quickly re-submitted this application in November 2010.

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

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

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

The local highway authority is satisfied that the development and surrounding highways can cater for this slight increase in houses. Housing Services do not object as the applicant agrees to provide an additional affordable house at plot 19 to comply with policy CS15. This plot will also be the Lifetimes Home property.

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

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

Section 106 Obligations

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

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

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

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

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

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

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

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

Equalities & Diversities issues

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

Conclusions

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

Recommendation

In respect of the application dated **16/11/2010** and the submitted drawings, **design and access statement, addendum transport statement and addendum flood risk assessment** , it is recommended to: Grant conditionally, subject to S106 Obligation, Delegated authority to refuse if obligation not signed by 08/02/11

Conditions

APPROVED DRAWINGS

(1)The development hereby permitted shall be carried out in accordance with the following approved plans: Replan 0288-100/, Replan/0288-101, Replan/0288-102/1, Replan/0288-103, Replan 0288-104/1, Replan/0288-104/2, Replan/0288-105/1, Replan/0288-105/2, Replan/0288/106, Replan/0288-107, Replan, 0288-108, Replan/0288/109, 0288-256-262/Replan,

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.

LANDSCAPE WORKS IMPLEMENTATION

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

Reason:

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

LANDSCAPE MANAGEMENT PLAN

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

Reason:

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

MAINTENANCE SCHEDULE

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

Reason:

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

PROVISION OF PARKING AREA

(6)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.

EXTERNAL MATERIALS

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

Reason:

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

RESTRICTIONS ON PERMITTED DEVELOPMENT

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

Reason:

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

SURFACING MATERIALS

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

Reason:

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

CODE OF PRACTICE

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

Reason:

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

INFORMATIVE 1: CODE OF PRACTICE

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

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

Statement of Reasons for Approval and Relevant Policies

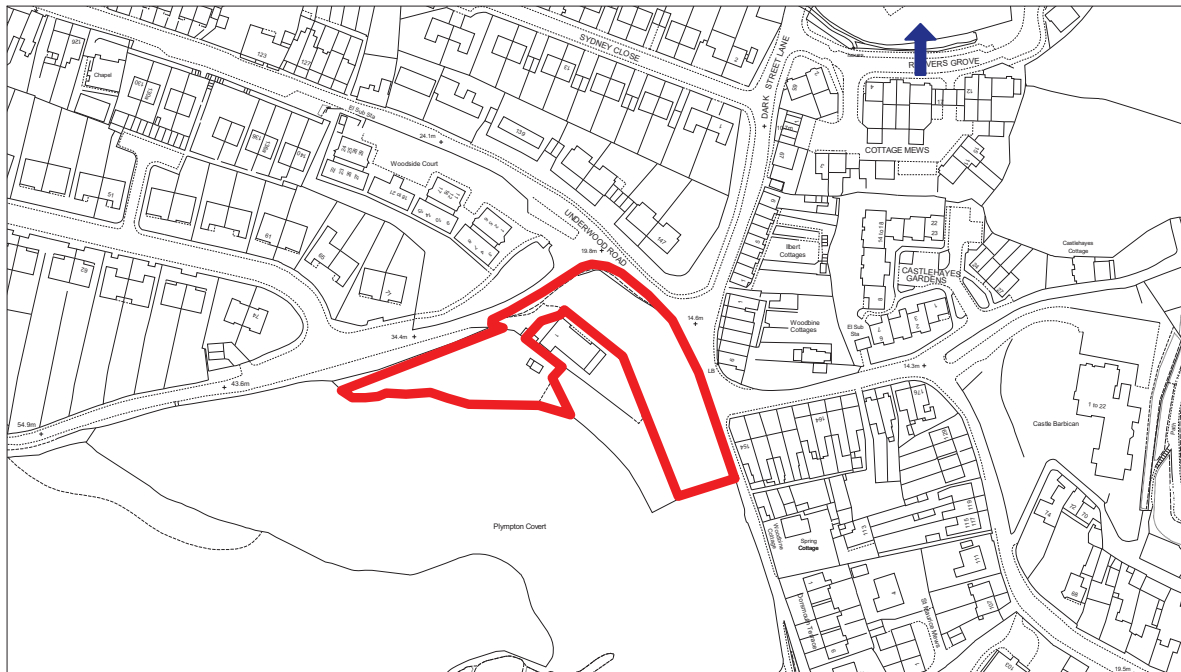
Having regard to the main planning considerations, which in this case are considered to be: the principle of increasing the number of dwellings from 156 to 158 and the impact on the design of the estate and visual and residential amenities of the area, the proposal is not considered to be demonstrably harmful.

the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

- PPG13 - Transport
- PPS3 - Housing
- PPS1 - Delivering Sustainable Development
- CS28 - Local Transport Consideration
- CS34 - Planning Application Consideration
- CS01 - Sustainable Linked Communities
- CS02 - Design
- CS15 - Housing Provision
- SO1 - Delivering Plymouth's Strategic Role
- SO2 - Delivering the City Vision
- SO3 - Delivering Sustainable Linked Communities
- SO10 - Delivering Adequate Housing Supply Targets
- SO14 - Delivering Sustainable Transport Targets
- SO15 - Delivering Community Well-being Targets
- SPD2 - Planning Obligations and Affordable Housing
- SPD1 - Development Guidelines
- SPD3 - Design Supplementary Planning Document

ITEM: 8

Application Number:	10/01814/OUT
Applicant:	Mrs Maureen Lawley
Description of Application:	Outline application to develop parts of garden by erection of two dwellings, with improvements to existing vehicular access and provision of new footpaths on both sides of Underwood Road
Type of Application:	Outline Application
Site Address:	DORSMOUTH, DRUNKEN BRIDGE HILL PLYMOUTH
Ward:	Plympton Erle
Valid Date of Application:	25/10/2010
8/13 Week Date:	20/12/2010
Decision Category:	Member Referral
Case Officer :	Jon Fox
Recommendation:	Grant Conditionally
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OFFICERS REPORT

This application is being considered by Planning Committee as a result of a Member referral by Councilor Terri Beer. This Ward Councilor is concerned about the bungalows in Underwood Road having their off street parking removed and the loss of parking spaces in the lay by in Dark Street Lane. There are also boundary issues from the bungalows in Underwood Road as the plans show a new path running inside residents' boundaries. Buses no longer use Drunken Bridge Hill and therefore such improvements may not be deemed necessary.

Site Description

The site is located on the southern edge of Plympton and is partially within the greenscape area, which includes the adjoining wooded Plympton Covert that lies to the south. The site is bounded to the north west by Drunken Bridge Hill, an old highway that links Plympton with Ridge Road. There are modern, semi-detached houses on the other side of Drunken Bridge Hill, which is characterised by a hedgebank and mature trees on the site boundary and is without footways. The site is bounded to the north east by Underwood Road and Back Lane, which are also without footways in this location. This boundary is also marked by a hedgebank and trees. There are semi-detached bungalows on the other side of the road. There are other trees within the site and the whole site is covered by a tree preservation order. The site includes existing highway land at the junction of Dark Street Lane, Back Lane and Underwood Road as well as land on the northern side of Underwood Road, which includes some areas that were set back in accordance with a Section 30 Order that was invoked a long time ago. The Section 30 Order is extant and affects the roads adjoining the site.

The land on the site itself slopes down very steeply from the dwelling at Dorsmouth to the derelict swimming pool overlooking Underwood Road, and slopes up steeply towards the edge of the Plympton Covert, to the south. The site itself does not include the dwelling at Dorsmouth or the adjoining land running south east of the building.

Proposal Description

Outline application to develop parts of garden by erection of two dwellings, with improvements to existing vehicular access and provision of new footpaths on both sides of Underwood Road. One dwelling is proposed on the site of the old swimming pool, well below the existing dwelling, and the other would be an open land that is situated on the upper part of the site, adjacent to the Plympton Covert.

All matters are reserved by this application, which are:

- **Layout** – the way in which buildings, routes and open spaces are provided within the development and their relationship to buildings and spaces outside the development.
- **Scale** – the height, width and length of each building proposed in relation to its surroundings.

- **Appearance** – the aspects of a building or place which determine the visual impression it makes, excluding the external built form of the development.
- **Access** – this covers accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
- **Landscaping** – this is the treatment of private and public space to enhance or protect the site's amenity through hard and soft measures, for example, through planting of trees or hedges or screening by fences or walls.

Relevant Planning History

10/00087/OUT - Outline application to develop parts of garden by erection of two detached dwellings, with improvements to existing vehicular access and provision of "safe" pedestrian zone at junction of Drunken Bridge Hill and Underwood Road. This application was withdrawn.

08/00731/FUL - This application was returned.

03/02036/FUL - Two-storey extension, first floor terrace and attached private motor garage (existing kitchen and garage to be removed)

Consultation Responses

Highway Authority

Have no objections subject to conditions on street details, completion of roads and footways, provision of sight lines, preservation of sight lines, driveway gradient and car parking provision. An informative note is recommended regarding a Risk Assessment, and a Method Statement to cover all aspects of vehicle movements to and from the application site.

Key points are that:

1. Drunken Bridge Hill and Underwood Road are both subject to a pre-existing and overriding setting back order under Section 30 of the Public Health Act 1925 (made before 1959). The order requires and directs that where fronting development occurs, the frontage of the development shall be set back to BY-Law width (approximately 11 meters) to provide public street improvements when any development is implemented, unless setting back has already occurred.
2. The proposal would provided the necessary street alterations, including road widening, minor realignment of the junctions of Drunken Bridge Hill and Dark Street Lane, and a fronting footway, not by setting-back but by using existing space available within the street resulting from previous setting-back. Which would include the open area of land at the fronts of numbers 141 – 147 Underwood Road created by setting-back when those properties were first built, and is considered to be designated as Highway Not Maintainable at Public Expense and set-aside for future highway improvement.

3. The use of an improved private driveway is considered acceptable to meet the needs of the proposed three dwellings (any more than four dwellings would need to be served by a suitable access road in accordance with current standards).
4. Notwithstanding the details of the highway alterations shown on the plan drawings of this outline application, on-street car parking in Dark Street Lane would remain largely as existing, the car parking lay-by type arrangement along the west side would remain unchanged, along with some on street parking preserved on the east side near the junction with Underwood Road, with an alternative alteration and build-out to that which is shown on the application plan drawing number 944.10 Rev 'B', where a grass verge would not be required with a view to retaining some space for on-street car parking.
5. In principle the Highway Authority could likely carry out the alterations to the highway including the widening using the land previously set aside for highway purposes at the rear of the footway in front of numbers 139 - 147 Underwood Road without the need to apply for planning permission.

Public Protection Service

No objections subject to conditions on land quality and a code of practice.

Representations

19 letters were received, which raise the following objections:

1. Impact on visual qualities and amenity of the area, including the wooded Plympton Covert and the historic landscape that forms the backdrop to the Conservation Area. The site is obvious from a long distance.
2. Impact on the Plympton Covert as a wildlife refugia.
3. The lower proposed dwelling would not be in keeping with the scale of Dorsmouth House and the upper dwelling would be in shade and compromise the view into the woods.
4. The altered vehicular access would destroy a section of historic wall and bank, mean the loss of trees and further erode the character of the lane, and would not significantly improve safety. Other proposals in the area have been dismissed at appeal due to highway safety issues.
5. Sherford New town would also increase vehicle movements on Drunken Bridge Hill, which has suffered from damage in the past.
6. Loss of trees and potential impact on trees on the boundary with Drunken Bridge Hill.
7. Impact of traffic movements affecting the tranquil wooded area and increased danger of additional vehicle movements at the access to the property.
8. The addition of new footpaths and road alterations will not improve the junction of Drunken Bridge Hill, Underwood Road and Dark Street Lane. The proposed new path in Underwood Road and Drunken Bridge Hill will lead to pedestrians crossing the road at a hazardous point. The altered pavement going into Fore Street would narrow it so much it would be very dangerous.

9. The external footpath to dwelling 2 is unnecessary as there is already a safer access via the two entrances and internal footpath.
10. The highway works will increase traffic speeds whereas currently traffic is naturally calmed. The road widening is not necessary as the roads narrow again beyond the site.
11. Doubt as to whether the highway works will be implemented if planning permission is granted.
12. The property at Dorsmouth should be included in the Saltram Countryside Park Master Plan.
13. The development on surrounding protected green space would erode the precious local and regional asset that is Plympton St. Maurice.
14. Impact on designated greenscape area. The upper dwelling would reduce the definition between the existing built environment and the greenscape area and the dwellings would appear as a visually incongruous feature.
15. Potential impact on residents as a result of the removal and relocation of overhead telephone and associated cables.
16. It is not indicated what further or altered drainage requirements and impacts will be encountered by the changes to the roads and pavements or who will finance these engineering works. Any interference to the water table within the Covert will increase the flow onto the road.
17. It is possible that the proposed highway works may create new problems or exacerbate vehicle movements and present further hazards to motorists and pedestrians.
18. There is not enough room for the new pavements.
19. How will parking displaced by the new pavements impact on the immediate area? How will this be mitigated?
20. Construction traffic causing hazard and obstruction.
21. A strip of land next to Drunken Bridge Hill has not been included within the site and it is not clear how this will protect this important boundary.
22. Some of the site, i.e. the frontage out onto the pathway at 147 Underwood Road, is actually within the ownership of other residents and has been maintained by them.
23. Loss of parking spaces in Dark Street Lane and spaces provided by land that was previously set back, which land is owned by the frontagers.
24. Effect on property values.
25. The highway works will change the character of the area from a village/rural one to an urban one.
26. The Section 30 Order is not necessary particularly in this historic setting and would take away needed car parking spaces.
27. Impact of increased surface water drainage and potential for this to seep onto the highway and properties opposite. Nearby culvert is 50% silted up and the development could lead to additional natural springs occurring.
28. Impact on nearby houses and roads.

29. The ecology report is lacking in that: the report does not say it was carried out by a licensee bat worker; the existing building has not been surveyed to confirm the absence of bats; noisy construction activities can disturb bats at the wrong time of year; the report makes no recommendations for enhancement of biodiversity; Certain species of bats can be sensitive to lighting yet no foraging surveys have been undertaken to determine what species use the site.
30. The works will have a devastating impact on wildlife.
31. The proposed dwelling would be approximately 25 feet in front of the bungalow at 147 Underwood Road and would be an eyesore when viewed from that property.
32. The proposals are contrary to Plymouth City Council Plympton St. Maurice Conservation Area Management Plans (Part 4), which aims to limit transport and parking provision to respect the character of the conservation area, and which recognises that there is a severe lack of parking places within the conservation area that results in on-street parking.

Analysis

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

The application turns on policies CS02 (Design), CS03 (Historic Environment), CS15 (Housing Provision), CS18 (Plymouth's Green Space), CS28 (Local Transport Considerations) and CS34 (Planning Application Considerations) of the Core Strategy of Plymouth's Local Development Framework 2007 and Development Guidelines Supplementary Planning Document 2009 (SPD1) and the main issues are considered to be the impact of the proposals on the character and appearance of the area and associated with that, the impact on the greenscape; the affect on the conservation area; the amenities of neighbours; the impact on trees; the impact on the highway network and the affect of the highway works proposed in the application and the impact on land drainage. The North Plymstock Area Action Plan is also relevant in terms of its reference to the green space and associated proposed countryside park.

Character and appearance of the area

With regard to the character and appearance of the area, the site is not within the Plympton Conservation Area (CA), although the CA does come close to the site's south eastern boundary, on the opposite side of Back Lane. The proposed dwellings are further away from the CA and in themselves are not considered to be harmful to the setting of the CA. The proposed development retains the current site boundaries and despite the removal of some of the lesser trees on site is not considered to alter the relationship of the site to the CA in a detrimental way.

The site occupies a relatively isolated position being physically cut off from the surrounding pattern of development by Underwood Road, Dark Street Lane and Back Lane. This separateness is magnified by the site's connection with the surrounding greenscape. This means the site effectively has one foot in the countryside and one in the urban area. The proposed dwelling on the southernmost part of the site, closest to the Plympton Covert, is within the greenscape area, but the significant quality of this part of the greenscape is as a biodiversity feature and not as a separation/buffer zone between the countryside and the built-up area. This distinction is made clearer by the wooded Covert, which is above the dwelling site and which is considered to be the natural beginning of the separation/buffer zone. In this context it is considered that two dwellings would not be harmful to the character and appearance of the built-up area or the greenscape, providing that each dwelling respects the scale and design of the existing bungalow by being designed as single-storey properties, perhaps with larger roofs, similar to Dorsmouth, which could be used for additional accommodation. With regard to long views of the site it is considered that the retention of trees, and development by dwellings of an appropriate scale and appearance, would preserve the visual amenity quality of the site overall.

It is accepted that the proposed road works themselves have an impact on the visual qualities of the area. However, the new footways and junction realignments would take place in the existing highway and do not impinge on the site. These works are therefore not considered to be harmful to the character and appearance of the area.

With regard to nature conservation, the submitted Ecological Mitigation and Enhancement Strategy (dated 2010) adequately addresses nature conservation issues and this document should be referred to specifically in any grant of planning permission. With regard to comments on the submitted ecology report the following should be noted:

1. The report was prepared by Dr P Webb MIEEM. The report does not state whether he/she is a licensed bat worker, however they are bound by the code of conduct of the Institute of Ecology and Environmental Managers (IEEM) and no bat licence is required to undertake this level of survey.
2. A Code of Practice will be in force throughout construction with limitations on the hours of work and noise levels.

3. The Enhancement and Mitigation Strategy provides for the installation of 3 bat boxes, 3 bird boxes, removal of exotic plant species and replacement with a native hedgerow.
4. It is considered that the disturbance due to lighting will be minimal as a large area of woodland exists immediately south of the site providing foraging opportunities and connectivity.

The proposals are therefore considered to be in accordance with policies CS01, CS02, CS03, CS18 (in terms of green space), CS19 and CS34 of the Core Strategy.

Residential amenity

With regard to the impact on neighbours, the main issue in letters of representation (LORs) is the proposed highway works, which are considered in Transport Matters, below. Otherwise the main issue is the proximity of the proposed dwelling, nearest to Underwood Road, on the amenities of those on the other side of the street. The separation distance between the proposed dwelling and 147 Underwood Road is 24 metres, which across a road is considered sufficient. In these respects the proposals are therefore considered to be in accordance with policies CS15 and CS34 of the Core Strategy.

Trees

Trees are an integral part of the site's character and it is vital that the defining trees and those other good specimens are retained. There are some discrepancies on the current plans with regard to the positions of some trees and these issues are being addressed. Negotiations are ongoing with regard to the removal of a sycamore tree and a monterey pine. In addition the position of dwelling 1, although indicative, is considered to be too close to a valuable oak, which is scheduled for retention; the dwelling is too large and resulting overbuild, allowance for working space and a likelihood of major excavations close to the oak tree to construct a retaining wall, will impact heavily on this tree. It has also been hinted that trees on the woodland edge would be desirable for reduction to reduce their impact on the dwelling. There is also concern for three prominent Beech trees due to insufficient detail concerning how re-modelling of the drive to provide access to the garage serving Dwelling 2 will be implemented.

In the case of dwelling 1, closest to the Plympton Covert, the agent has responded by stating that the drawing will be amended to show the dwelling moved slightly further away from the canopy of the tree. In addition the construction of the retaining wall, on the western side of the short drive, which serves the garage to dwelling 1, would be constructed without any overburden dig. The agent does not anticipate that the Contractor will need to excavate any more material than is absolutely necessary to be able to construct the wall.

Notwithstanding these measures, the application is in outline with all matters reserved, so the position of the dwellings would be considered under any application for the reserved matters, which includes their layout. Therefore on balance and subject to details regarding the positions of trees and those that could be retained it is considered that the proposals are not in conflict with CS18 in respect of tree retention.

Transport matters

With regard to highway matters there is considerable objection to the proposed alterations to the highway, the provision of new footways and the associated 'adoption' for these purposes of the long standing set back area of land fronting properties in Underwood Road. Some object to the loss of this area because it provides space for visitors' parking. However, those properties would still have the benefit of two parking spaces off the street and, should it be demonstrated as necessary in the future, it should be possible to provide some restricted car parking on the new highway layout. However, it should be noted that such provision is unlikely to be secured by the granting of planning permission.

There is also objection to the loss of on-street car parking as a result of the proposed highway works. However, the finer details of these works have yet to be agreed and it is considered that some modifications to the proposed verge in Dark Street Lane and the eastern end of the proposed footway in Underwood Road/Back Lane would only lead to the loss of approximately three on-street spaces, which is not considered significant in terms of the benefits of the highway scheme overall.

There are also claims that the proposed highway works would be unsafe, i.e. by providing a crossing point near the bottom of Drunken Bridge Hill, which would be hazardous for pedestrians. However, the new footway on the southern side of Underwood Road is designed to facilitate crossing of the road from a safe point further to the east and not on Drunken Bridge Hill. Overall the proposed works are considered to provide for a safer environment for drivers and pedestrians and as such are necessary in connection with the planning application for two dwellings, and in this respect are separate from the overriding 'setting back' requirement of Section 30 of the Public Health Act.

With regard to construction, it is vital that the development and highway works are strictly controlled in the interests of amenity and public safety and a code of practice condition is recommended should permission be granted.

Other matters raised in LORs

On other matters, the altered vehicular access would not result in the loss of trees and would not significantly affect the historic wall and bank; the disposal of surface water to soakaways is considered to be appropriate in this location and should not lead to water emanating from the site providing the soakaways are properly designed; the increased comings and goings via the site entrance would not be harmful to highway safety or adversely affect the quieter wooded area; the removal and relocation of telephone apparatus is not considered to be a matter that the Local Planning Authority could overtly influence; the potential impact of the highway works on drainage is not material to the consideration of the planning application;

Section 106 Obligations

None.

Equalities & Diversities issues

None.

Conclusions

The proposals have a marked impact on the character and appearance of the area, which although not in the Conservation Area, would affect an older and well established part of Plympton that stands on the edge of the built-up area. However, the number and scale of dwellings proposed and the nature of the associated highway works are not considered to be harmful to the area's visual qualities or amenity generally and subject to conditions it is recommended that outline planning permission be granted.

Recommendation

In respect of the application dated **25/10/2010** and the submitted drawings, **OS location plan, 944.01B, 944.10B, 944.11B, Habitat Survey, Phase 1 Desktop Study, Tree Report and accompanying design and access statement** , it is recommended to: **Grant Conditionally**

Conditions

APPROVAL OF RESERVED MATTERS

(1) Approval of the details of the layout, scale, appearance, access and landscaping of the dwellings (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason:

Application was made in outline only under Section 92 of the Town and Country Planning Act and approval of the details specified is still required.

SUBMISSION OF RESERVED MATTERS

(2) Plans and particulars of the reserved matters referred to in condition 1 above shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason:

Application was made in outline only under Section 92 of the Town and Country Planning Act and approval of the details specified is still required.

TIME LIMIT FOR SUBMISSION OF RESERVED MATTERS

3) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason:

To comply with Section 92 of the Town and Country Planning Act 1990.

TIME LIMIT FOR COMMENCEMENT OF DEVELOPMENT

(4) The development hereby permitted shall be begun either before the expiration of five years from the date of this planning permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason:

To comply with Section 92 of the Town and Country Planning Act, 1990.

STREET DETAILS

(5) Development shall not begin until details of the design, layout, levels, gradients, materials and method of construction and drainage of all roads and footways forming part of the development including associated off-site works in Underwood Road within the scope of application plan drawing number 944.10 rev B have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until that part of the fronting street in Underwood Road associated with providing safe pedestrian and vehicular access to it has been constructed in accordance with the approved details.

Reason:

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

COMPLETION OF ROADS AND FOOTWAYS

(6) All roads and footways forming part of and associated with the development hereby permitted shall be completed in accordance with the details approved under condition 5 above before the first occupation of the penultimate dwelling.

Reason:

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

PROVISION OF SIGHT LINES

(7) No work shall commence on site until details of the sight lines to be provided at the junction between the means of access and the highway have been submitted to and approved in writing by the Local Planning Authority. The approved sight lines shall be provided before the dwellings are first occupied.

Reason:

To provide adequate visibility for drivers of vehicles at the road junction in the interests of public safety, in accordance with policy CS28 of the Core Strategy of Plymouth's Local Development Framework April 2007.

PRESERVATION OF SIGHT LINES

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

Reason:

To preserve adequate visibility for drivers of vehicles at the road junction in the interests of public safety, in accordance with policy CS28 of the Core Strategy of Plymouth's Local Development Framework April 2007.

DRIVEWAY GRADIENT

(9) The driveway to the dwellings hereby permitted shall not be steeper than 1 in 10 at any point.

Reason:

To ensure that safe and usable off street parking facilities are provided, in accordance with policy CS28 of the Core Strategy of Plymouth's Local Development Framework April 2007.

CAR PARKING PROVISION

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

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway, in accordance with policies CS28 and CS34 of the Core Strategy of Plymouth's Local Development Framework April 2007.

CODE OF PRACTICE DURING CONSTRUCTION

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

Reason:

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

TREE PROTECTION DURING CONSTRUCTION

(12) The existing trees and/or hedgerows to be retained shall be specified on a plan to be submitted to and approved in writing by the Local Planning Authority and such trees and hedgerows on the approved plans shall be properly protected with appropriate fencing during construction works. The erection of fencing for the protection of any retained tree or hedgerow shall be undertaken in accordance with Section 9 of BS 5837:2005 (Trees in relation to construction - recommendations) 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 levels within those areas shall not be altered, nor shall an excavation be made, without the written consent of the local planning authority.

Reason:

To ensure that any trees or hedgerows to be retained are protected during construction work in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

UPPER STOREY ACCOMMODATION WITHIN ROOF SPACE

(13) The dwellings hereby permitted shall not exceed two storeys of accommodation and the upper storey of accommodation shall be entirely within the roof space of the building above the height of the eaves.

Reason:

In order to maintain the design and scale of the buildings in keeping with the existing dwelling at Dorsmouth and the character and appearance of the area, and to preserve the amenities of neighbouring properties, in accordance with policies CS02, CS15 and CS34 of the Core Strategy of Plymouth's Local Development Framework April 2007.

RESTRICTIONS ON PERMITTED DEVELOPMENT

(14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order or the 1995 Order with or without modification), no development falling within Classes A (enlargement, improvement or other alteration of a dwellinghouse), B (enlargement of a dwellinghouse consisting of an addition or alteration to its roof), C (any other alteration to the roof of a dwellinghouse), D (erection or construction of a porch outside any external door of a dwellinghouse), E (provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such) and F (the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such) of Part 1 of the Schedule to that order shall at any time be carried out unless, upon application, planning permission is granted for the development concerned.

Reason:

In order to preserve residential amenity and the visual qualities of the area, in accordance with policies CS15 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

BIODIVERSITY

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

Reason

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with policies CS01, CS19 and CS34 of the Core Strategy of Plymouth's Local Development Framework April 2007 and Government advice contained in Planning Policy Statement 9 (Biodiversity and Geological Conservation)

REPORTING OF UNEXPECTED CONTAMINATION

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

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

(ii) an assessment of the potential risks to:

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

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

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

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

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

Reason:

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

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: the impact of the proposals on the character and appearance of the area and associated with that, the impact on the greenscape; the affect on the conservation area; the amenities of neighbours; the impact on trees; the impact on the highway network and the affect of the highway works proposed in the application and the impact on land drainage, 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
CS28 - Local Transport Consideration
CS34 - Planning Application Consideration
CS22 - Pollution
CS18 - Plymouth's Green Space
CS19 - Wildlife
CS21 - Flood Risk
CS03 - Historic Environment
CS01 - Sustainable Linked Communities
CS02 - Design
CS15 - Housing Provision
SPD1 - Development Guidelines

PLANNING COMMITTEE

Decisions issued for the following period: 6 December 2010 to 3 January 2011

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: 10/00556/FUL **Applicant:** Mr M Hunns
Application Type: Full Application
Description of Development: Change of use from nursing home to house in multiple occupation (16 bedrooms)
Site Address 7 QUEENS ROAD LIPSON PLYMOUTH
Case Officer: Robert Heard
Decision Date: 23/12/2010
Decision: Refuse

Item No 3

Application Number: 10/00594/FUL **Applicant:** Scott Wilson

Application Type: Full Application

Description of Development: Provision of 14 allotments

Site Address LAND NORTH OF STUDENT CARPARK, PARADISE ROAD PLYMOUTH

Case Officer: Jeremy Guise

Decision Date: 17/12/2010

Decision: Grant Conditionally

Item No 4

Application Number: 10/00595/CA **Applicant:** Scott Wilson

Application Type: Conservation Area

Description of Development: Provision of 14 allotments

Site Address LAND NORTH OF STUDENT CARPARK, PARADISE ROAD PLYMOUTH

Case Officer: Jeremy Guise

Decision Date: 20/12/2010

Decision: Grant Conditionally

Item No 5

Application Number: 10/00987/FUL **Applicant:** ALC Building Construction

Application Type: Full Application

Description of Development: Retention of detached dwelling

Site Address 120 BILLACOMBE ROAD PLYMOUTH

Case Officer: Janine Warne

Decision Date: 07/12/2010

Decision: Grant Conditionally

Item No **6**

Application Number: 10/01174/FUL **Applicant:** St Edwards Church Primary Sch
Application Type: Full Application
Description of Development: Formation of new vehicular and pedestrian access and additional vehicle parking provision
Site Address ST EDWARDS CHURCH PRIMARY SCHOOL, FORT AUSTIN AVENUE EGGBUCKLAND PLYMOUTH
Case Officer: Janine Warne
Decision Date: 07/12/2010
Decision: Grant Conditionally

Item No **7**

Application Number: 10/01280/OU **Applicant:** Mr & Mrs Fritzsche
Application Type: Outline Application
Description of Development: Outline application for the erection of four two-storey semi-detached dwellings and one detached dormer bungalow (existing dormer bungalow to be removed)
Site Address 33 WHITLEIGH VILLAS PLYMOUTH
Case Officer: Janine Warne
Decision Date: 17/12/2010
Decision: Refuse

Item No **8**

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

Item No 9

Application Number: 10/01309/FUL **Applicant:** Mr Derek Anning
Application Type: Full Application
Description of Development: Erection of two-storey dwellinghouse with private motor garage fronting onto Blackberry Close
Site Address 66 BILLACOMBE ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 14/12/2010
Decision: Refuse

Item No 10

Application Number: 10/01315/LBC **Applicant:** MOD (Defence Estates)
Application Type: Listed Building
Description of Development: Installation of internal lift in Building 125, RMB Stonehouse
Site Address BUILDING 125,RMB STONEHOUSE, DURNFORD STREET PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 13/12/2010
Decision: Grant Conditionally

Item No 11

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 12

Application Number: 10/01521/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Extension to car parking area and formation of new parking spaces
Site Address LAND ADJACENT TO DARTINGTON WALK PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 13/12/2010
Decision: Grant Conditionally

Item No 13

Application Number: 10/01572/FUL **Applicant:** MIDAS HOMES LIMITED
Application Type: Full Application
Description of Development: Erection of five, two-storey dwellings (amendment to scheme approved under application 09/01836)
Site Address LAND OFF BERTHON ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 17/12/2010
Decision: Grant Conditionally

Item No 14

Application Number: 10/01581/FUL **Applicant:** Mr & Mrs Lane
Application Type: Full Application
Description of Development: Erection of detached dwelling and parking area, setting back of boundary wall along Church Road, and provision of 2 metre wide footpath along site frontage
Site Address 111 CHURCH ROAD PLYMSTOCK PLYMOUTH
Case Officer: Jon Fox
Decision Date: 21/12/2010
Decision: Application Withdrawn

Item No 15

Application Number: 10/01584/FUL **Applicant:** Linda Timberlake
Application Type: Full Application
Description of Development: Decking over existing shed
Site Address 37 SPEEDWELL CRESCENT PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 20/12/2010
Decision: Refuse

Item No 16

Application Number: 10/01592/FUL **Applicant:** Torr Home
Application Type: Full Application
Description of Development: New care home building for elderly mentally infirmed and formation of new car park areas
Site Address TORR HOME, THE DRIVE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 20/12/2010
Decision: Grant Conditionally

Item No 17

Application Number: 10/01593/FUL **Applicant:** Babcock Marine Division (BMD)
Application Type: Full Application
Description of Development: Staff amenity centre in single story modular building
Site Address NEW SRC AMENITY CENTRE EX-CMO SLAB, SUBMARINE REFIT COMPLEX DEVONPORT DOCKYARD, SALTASH ROAD KEYHAM PLYMOUTH
Case Officer: Adam Williams
Decision Date: 15/12/2010
Decision: Grant Conditionally

Item No 18

Application Number: 10/01601/FUL **Applicant:** Visitract Ltd
Application Type: Full Application
Description of Development: Change of use, conversion and alteration to in-door karting arena
Site Address FORMER ENVIRON EUROPE LTD, ERNESETTLE LANE
PLYMOUTH
Case Officer: Janine Warne
Decision Date: 17/12/2010
Decision: Grant Conditionally

Item No 19

Application Number: 10/01614/FUL **Applicant:** Mr Jamie Shrewbrook
Application Type: Full Application
Description of Development: Timber fence to boundary
Site Address 2 VENN WAY PLYMOUTH
Case Officer: Adam Williams
Decision Date: 08/12/2010
Decision: Grant Conditionally

Item No 20

Application Number: 10/01625/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Rear conservatory
Site Address BROCK HOUSE, 2 BATTER STREET PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 08/12/2010
Decision: Grant Conditionally

Item No 21

Application Number: 10/01633/FUL **Applicant:** Mr P Blackmore
Application Type: Full Application
Description of Development: Two-storey rear extension
Site Address 33 EDWARDS DRIVE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 23/12/2010
Decision: Refuse

Item No 22

Application Number: 10/01640/FUL **Applicant:** Mr & Mrs M Curtis
Application Type: Full Application
Description of Development: Erection of two-storey detached dwellinghouse
Site Address 15 SHUTE PARK ROAD PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 10/12/2010
Decision: Refuse

Item No 23

Application Number: 10/01674/FUL **Applicant:** Mr D Edwards
Application Type: Full Application
Description of Development: Single-storey rear extension
Site Address 36 ASHLEIGH CLOSE TAMERTON FOLIOT PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 09/12/2010
Decision: Grant Conditionally

Item No 24

Application Number: 10/01706/FUL **Applicant:** Mr Michael Furzeland
Application Type: Full Application
Description of Development: Alterations and extension to premises to provide office, store etc for ground floor shop; formation of two self contained flats above. Erection of new two storey dwelling in rear yard; formation of communal amenity and car parking spaces and refuse storage area.
Site Address 158 UNION STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 15/12/2010
Decision: Refuse

Item No 25

Application Number: 10/01714/FUL **Applicant:** Truscotts (Barnstaple) Ltd
Application Type: Full Application
Description of Development: Use within use class D1(c), (provision of education) in addition to use class B1 (business use)
Site Address THE BUSINESS CENTRE 43 ESTOVER CLOSE PLYMOUTH
Case Officer: Janine Warne
Decision Date: 08/12/2010
Decision: Grant Conditionally

Item No 26

Application Number: 10/01718/FUL **Applicant:** Mr Graham Witt-Davis
Application Type: Full Application
Description of Development: Develop part of garden by erection of a detached three-storey dwellinghouse with part sunken double private motor garage and erection of double private motor garage serving no.2 (existing garage to be removed)
Site Address 2 CONQUEROR DRIVE MANADON PARK PLYMOUTH
Case Officer: Janine Warne
Decision Date: 23/12/2010
Decision: Refuse

Item No 27

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 28

Application Number: 10/01722/LBC **Applicant:** Prezzo Plc
Application Type: Listed Building
Description of Development: Internal and external works to the ground floor of the north west block associated with the use as restaurant
Site Address 4 ROYAL WILLIAM YARD PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 14/12/2010
Decision: Grant Conditionally

Item No 29

Application Number: 10/01728/FUL **Applicant:** Mr Shaun Hore
Application Type: Full Application
Description of Development: Single-storey rear extension
Site Address 12 HENLEY DRIVE PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 16/12/2010
Decision: Grant Conditionally

Item No 30

Application Number: 10/01729/FUL **Applicant:** Mr & Mrs Mudge
Application Type: Full Application
Description of Development: Rear conservatory
Site Address 61 ROBERTS ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 08/12/2010
Decision: Grant Conditionally

Item No 31

Application Number: 10/01730/FUL **Applicant:** Mr Petrus Lindeque
Application Type: Full Application
Description of Development: Single storey rear extension
Site Address 206 SALTASH ROAD KEYHAM PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 13/12/2010
Decision: Grant Conditionally

Item No 32

Application Number: 10/01740/FUL **Applicant:** Mr J Luke
Application Type: Full Application
Description of Development: 2 Storey side extension and single storey garage to side and single storey rear extension
Site Address 5 HARWOOD AVENUE PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 09/12/2010
Decision: Grant Conditionally

Item No 33

Application Number: 10/01746/FUL **Applicant:** Orchardbridge Ltd
Application Type: Full Application
Description of Development: Demolish workshop and garage and redevelop site north of number 446 by erection of detached dwellinghouse and private motor garage, with parking provision for number 442 (renewal of 07/01668)
Site Address 442-448 TAVISTOCK ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 09/12/2010
Decision: Grant Conditionally

Item No 34

Application Number: 10/01753/FUL **Applicant:** Mr/s Brooks
Application Type: Full Application
Description of Development: Single storey side and rear extension
Site Address 44 GREAT BERRY ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 10/12/2010
Decision: Grant Conditionally

Item No 35

Application Number: 10/01754/FUL **Applicant:** Mr/s Weston
Application Type: Full Application
Description of Development: Two storey side extension
Site Address 74 COLEBROOK ROAD ST BUDEAUX PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 14/12/2010
Decision: Grant Conditionally

Item No 36

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

Item No 37

Application Number: 10/01756/FUL **Applicant:** Mr Tim Orsman
Application Type: Full Application
Description of Development: Single storey rear extension
Site Address 132 CHURCH WAY PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 13/12/2010
Decision: Grant Conditionally

Item No 38

Application Number: 10/01757/FUL **Applicant:** Mrs J Sheenhy
Application Type: Full Application
Description of Development: Construction of garage and studio flat
Site Address 23 BENBOW STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 22/12/2010
Decision: Refuse

Item No 39

Application Number: 10/01758/FUL **Applicant:** Consol Suncentre (Franchise) Lt
Application Type: Full Application
Description of Development: Use of property as a retail unit (front of ground floor) and solarium (ground and lower ground floor) with shared office space (rear of ground floor)
Site Address 60 MUTLEY PLAIN PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 14/12/2010
Decision: Refuse

Item No 40

Application Number: 10/01759/FUL **Applicant:** Mr Martin Pannell
Application Type: Full Application
Description of Development: Private Motor Garage
Site Address 74A SHERFORD ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 17/12/2010
Decision: Grant Conditionally

Item No 41

Application Number: 10/01765/TPO **Applicant:** Mrs Janette Brannan
Application Type: Tree Preservation
Description of Development: Prune two Beech trees
Fell Monterey Cypress and Horse Chestnut
Site Address 3 FURZEHATT ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 16/12/2010
Decision: Grant Conditionally

Item No 42

Application Number: 10/01766/FUL **Applicant:** Mr C Richman and Mrs Koshti-R
Application Type: Full Application
Description of Development: Demolition of existing garage and store and erection of single-storey building for the provision of ancillary residential accommodation and garage
Site Address MEADOW HOUSE, HORN LANE PLYMOUTH
Case Officer: Jon Fox
Decision Date: 17/12/2010
Decision: Grant Conditionally

Item No 43

Application Number: 10/01767/TPO **Applicant:**
Application Type: Tree Preservation
Description of Development: Reduce Holm Oak by 5-6 metres
Site Address 16 ASHFORD CRESCENT PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 16/12/2010
Decision: Refuse

Item No 44

Application Number: 10/01769/LBC **Applicant:** Ministry of Defence
Application Type: Listed Building
Description of Development: Internal and associated minor external alterations, and provision of external ramp to provide access for disabled persons
Site Address CRICKET PAVILLION HMS DRAKE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 14/12/2010
Decision: Grant Conditionally

Item No 45

Application Number: 10/01770/FUL **Applicant:** Mr & Mrs A King
Application Type: Full Application
Description of Development: Two storey side extension
Site Address 41 NORTH PROSPECT ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 13/12/2010
Decision: Grant Conditionally

Item No 46

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 47

Application Number: 10/01792/FUL **Applicant:** Mr B Serpell
Application Type: Full Application
Description of Development: Part two-storey, part first floor rear extension
Site Address 1 UNDERWOOD ROAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 16/12/2010
Decision: Grant Conditionally

Item No 48

Application Number: 10/01793/FUL **Applicant:** Sunrise Windows
Application Type: Full Application
Description of Development: Replacement windows to second floor apartment
Site Address FLAT 15 HARBOURSIDE COURT, HAWKERS AVENUE
PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 15/12/2010
Decision: Grant Conditionally

Item No 49

Application Number: 10/01794/FUL **Applicant:** Mr Colin Rance
Application Type: Full Application
Description of Development: Installation of solar PV panels
Site Address 24 WHITEFORD ROAD PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 16/12/2010
Decision: Refuse

Item No 50

Application Number: 10/01796/FUL **Applicant:** Sunrise Windows
Application Type: Full Application
Description of Development: Replacement windows to ground floor apartment
Site Address FLAT 30 HARBOURSIDE COURT, HAWKERS AVENUE
PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 15/12/2010
Decision: Grant Conditionally

Item No 51

Application Number: 10/01798/FUL **Applicant:** Mr Dennis Sanders
Application Type: Full Application
Description of Development: Garage in rear garden
Site Address 667 WOLSELEY ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 14/12/2010
Decision: Grant Conditionally

Item No 52

Application Number: 10/01799/FUL **Applicant:** Mr & Mrs S Walker
Application Type: Full Application
Description of Development: Two-storey side extension and formation of rooms in roofspace including provision of rear dormer
Site Address 24 LONGACRE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 14/12/2010
Decision: Refuse

Item No 53

Application Number: 10/01800/FUL **Applicant:** Mr Dominic Harry
Application Type: Full Application
Description of Development: Alteration to roof to form a gable end and rear dormer including loft conversion
Site Address 23 BIRCHFIELD AVENUE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 14/12/2010
Decision: Grant Conditionally

Item No 54

Application Number: 10/01801/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Installation of railings around boundary
Site Address BARRACK PLACE FLATS PLYMOUTH
Case Officer: Adam Williams
Decision Date: 16/12/2010
Decision: Grant Conditionally

Item No 55

Application Number: 10/01803/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: New windows and new finish to block (render and timber effect cladding)
Site Address 103-149 EXETER STREET PLYMOUTH
Case Officer: Adam Williams
Decision Date: 22/12/2010
Decision: Grant Conditionally

Item No 56

Application Number: 10/01811/FUL **Applicant:** Mr P Anderson
Application Type: Full Application
Description of Development: First-floor side extension and formation of rooms in roofspace including rear dormer and one front rooflight
Site Address 9 BEAUMONT AVENUE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 23/12/2010
Decision: Grant Conditionally

Item No 57

Application Number: 10/01821/FUL **Applicant:** Mr Mark Steer
Application Type: Full Application
Description of Development: Single-storey side/rear extension (existing detached garage to be removed)
Site Address 14 GOODEVE CLOSE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 16/12/2010
Decision: Grant Conditionally

Item No 58

Application Number: 10/01822/FUL **Applicant:** Mr G Fletcher
Application Type: Full Application
Description of Development: Continue use as two flats and installation of external stairway to provide rear access to first floor unit
Site Address 4 ESSEX STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 21/12/2010
Decision: Refuse

Item No 59

Application Number: 10/01823/PR **Applicant:** Mrs Sue Ryan
Application Type: LDC Proposed Develop
Description of Development: Formation of hip to gable roof
Site Address 47 MUTLEY ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 21/12/2010
Decision: Issue Certificate - Lawful Use

Item No 60

Application Number: 10/01827/PR **Applicant:** Mrs Mavin
Application Type: LDC Proposed Develop
Description of Development: Rear conservatory
Site Address 11 MIRADOR PLACE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 14/12/2010
Decision: Issue Certificate - Lawful Use

Item No 61

Application Number: 10/01831/FUL **Applicant:** Mr M Dabner
Application Type: Full Application
Description of Development: Part two-storey, part single storey side extension (south elevation) (existing garage to be removed) and single storey side extension (north elevation)
Site Address 22 ELFORD CRESCENT PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 16/12/2010
Decision: Grant Conditionally

Item No 62

Application Number: 10/01837/TPO **Applicant:** Mr Keith Makepeace
Application Type: Tree Preservation
Description of Development: Fell Copper Beech tree
Site Address 325 TAVISTOCK ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 16/12/2010
Decision: Grant Conditionally

Item No 63

Application Number: 10/01842/LBC **Applicant:** Devon and Cornwall Housing As

Application Type: Listed Building

Description of Development: Conversion and alteration of second floor accommodation to form two self-contained flats including thermal insulation works, replacement rooflights, installation of secondary glazing, replacement mechanical ventilation and installation of new floor

Site Address 2 NELSON GARDENS PLYMOUTH

Case Officer: Janine Warne

Decision Date: 16/12/2010

Decision: Grant Conditionally

Item No 64

Application Number: 10/01844/ADV **Applicant:** Harveys

Application Type: Advertisement

Description of Development: Two internally illuminated fascia signs and relocation of existing fascia sign

Site Address UNIT D, COYPOOL ROAD PLYMOUTH

Case Officer: Simon Osborne

Decision Date: 21/12/2010

Decision: Grant Conditionally

Item No 65

Application Number: 10/01845/FUL **Applicant:** Crownhill Methodist Church

Application Type: Full Application

Description of Development: Internal alteration to provide disabled WC

Site Address CROWNHILL METHODIST CHURCH,3 CROWNHILL ROAD PLYMOUTH

Case Officer: Adam Williams

Decision Date: 16/12/2010

Decision: Grant Conditionally

Item No 66

Application Number: 10/01846/FUL **Applicant:** Mr S Bugdale
Application Type: Full Application
Description of Development: Two-storey side extension
Site Address 14 KIDWELLY CLOSE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 23/12/2010
Decision: Grant Conditionally

Item No 67

Application Number: 10/01853/ADV **Applicant:** Co-Operative group Ltd
Application Type: Advertisement
Description of Development: 4 externally illuminated fascia panels, 1 projecting sign and 2 blank fascia panels
Site Address 2 VICTORIA ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 21/12/2010
Decision: Grant Conditionally

Item No 68

Application Number: 10/01854/FUL **Applicant:** Mr Kevin Briscoe
Application Type: Full Application
Description of Development: Single-storey rear extension to dwelling approved under application 10/00485 (revision to withdrawn application 10/01488)
Site Address TENNIS COURTS, RUSSELL AVENUE PLYMOUTH
Case Officer: Jon Fox
Decision Date: 08/12/2010
Decision: Grant Conditionally

Item No 69

Application Number: 10/01861/FUL **Applicant:** Resound Health
Application Type: Full Application
Description of Development: New library (single storey structure to replace the library destroyed by fire in 2008)
Site Address PLYMPTON LIBRARY, RIDGEWAY PLYMPTON PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 17/12/2010
Decision: Grant Conditionally

Item No 70

Application Number: 10/01863/ADV **Applicant:** Devonport Business Support Se
Application Type: Advertisement
Description of Development: Three free-standing non-illuminated signs at Granby Way, Richmond Walk and Cumberland Gardens
Site Address VARIOUS SITES DEVONPORT PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 23/12/2010
Decision: Refuse

Item No 71

Application Number: 10/01864/FUL **Applicant:** Mr Reinecke
Application Type: Full Application
Description of Development: Rear conservatory
Site Address 11 CULDROSE CLOSE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 22/12/2010
Decision: Grant Conditionally

Item No 72

Application Number: 10/01871/TPO **Applicant:** Mrs L Sutherland
Application Type: Tree Preservation
Description of Development: Planning works to Sycamore and Horse Chesnut
Site Address 141 HOOE ROAD PLYMSTOCK PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 17/12/2010
Decision: Grant Conditionally

Item No 73

Application Number: 10/01873/FUL **Applicant:** Mr & Mrs J Field
Application Type: Full Application
Description of Development: Enlargement of balcony and other works, including enlargement of window on west elevation, new door in south elevation, and new rooflight in north roofslope
Site Address 31 HOWARD ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 08/12/2010
Decision: Grant Conditionally

Item No 74

Application Number: 10/01874/PR **Applicant:** Mr and Mrs M Kelland
Application Type: LDC Proposed Develop
Description of Development: Rear dormer and loft conversion with installation of 3 roof windows on front
Site Address 149 VICTORIA ROAD ST BUDEAUX PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 21/12/2010
Decision: Issue Certificate - Lawful Use

Item No 75

Application Number: 10/01876/ADV **Applicant:** Pennycomequick Stores
Application Type: Advertisement
Description of Development: Externally illuminated fascia sign, internally illuminated projecting sign and internal window signs
Site Address 25 STUART ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 21/12/2010
Decision: Grant Conditionally

Item No 76

Application Number: 10/01877/FUL **Applicant:** Mr R White
Application Type: Full Application
Description of Development: Change of use from dwellinghouse to two flats
Site Address 1 CHUDLEIGH ROAD PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 21/12/2010
Decision: Grant Conditionally

Item No 77

Application Number: 10/01879/FUL **Applicant:** Playbox Pre School
Application Type: Full Application
Description of Development: Demolition of existing shed and construction of a wc and store
Site Address PLAYBOX PRE SCHOOL, PENNYCROSS METHODIST CHURCH BEAUCHAMP ROAD PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 22/12/2010
Decision: Grant Conditionally

Item No 78

Application Number: 10/01881/FUL **Applicant:** Mr P Dawes
Application Type: Full Application
Description of Development: Change of use of 1st and 2nd floor residential accommodation to office and store
Site Address 140 KING STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 21/12/2010
Decision: Grant Conditionally

Item No 79

Application Number: 10/01883/FUL **Applicant:** HMCS
Application Type: Full Application
Description of Development: Replacement of slate cladding on north and east elevations and installation of new CCTV cameras
Site Address THE LAW COURTS, ARMADA WAY PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 22/12/2010
Decision: Grant Conditionally

Item No 80

Application Number: 10/01884/FUL **Applicant:** Mr and Mrs Morton
Application Type: Full Application
Description of Development: Two storey side extension (existing garage to be removed)
Site Address 56A CANTERBURY DRIVE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 22/12/2010
Decision: Grant Conditionally

Item No 81

Application Number: 10/01885/24 **Applicant:** Telefonica O2
Application Type: GPDO PT24
Description of Development: Determination as to whether prior approval is required for siting and appearance of replacement shroud and installation of additional cabinet
Site Address ADJ RAIL BRIDGE NEAR 273 SALTASH ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 22/12/2010
Decision: Prior approval not req PT24

Item No 82

Application Number: 10/01891/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Extension of existing care home to provide four self-contained one-bed flats and carer's bedsit
Site Address COLWILL LODGE, LEYPARK WALK PLYMOUTH
Case Officer: Janine Warne
Decision Date: 23/12/2010
Decision: Grant Conditionally

Item No 83

Application Number: 10/01897/FUL **Applicant:** Urban Splash
Application Type: Full Application
Description of Development: Change of use of A1/A3 unit (retail/restaurant) to B1 (business)
Site Address MILLS BAKERY, ROYAL WILLIAM YARD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 23/12/2010
Decision: Grant Conditionally

Item No 84

Application Number: 10/01902/FUL **Applicant:** Mrs B Gane
Application Type: Full Application
Description of Development: Change of use from offices (Use Class B1) to hairdressing salon (Use Class A1)
Site Address 43 NORTH HILL PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 22/12/2010
Decision: Grant Conditionally

Item No 85

Application Number: 10/01904/LBC **Applicant:** Matrix Plymouth SA
Application Type: Listed Building
Description of Development: Change of use and conversion of "Gambrell" and "Science" buildings to create eight additional residential units (four in each building), now totaling 24 units and provision of 8 off street parking spaces (variation to approved application 05/00953)
Site Address GAMBRELL AND SCIENCE BUILDINGS, CRAIGIE DRIVE PLYMOUTH
Case Officer: Carly Francis
Decision Date: 22/12/2010
Decision: Grant Conditionally

Item No 86

Application Number: 10/01905/TPO **Applicant:** Mr S Johnson
Application Type: Tree Preservation
Description of Development: Monterey Pine - Fell
Site Address 7 WOODLANDS LANE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 20/12/2010
Decision: Grant Conditionally

Item No 87

Application Number: 10/01908/FUL **Applicant:** Mr and Mrs Noyce
Application Type: Full Application
Description of Development: Conversion of garage into bedroom and associated works including front extension
Site Address 1 BUCKLAND CLOSE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 08/12/2010
Decision: Grant Conditionally

Item No 88

Application Number: 10/01910/TPO **Applicant:** Mr Ronald Young
Application Type: Tree Preservation
Description of Development: T1 and T2 - Sycamore - reduce lowest branch closest to courtyard
T3 - Hawthorn - remove stem leaning on dovecote
T4 - Multi-stemmed Sycamore - either reduce or fell
T5 - Sycamore - reduce to previous pruning points
T6 - Holm Oak - reduce overhang by 3 metres and remove lowest branch on east side
Site Address HOOE MANOR, FLAT 2 BELLE VUE ROAD HOOE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 21/12/2010
Decision: Grant Conditionally

Item No 89

Application Number: 10/01914/FUL **Applicant:** NHS Plymouth
Application Type: Full Application
Description of Development: Extension to building, comprising a pre-fabricated modular building on the south end of the existing dental access centre, for use as a sterilization room
Site Address NUFFIELD CLINIC, LIPSON ROAD PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 22/12/2010
Decision: Grant Conditionally

Item No 90

Application Number: 10/01918/PR **Applicant:** Mrs Helen Foote
Application Type: LDC Proposed Develop
Description of Development: Single storey rear extension
Site Address 72 BEACON DOWN AVENUE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 22/12/2010
Decision: Issue Certificate - Lawful Use

Item No 91

Application Number: 10/01920/FUL **Applicant:** Stuart Road Primary School
Application Type: Full Application
Description of Development: Extension to provide new school kitchen
Site Address STUART ROAD PRIMARY SCHOOL, PALMERSTON STREET PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 23/12/2010
Decision: Grant Conditionally

Item No 92

Application Number: 10/01923/FUL **Applicant:** Mr Roy Herbert
Application Type: Full Application
Description of Development: Erection of building for industrial use (Classes B1, B2 and B8)
Site Address SITE ADJACENT TO 7 CATTEWATER ROAD PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 23/12/2010
Decision: Refuse

Item No 93

Application Number: 10/01924/TPO **Applicant:** Mr F Chamberlain
Application Type: Tree Preservation
Description of Development: Holm Oak - 4m crown lift and 20% thin
Site Address 14 MEADFOOT TERRACE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 16/12/2010
Decision: Grant Conditionally

Item No 94

Application Number: 10/01925/TC **Applicant:** Richard Prowse
Application Type: Trees in Cons Area
Description of Development: Ash - Trim by 1m to clear building
Beech - cut back lowest branch over washing line by 1m
Site Address 1 NELSON GARDENS PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 16/12/2010
Decision: Grant Conditionally

Item No 95

Application Number: 10/01926/FUL **Applicant:** Mr M Costello
Application Type: Full Application
Description of Development: Part two-storey, part single-storey rear extension and formation of roof terrace on single-storey extension (existing store and conservatory to be removed)
Site Address 2 YEOMANS WAY PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 23/12/2010
Decision: Refuse

Item No 96

Application Number: 10/01932/FUL **Applicant:** Mr and Mrs B Boosey
Application Type: Full Application
Description of Development: First-floor rear extension
Site Address 12 GOOSEWELL TERRACE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 23/12/2010
Decision: Grant Conditionally

Item No 97

Application Number: 10/01935/TPO **Applicant:** Mr Thomas Berrell
Application Type: Tree Preservation
Description of Development: Sycamore - Reduce back to previous pruning points
Site Address 30 ALBION DRIVE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 20/12/2010
Decision: Grant Conditionally

Item No 98

Application Number: 10/01936/TPO **Applicant:** Mr Ian Cook
Application Type: Tree Preservation
Description of Development: Elm - crown raise by 2-3m, crown clean & thin
Site Address 71 GREEN PARK ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 20/12/2010
Decision: Grant Conditionally

Item No 99

Application Number: 10/01938/ADV **Applicant:** Cotswold Outdoor Ltd
Application Type: Advertisement
Description of Development: Two internally illuminated high level signs
Site Address 2 TO 6 NEW GEORGE STREET PLYMOUTH
Case Officer: Adam Williams
Decision Date: 22/12/2010
Decision: Grant Conditionally

Item No 100

Application Number: 10/01954/TC **Applicant:** Mr David Mercer
Application Type: Trees in Cons Area
Description of Development: Ash - Fell or crown lift
2 Ash - remove lower branches
Sycamore - crown lift
Site Address SOMERCOTES 93 FORE STREET PLYMPTON PLYMOUTH
Case Officer: Jane Turner
Decision Date: 20/12/2010
Decision: Grant Conditionally

Item No 101

Application Number: 10/01972/TPO **Applicant:** South West Water
Application Type: Tree Preservation
Description of Development: Holm oak - 20% crown reduction and crown lift to 3 metres
Site Address ELBURTON RESERVOIR, RESERVOIR ROAD
PLYMSTOCK PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 16/12/2010
Decision: Grant Conditionally

Item No 102

Application Number: 10/01987/FUL **Applicant:** Legal and General Leisure Fund
Application Type: Full Application
Description of Development: External alterations, in association with internal subdivision to
create two Class A3 (restaurant/café) units
Site Address 16 BARBICAN APPROACH PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 22/12/2010
Decision: Grant Conditionally

Application Number **10/00946/ADV**
Appeal Site **3 DEVONPORT ROAD PLYMOUTH**
Appeal Proposal Illuminated fascia and projecting signs (Approved). Non-illuminated hoarding sign on side wall (Refused)
Case Officer Olivia Wilson

Appeal Category
Appeal Type
Appeal Decision Dismissed
Appeal Decision Date 06/12/2010
Conditions
Award of Costs Awarded To

Appeal Synopsis

The inspector agreed that the sign is large and obtrusive and seriously detracts from the street scene and the character and appearance of this part of the conservation area. He also found that the site was sensitive, being a gateway to the Stoke local centre. He took account of Policy CS34 and the Development Guidelines SPD as material considerations and paid special attention to paragraph 23 of PPG19 which refers to the desirability of preserving or enhancing the character and appearance of the conservation area.

Application Number **10/01238/FUL**
Appeal Site **23 HEDINGHAM CLOSE PLYMOUTH**
Appeal Proposal Two-storey side extension incorporating front dormer
Case Officer Kate Saunders

Appeal Category REF
Appeal Type Written Representations
Appeal Decision Allowed
Appeal Decision Date 07/12/2010
Conditions
Award of Costs Awarded To

Appeal Synopsis

The majority of the inspectors report did not relate to the main issue in question the dormer. The inspector noted that a number of dormers are visible in the area although these are on the rear elevation of properties, dormers have become part of the character of the area. The inspector concluded that because of the unusual form of the subject property advice in SPD1 could not be applied in the normal manner and the appeal was therefore allowed.