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PLANNING COMMITTEE

DATE: THURSDAY 28 APRIL 2011
TIME: 1 PM
PLACE: COUNCIL HOUSE, ARMADA WAY, PLYMOUTH

Members –

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

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

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

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

BARRY KEEL
CHIEF EXECUTIVE

PLANNING COMMITTEE
PART I (PUBLIC COMMITTEE)

AGENDA

1. APOLOGIES

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

2. DECLARATIONS OF INTEREST

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

3. MINUTES

(Pages 1 - 6)

The Committee will be asked to confirm the minutes of the meeting held on 7 April 2011.

4. CHAIR'S URGENT BUSINESS

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

5. QUESTIONS FROM MEMBERS OF THE PUBLIC

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

6. PLANNING APPLICATIONS FOR CONSIDERATION

(Pages 7 - 8)

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

6.1 8 ST MAURICE ROAD, PLYMOUTH 10/01802/FUL

(Pages 9 - 16)

Applicant:	Mr Stephen Darke
Ward:	Plympton Erle
Recommendation:	Grant Conditionally

6.2 PENLEE COTTAGE, PLYMBRIDGE ROAD, PLYMOUTH 11/00018/FUL **(Pages 17 - 36)**

Applicant: Taylor Wimpey (Exeter)
Ward: Moor View
Recommendation: Grant Conditionally, subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 6 May 2011

6.3 THE TOWN HOUSE, 32 HARWELL STREET, PLYMOUTH 10/02006/FUL **(Pages 37 - 54)**

Applicant: Town House (Plymouth) Ltd
Ward: St Peter and the Waterfront
Recommendation: Grant Conditionally, subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 15 June 2011

6.4 LAIRA UNITED CHURCH, 247 OLD LAIRA ROAD, PLYMOUTH 11/00028/FUL **(Pages 55 - 70)**

Applicant: United Reformed Church South Western Synod
Ward: Efford and Lipson
Recommendation: Grant Conditionally, subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 3 May 2011

6.5 12 ELFORD CRESCENT, PLYMOUTH 11/00282/FUL **(Pages 71 - 78)**

Applicant: Mr Phil Chevis
Ward: Plympton St Mary
Recommendation: Grant Conditionally

6.6 PLYMSTOCK QUARRY, PLYMOUTH 11/00369/FUL **(Pages 79 - 86)**

Applicant: Persimmon Homes Ltd
Ward: Plymstock Radford
Recommendation: Grant Conditionally

6.7 3-5 MARKET ROAD, PLYMOUTH 11/00238/FUL **(Pages 87 - 102)**

Applicant: Barratt Homes (Exeter Division)
Ward: Plympton Erle
Recommendation: Grant Conditionally, subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 28 May 2011

6.8 273 TAVISTOCK ROAD, PLYMOUTH 10/01860/FUL (Pages 103 - 120)

Applicant: Urbis Developments Ltd
Ward: Budshead
Recommendation: Grant Conditionally, subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 18 May 2011

7. PLANNING APPLICATION DECISIONS ISSUED (Pages 121 - 156)

The Assistant Director of Development (Planning Services) acting under powers delegated to him by the Council will submit a schedule outlining all decisions issued from 28 March to 15 April 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. 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 7 April 2011

PRESENT:

Councillor Lock, in the Chair.
Councillor Delbridge, Vice Chair.
Councillors Ball (Substitute Councillor Mrs Bowyer), Browne, Mrs Foster, Thompson, Tuohy, Vincent, Wheeler and Wildy.

Apologies for absence: Councillors Fox, Roberts and Mrs Bowyer.

Also in attendance: Paul Westrope (Lead Planning Officer), Julie Rundle (Lawyer) and Ross Jago Democratic Support Officer.

The meeting started at 1.00 pm and finished at 3.15 pm.

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

99. DECLARATIONS OF INTEREST

The following declarations of interest were made by Councillors 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 Foster.	103.1 70 to 72 Peverell Park Road, Plymouth. 11/00110/FUL.	Known to applicant.	Personal.

100. MINUTES

Agreed the minutes of the meeting held on the 10 March 2011.

101. CHAIR'S URGENT BUSINESS

Election of Vice Chair

In the absence of the Vice Chair Councillor Delbridge, having been proposed by Councillor Lock and seconded by Councillor Browne, was elected acting Vice-Chair for the meeting.

102. QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions from members of the public.

103. **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.

An addendum report was submitted in respect of minute number 103.6.

103.1 70 TO 72 PEVERELL PARK ROAD, PLYMOUTH. 11/00110/FUL
(Mr and Mrs Chapman)
Decision:
Application **GRANTED** conditionally.

(Councillor Mrs Foster declared a personal interest in the above item.)

103.2 1 BASINGHALL CLOSE, PLYMOUTH. 11/00189/FUL
(Christopher Mintoft)
Decision:
Application **GRANTED** conditionally.

103.3 PENLEE COTTAGE, PLYMBRIDGE ROAD, PLYMOUTH. 11/00018/FUL
(Taylor Wimpey)
Decision:
Application **DEFERRED** for completion of site visit.

The committee requested that further information was provided at the site visit regarding previous applications for the site. The committee requested that a restriction preventing work taking place on Saturdays and Sundays was included within construction code of practice.

(Councillor Delbridge's proposal to defer the application for a site visit, seconded by Councilor Browne, was put to the vote and declared carried.)

103.4 LAND AT KINTERBURY SQUARE, BARNE BARTON, PLYMOUTH. 10/02141/FUL
(Midas Home Limited)
Decision:
Application **GRANTED** conditionally.

(Councillor Wheeler's proposal to defer the application, seconded by Councillor Wildy was put to the vote and declared lost.)

103.5 1 BREST ROAD, DERRIFORD, PLYMOUTH. 10/02117/FUL
(Lone Eagle Properties)
Decision:
Application **GRANTED** conditionally subject to a S106 obligation, with delegated authority to refuse in the event the S106 obligation is not completed by 11 April 2011.

103.6 ROYAL NAVY HMS DRAKE, SALTASH ROAD, KEYHAM, PLYMOUTH. 11/00101/FUL

(Mr Jock Easton)

Application **GRANTED** conditionally, subject to the following amended conditions and additional condition on the construction code of practice –

Code of Practice

During the development of the scheme approved by this planning permission, the developer shall comply with the relevant sections of the Public Protection Service code of practice for construction and demolition sites, with particular regard to the hours of working.

The condition on access (contractors) (5) of the addendum report would be amended to restrict access to the site via the Camels Head Gate for the duration of the schemes development.

The condition on car parking provision (7) of the addendum report would be removed and the condition provision of parking area (4) of the main report would be amended to include “negotiation of the details of parking spaces to be delegated to the Assistant Director for Development”.

104. PLANNING APPLICATION DECISIONS ISSUED

The Committee received a report from the Assistant Director of Development (Planning Services) on decisions issued for the period 27 February to 27 March 2011, including –

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

105. APPEAL DECISIONS

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

106. EXEMPT BUSINESS

There were no items of exempt business.

SCHEDULE OF VOTING (Pages 1 - 2)

PLEASE NOTE

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

**SCHEDULE OF VOTING
PLANNING COMMITTEE – 7 April 2011**

Minute number and Application		Voting for	Voting against	Abstained	Absent interest declared	Absent
103.1 Officer Recommendation	70 to 72 Peverell Park Road, Plymouth. 11/00110/FUL	Unanimous.				
103.2 Officer Recommendation	1 Basinghall Close, Plymouth. 11/00189/FUL	Unanimous.				
103.3 Recommendation to defer for site visit.	Penlee Cottage, Plymbridge Road, Plymouth. 11/00018/FUL	Unanimous.				
103.4 Officer Recommendation	Land at Kinterbury Square, Barne Barton, Plymouth. 10/02141/FUL	Councillor Lock, Mrs Foster, Ball Delbridge, Thompson, Tuohy and Browne.	Councillor Wildy, Wheeler and Vincent.			
103.5 Officer Recommendation	1 Brest Road, Derriford, Plymouth. 10/02117/FUL	Councillor, Lock, Delbridge, Browne, Ball, Mrs Foster, Wildy, Tuohy, Vincent and Wheeler.		Councillor Thompson		
103.6 Officer Recommendation	Royal Navy HMS Drake, Saltash Road, Keyham, Plymouth. 11/00101/FUL	Unanimous.				

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PLANNING APPLICATIONS FOR CONSIDERATION

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

Addendums

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

Public speaking at Committee

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

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

- Ward Member
- Objector
- Supporter

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

Committee Request for a Site Visit

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

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

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

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

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

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

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

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

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

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

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

Decisions contrary to Officer recommendation

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

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

PLANNING APPLICATION REPORT



ITEM: 01

Application Number: 10/01802/FUL

Applicant: Mr Stephen Darke

Description of Application: Conversion and change of use of store rooms to hot food takeaway (A5) and provision of three parking spaces on existing grass at front of building

Type of Application: Full Application

Site Address: 8 ST MAURICE ROAD PLYMOUTH

Ward: Plympton Erle

Valid Date of Application: 16/11/2010

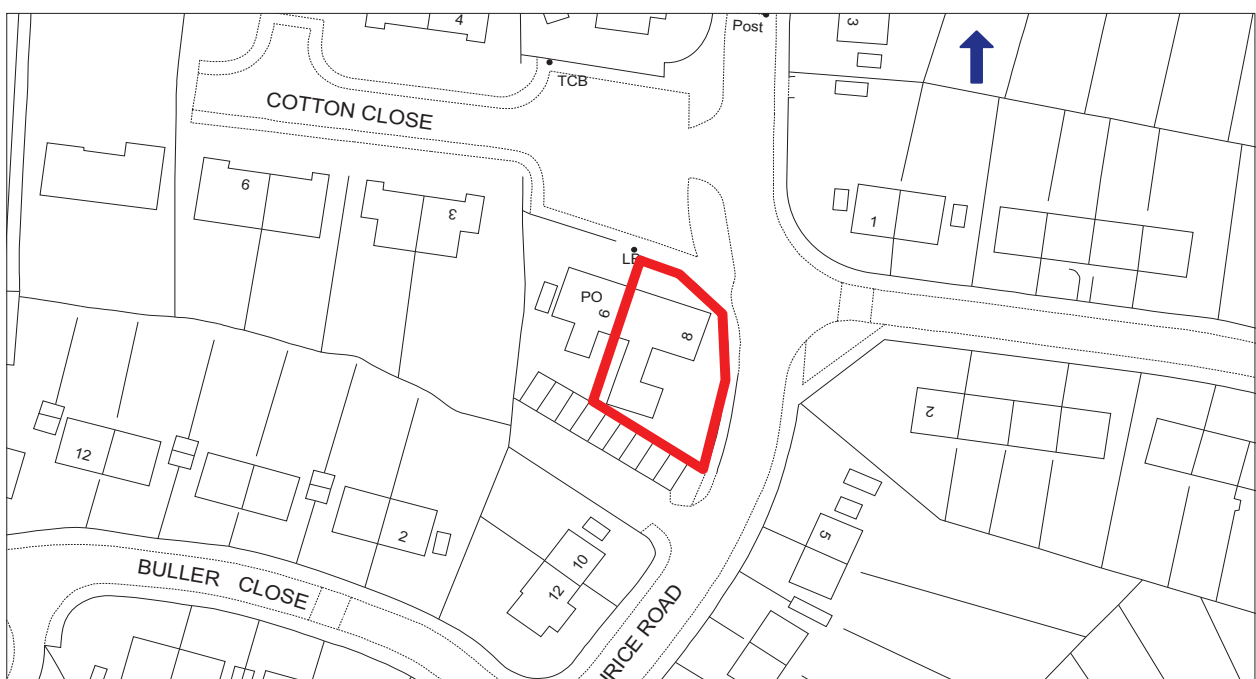
8/13 Week Date: **11/01/2011**

Decision Category: Delegated

Case Officer : Jon Fox

Recommendation: Grant Conditionally

Click for Application Documents: www.plymouth.gov.uk



This application is being reported to members following a member referral by Councillor Terri Beer on the grounds of highways, parking, litter and extraction fan noise and smell.

Site Description

The site comprises a small, single-storey attached outbuilding located to the rear of the main premises at 8 St. Maurice Road, which consists of a shop on the ground floor and a residential flat above.

Proposal Description

Conversion and change of use of store rooms to hot food takeaway (A5) and provision of three parking spaces on existing grass at front of building. Plans submitted following the original submission show that the premises would be provided with a crooked extract flue located at the western end of the building, which projects approximately one metre above the building eaves.

Relevant Planning History

06/01603/FUL - Change of use of ground floor from class A1 (shop) to class A5 (hot food takeaway). This application relates to the adjoining premises, at 6 St. Maurice Road, and was refused for the following reason:

(1) In the opinion of the Local Planning Authority, the proposed hot food takeaway would have an unacceptable impact on residential amenity due to odours associated with the hot food takeaway being introduced into the local environment, contrary to policies ASR19, ASR20, ASR21 and AEV49 of the adopted City of Plymouth Local Plan First Alteration 1996.

Consultation Responses

Highway Authority

The proposal would provide three off-street car parking spaces within the private property to support the use, and use an existing vehicular access point and vehicle crossing. The proposed hot food takeaway would become part of the group of the two adjacent local shops, for which on-street car parking is available in the fronting Cotton Close. St Maurice Road is a residential feeder road and a bus route that has been traffic calmed and forms a part of the residential 20 mph zone, where vehicle speeds are considered to be generally low. Transport would not wish to raise any objections to the proposal and recommend that a condition relating to car parking provision be included in any grant of planning permission.

Public Protection Service

Raised no objections subject to conditions relating to details of ventilation extract system, noise from plant and refuse provision. In response to the ventilation extract system details supplied by the applicant PPS recommend that the condition (1) be revised to specify that:

The extract ventilation system and odour control equipment indicated by the applicant shall be installed before the use hereby permitted commences and

thereafter be operated and maintained in accordance with the manufacturer's instructions.

Reason:

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

PPS also recommend retaining the recommended condition regarding noise from the plant.

Representations

The representations fall into two categories; those received before the additional plans of the extract were submitted, and those that were received afterwards. 15 letters were received initially, which raise objections on the following grounds:

1. Detrimental to highway safety – dangerous stretch of road – the parking spaces are on a roundabout.
2. The use of the proposed parking spaces will cause a hazard.
3. Obstruction to emergency vehicles.
4. The removal of the wall next to the footpath will be detrimental to pedestrian safety.
5. Parking problems – this use is in addition to parking for the shops and Longcause School, which has permission for a new sports hall.
6. Noise, odour and fume problems.
7. The use will encourage anti-social behaviour and litter.
8. Litter.
9. If opening times are the same as the local pub this will create problems.
10. An A5 use is not needed here.
11. The waste from the premises would be a fire risk.
12. Vermin problems.
13. Harmful to, and out of character with, the area.
14. A precedent has been set by refusing permission at the adjoining shop.
15. The proposals will detract from businesses in the Ridgeway.
16. Fish and chips are not a healthy option and this does not promote healthy eating.

A further six letters were received following the publicity given to the extract details submitted by the applicant's agent. These raise objections on the following grounds:

1. Odour nuisance.
2. Parking problems.
3. Noise and disturbance and litter.
4. Anti-social behaviour.
5. Detrimental to highway safety.
6. Buses and parking will be much worse when Longcause School builds their new sports hall.

7. The proposed extraction process will not prevent local residents suffering from the smell of frying. These systems never totally eliminate cooking odours.
8. The extract system will be noisy.
9. Detrimental to pedestrian safety.
10. This is a quiet residential area and there are existing outlets within walking distance of this area.
11. The proposals contradict the healthy living advocated as part of the proposals for the sports hall at the nearby school.
12. Loss of privacy.
13. Litter.

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 CS22, CS28 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007 and the main issues are the impact on highway safety; residential amenity, in terms of noise, disturbance, odours, litter and the character of the area.

With regard to highway safety the proposals are relatively small scale and the level of parking provided is considered adequate in the circumstances. The Transport officer does not object to the proposals and therefore refusal on these grounds is not considered sustainable.

With regard to residential amenity, the applicant has stated that the opening times would be 11am to 2pm and 5pm to 10pm on Mondays to Saturdays. On this basis it is considered that the use would cease at a reasonable hour and would not lead to late night noise and disturbance from customers. The perceived potential otherwise for anti-social behaviour is not a planning matter and it would not be sustainable to refuse on these grounds.

With regard to litter it is considered that the provision of a litter bin in the grassed area next to the proposed parking spaces would be adequate to cater for discarded wrapping.

With regard to odour, it is considered that the submitted extraction details are sufficient to deal with odours emanating from the premises and the Public Protection Service have recommended appropriate conditions to secure these facilities. From a visual point of view the extract flue is a little too prominent and the applicant's agent has agreed to use a small stub flue instead, which they state can be made to the required specification due to there being no gas extraction requirements. They

confirm that changing the size of the discharge cowl will have no detriment to the effectiveness of the system in any way.

With regard to the character of the area, the proposals are relatively small and would not introduce a commercial use of a scale that would appear out of character in a residential area. In fact, appropriately located uses of this kind are considered complimentary to residential uses and this location, close to existing shops, would be in this category.

Section 106 Obligations

None.

Equalities & Diversities issues

None.

Conclusions

The proposals are small scale and the opening times are reasonable; parking is adequate and extraction equipment is of a sufficient standard. On this basis the proposals are considered to be in accordance with policies CS22, CS28 and CS34 of the Core Strategy and, subject to the submission of revised flue details, it is recommended that permission be granted.

Recommendation

In respect of the application dated **16/11/2010** and the submitted drawings 20103/01, 20103/02, 20103/03, AMQ48 (Sheet 1 of 2), AMQ48 (Sheet 2 of 2), EX-001 (Sheet 8 of 8), odour neutraliser, electrostatic precipitator and noise rating curves

20103/01, 20103/02, 20103/03, AMQ48 (Sheet 1 of 2), AMQ48 (Sheet 2 of 2), EX-001 (Sheet 8 of 8), odour neutraliser, electrostatic precipitator and noise rating curves, 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.

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 20103/01, 20103/02, 20103/03, AMQ48 (Sheet 1 of 2), AMQ48 (Sheet 2 of 2), EX-001 (Sheet 8 of 8) and details of the odour neutraliser, electrostatic precipitator and noise rating curves.

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.

CAR PARKING PROVISION

(3) 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.

OPENING HOURS

(4) The hot food takeaway hereby permitted shall not be open to customers outside the following times: 1100 to 1400 hours and 1700 to 2200 hours Mondays to Saturdays.

Reason:

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

EXTRACT EQUIPMENT

(5) Notwithstanding the submitted plans details of a revised 'stub' type extract flue shall be submitted to and approved in writing by the Local Planning Authority and the extract ventilation system and odour control equipment indicated by the applicant shall be installed before the use hereby permitted commences and thereafter be operated and maintained in accordance with the manufacturer's instructions.

Reason:

To ensure that the use hereby permitted does not cause any adverse disturbance to the amenities of the residential properties near the premises, and any other properties, and the surrounding area, in accordance with policies CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework April 2007.

LITTER BIN

(6) A litter bin shall be provided on the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority and thereafter retained.

Reason:

For use by customers of the permitted hot food takeaway in order to prevent the spread of litter, in accordance with policies CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework April 2007.

NOISE

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

Reason:

To control noise levels generated by the use hereby permitted, in accordance with policies CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the impact on highway safety; residential amenity, in terms of noise, disturbance, odours, litter and the character 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:

- CS28 - Local Transport Consideration
- CS34 - Planning Application Consideration
- CS22 - Pollution
- SPDI - Development Guidelines

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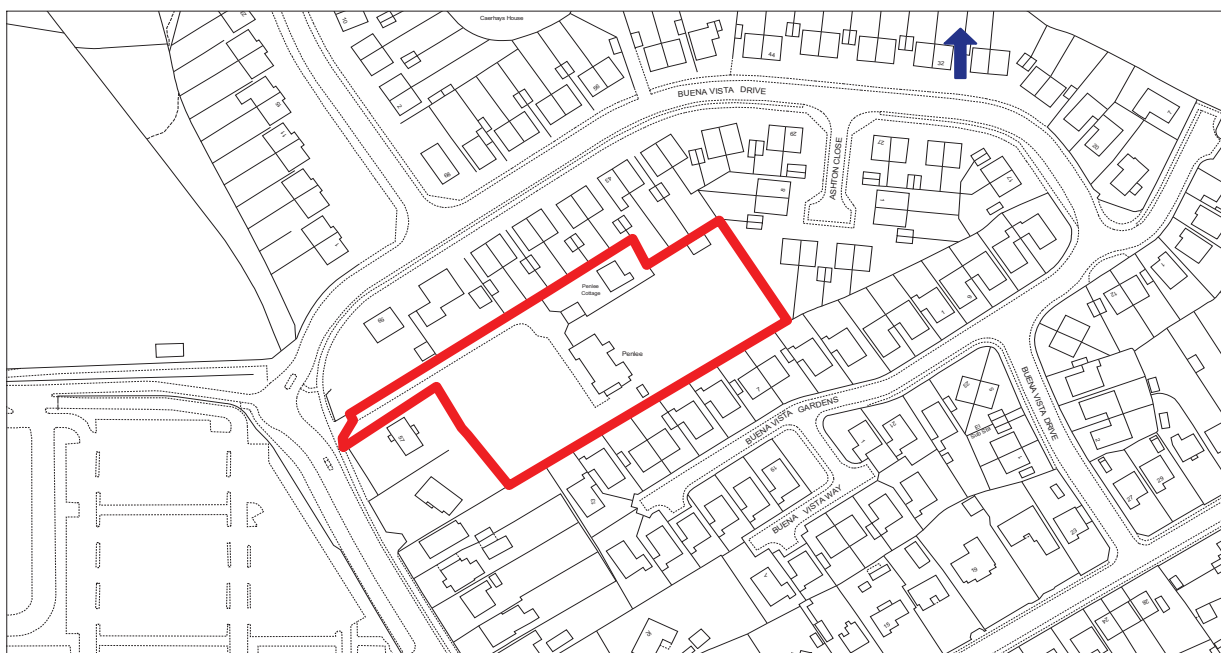
PLANNING APPLICATION REPORT



ITEM: 02

Application Number:	I1/00018/FUL
Applicant:	Taylor Wimpey (Exeter)
Description of Application:	Erection of 14 houses (two-storey in height) with the provision of site access and associated works
Type of Application:	Full Application
Site Address:	PENLEE COTTAGE, PLYMBRIDGE ROAD PLYMOUTH
Ward:	Moor View
Valid Date of Application:	18/01/2011
8/13 Week Date:	19/04/2011
Decision Category:	Major Application
Case Officer :	Janine Warne
Recommendation:	Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 06 May 2011

Click for Application Documents: www.plymouth.gov.uk



OFFICERS REPORT

Site Description

'Penlee' is located within the Glenholt district of Plymouth and currently has two bungalows within its grounds. The main property sits in the middle of the site, with a smaller bungalow to the north. Vehicle access is achieved from Plymbridge Road near to the junction with Buena Vista Drive. There is a long narrow drive that is bounded by a traditional hedge bank to one side and some overgrown vegetation to the other. The site is relatively secluded in visual terms, due to it being set well back from the road. It is surrounded by residential properties on all sides and there are a variety of boundary trees that provide screening for the surrounding properties. There is a gentle incline across the site that falls from south-west to north-east.

Proposal Description

It is proposed to demolish the existing buildings on the site and erect fourteen detached houses with associated parking and roads.

Relevant Planning History

It should be noted that the applicants entered into pre-application discussions with the Local Authority (Development Enquiry Service ref: MA/11/PRE).

08/02056/FUL – Erection of fourteen houses (two-storey in height) with the provision of site access and associated works – WITHDRAWN.

08/00211/FUL – Erection of fourteen houses (two-storey in height) with the provision of site access and associated works – REFUSED.

Consultation Responses

Highway Authority – No objections in principle subject to the imposition of detailed conditions.

Public Protection Service – No in principle objection but requires certain conditions to be imposed should permission be granted.

Plymouth City Airport – No objections.

Representations

Twelve letters of representation have been received, all in objection to the application. Material planning reasons for objection centre upon the perceived negative impact on residential amenity in terms of physical impact, loss of privacy and light. Concerns have also been raised regarding the quality of the residential development proposed, including the amount of garden space. Suitability of existing access arrangements and further pressure on the surrounding highway network has been raised, as well as the proposal being out of character with the surrounding development in terms of density and height. There are also concerns regarding the loss of the openness of the site, impacts on wildlife, concerns at the loss of a hedgerow and concerns about drainage. These issues are considered in the report below.

Analysis

Introduction

As stated above, this planning application proposes to demolish the existing buildings on the site and redevelop it by erecting fourteen two-storey four/five bed houses with associated access road and parking.

Members might recall a similar application for fourteen detached houses at the site which was made in 2008 (ref: 08/00211/FUL). Whilst the principle of development and other detailed issues were considered acceptable the application lacked details of how it would impact upon habitats and did not contain a legal agreement to secure adequate mitigation and deliver the necessary infrastructure required. It was therefore refused on these grounds.

This application turns upon policies CS01 (*Development of Sustainable Linked Communities*), CS02 (*Design*), CS15 (*Overall Housing Provision*), CS18 (*Plymouth's Green Space*), CS19 (*Wildlife*), CS20 (*Sustainable Resource Use*), CS22 (*Pollution*), CS28 (*Local Transport Considerations*), CS33 (*Community Benefits/Planning Obligations*) and CS34 (*Planning Application Considerations*) of the adopted Core Strategy for Plymouth, the adopted Development Guidelines Supplementary Planning Document (SPD), the Planning Obligation and Affordable Housing SPD, and the Sustainable Neighbourhoods (including key site allocations) Issues and Preferred Options Development Plan Document (DPD) for Glenholt. The primary planning considerations are examined in detail below.

Principle of Residential Development

In June 2010 the Government announced changes to Planning Policy Statement 3 (PPS3); Housing, which amongst other things, changed the status of domestic gardens, taking gardens out of the definition of brownfield, or previously-developed land.

The policy guidance in PPS3 still prioritises development on previously developed land, but the changes remove the presumption in principle that gardens are within the priority category for redevelopment, making it easier for planning authorities to resist unsuitable development of gardens. However this does not necessarily prevent the redevelopment of garden land in all cases. Any such developments will be determined in accordance with the policies in the adopted Core Strategy, and other published guidance, and will continue to be dealt with on individual merits.

Your officers consider the proposed scheme to be a sensitive development where the visual and residential amenities and character of the area are safeguarded. In addition the site is not located within a Conservation Area. There are no listed buildings or Tree Preservation Orders in existence. The principle of residential development is acceptable.

As identified in the Sustainable Neighbourhoods DPD, Glenholt has a low housing density, with a low proportion of flats, terraced housing and little social housing. Whilst the proposed development contributes to the further predominance of owner-occupied, detached housing in this neighbourhood, the housing type, layout and density was established by the planning history.

Therefore it is not deemed expedient to reconsider the housing type at this stage.

Neighbouring Residential Amenity

Surrounding the site are predominately bungalow style properties and chalet-type dormer bungalows. In order to protect neighbouring amenity, the Development Guidelines SPD recommends minimal distances; habitable room windows should be 21m apart and blank facing walls should be 12m from habitable room windows. The proposed development accords with these recommended standards.

Existing properties bounding the site in Buena Vista Drive are sited between 23 and 30 metres away from the proposed houses. Along this boundary is an existing hedge bank which is shown to be retained as part of the development. This is felt to represent an adequate relationship with the houses in Buena Vista Drive, so there would not be a significant impact upon these properties residential amenities.

The properties in Ashton Close are sited at an angle to the proposed dwellings and the shared boundary; this ensures that there is not a direct relationship here. The proposed distance between existing and proposed dwellings is deemed acceptable (minimum 20.4m) and the existing boundary treatment will be retained, managed and enhanced.

The relationship with the properties in Plymbridge Road is deemed acceptable as there would be between 27.9 and 28.4 metres between the properties and a new native hedgebank planted (the existing overgrown *Leylandii* trees will be removed). It is considered therefore that these properties residential amenities would also not be significantly affected.

In accordance with the policy guidance, existing bungalows in Buena Vista Gardens would be between 12 and 19 metres away from the proposed properties. The majority of the proposed properties would be gable end on to the bungalows in Buena Vista Gardens. Your Officer's have worked with the Applicant to further improve the relationship with these neighbouring properties; as a result the height and massing of the proposed dwellings has been reduced by incorporating chicket-style dormer features (i.e. the dwellings on plots 6, 7, 10 and 12 have been reduced in height by approximately 0.5m). This further improves the relationship with the dwellings on Buena Vista Gardens. The house on plot 9 backs on to the shared boundary with Buena Vista Gardens; there is approximately 27.6 metres back-to-back, which is considered a more than adequate distance to ensure there is no residential amenity conflict. There will also be a new native hedge bank on this boundary.

Initial concerns regarding the proximity of the garage blocks to the southeast boundary have been addressed by the submission of amended plans. The garages are now set approximately 3m away from the shared boundary and have been reduced in height. In addition, the boundary treatment here will be enhanced.

No windows are proposed within the gable ends of the proposed dwellings and overall the relationship is considered acceptable. The application is therefore considered compliant with Policy CS34 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

Proposed Residential Amenity

It is considered that the quality of residential accommodation proposed and the relationship between each of the proposed dwellings is acceptable.

The minimum floorspace guideline for 4+ bedroom houses is 106m², as set out in the Development Guidelines SPD. The floorspace of each of the dwellings exceeds this minimum standard and all habitable rooms have sufficient natural lighting and outlook. The minimum guideline for outdoor amenity space for detached properties is 100m². The only plot which falls short of this standard is no.11 (measuring approximately 89m²). On balance the amenity of the dwellings and standard of accommodation proposed is deemed acceptable.

The layout of the site has been arranged so that the relationship between the proposed dwellings is acceptable. Initial concerns regarding the separation distances between the rear of plot 8 and the side of plot 9 has been addressed by amended plans. A minimum distance of 10.5m has now been provided here. Your officers consider that all other relationships are acceptable.

The application is therefore considered compliant with the Development Guidelines SPD and policies CS15 and CS34 of the City of Plymouth Local Development Framework Core Strategy (2007).

Visual Amenity

The layout of the site has been designed to minimise the impact upon surrounding properties' residential amenities. Therefore the development faces inwards and the dwellings have been arranged so that their back gardens are located adjacent to the back gardens of the existing properties that surround the site. This achieves the maximum distance possible between the rear elevations of the existing and proposed dwellings and avoids the creation of unsafe, poorly surveyed public areas.

The proposed dwellings are traditional in appearance, being two-storey with pitched roofs. Hips are used on all of the dwellings to minimise their bulk and reduce their impact on surrounding properties. Materials are in keeping with the surrounding properties, being predominantly a mix of render and natural stone. In accordance with Officer advice, slate has also been incorporated in the design of plot 1 to enhance its visual interest. This is supported as plot 1 is perhaps the most visually prominent dwelling, as it comprises the end-stop to the proposed access road.

The development provides a good standard of accommodation with each dwelling benefiting from dedicated parking and front and rear gardens.

It is considered that the proposal would not harm the character and appearance of the area and would improve visual amenity at the site. The application is considered compliant with Policy CS02 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

Highways

The site will be accessed via a new residential estate road by way of a new junction with Plymbridge Road, the principle of which was accepted in the 2008 application (ref: 08/00211/FUL). Due to the close proximity of the access to the mini roundabout it is suggested that either a right-turn lane is provided or the pedestrian refuge is extended up to the roundabout to ensure that the development operates a left-in, left-out access. A negative condition is recommended, to agree a suitable arrangement for one of these options before any development takes place on the site. As either option is acceptable in principle the detail can be agreed post-approval.

The applicant has demonstrated, by way of vehicle tracking plots, that the site can be adequately accessed by a refuse vehicle and the layout is in line with current estate road design standards. However, following a meeting with the applicant it is apparent that due to the location of the foul system pump and its necessary easements that the road will not be able to be adopted as Highway by the Highway Authority. As the layout is acceptable the development can remain private. The applicant will be required to provide details of a management company for the site which will then be exempt from the provisions of the Advance Payment Code, Highways Act 1980 - Section 220-225.

Parking provision on the site is shown as two spaces per dwelling. However, in some instances the property has the benefit of a garage. These are generally used for storage as opposed to parking a car so it is not considered that an over-provision of parking has been made, especially when taking into account the size of the properties. The garages will enable cycle storage and the site is within close proximity to the Park and Ride interchange which offers a good public transport service towards the City Centre.

The Highways Officer is supportive of the development, subject to the attachment of appropriate conditions.

Ecology

As noted above, the previous application at this site (ref: 08/00211/FUL) was refused due to lack of information about the impact that the development would have on protected species. This application is accompanied by an Ecological Impact Appraisal which has been carefully considered.

Your officers consider that the measures outlined to safeguard nature conservation interests at the site are sufficient. A restrictive condition is recommended accordingly to secure all ecological mitigation, whether on site or off-site, in accordance with the proposals outlined in the submitted Ecological Impact Assessment, December 2010; Bat and bird box sketch plan, February 2011; and the Eco-balance, February 2011.

Trees and Landscaping

Initial concerns relating to plot 4 and the impact on two mature trees (an Oak - T5 and Ash - T6) have now been resolved by an amended layout. The built form has been moved away and there is now more space for the trees.

Your officers support the retention of the Ash to the north-west side of the drive. Any improvement to the entrance will need to be a no-dig construction in the vicinity of this tree; a condition is recommended accordingly.

As previously referred to in this report, the hedgebank on the north-west and north east boundaries are proposed to be retained and enhanced.

The Cupressus Macrocarpa on the southeast boundary with properties in Buena Vista Gardens are in deemed to be in a poor state, some having been reduced and others left. Your officers consider that there would be no public amenity benefit in retaining these trees. There is some lower Yew hedging to the rear of the Cupressus that could be retained and strengthened as part of the boundary treatment here.

Plots 12, 13 and 14 all have gardens that back on to a row of high Leylandii trees that spread approximately 5-6m into the site. They form a screen from the properties behind. However, this vegetation has not been properly managed and dominates this part of the site. Therefore the proposal seeks to remove these trees and plant a native hedgerow along this boundary to create future screening.

Sustainable Resources

The application is accompanied by a Sustainability Report which confirms that the development shall focus upon design and construction to reduce energy usage in, and heat loss from, the buildings. In addition, it proposes the use of a solar thermal panel on each house to provide 15% of the CO2 emissions across the site, in accordance with policy CS20.

Land Contamination

Although a Phase 1 GeoEnvironmental Assessment has been submitted with the application, the Council's Public Protection Service are currently unable to confirm that the risks from contamination have been fully considered. Provisional testing has indicated that contaminants in the soil are on the whole within recommended guidelines and as such no objections have been raised. However, to ensure that the development is safe and suitable for use further information is sought by restrictive conditions.

Lifetime Homes

In accordance with policy CS15, 20% of the proposed dwellings shall be constructed to Lifetime Homes Standards. Evidence of compliance with the sixteen Lifetime Homes Guidelines that aspire to provide accessible and adaptable accommodation for everyone has been provided in a supporting letter (addressed from Ben Smith, dated 17th January 2011).

Drainage

Some of the neighbouring residents are concerned about surface water drainage. The site does not fall within a 'problem drainage area' or flood zone as identified by the Environment Agency (EA). The application states that surface water will be disposed of by soakaways. The use of soakaways will require satisfactory percolation tests; officers have discussed the matter with the Council's Building Surveyors and are satisfied with the level of information that has been presented at this stage.

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 proposed development would have direct impacts on local and strategic infrastructure and the environment requiring mitigation. This mitigation will be achieved through a combination of planning conditions and planning obligations identified in a S106 agreement. Each planning obligation has been tested to ensure that it complies with the three tests set out in Reg.122 of the Community Infrastructure Levy Regulations April 2010.

The impacts relate to the following areas:-

1. Primary schools.

The development provides for family accommodation which will generate a demand for school places. The Council's Children's Services have provided evidence that there is likely to be a deficiency of school places in the locality ('Central and North East') from 2014 given projected population growth. The development at Penlee Cottage is within 1 mile of three primary schools; Widewell Primary School, Thornbury Primary School and Oakwood Primary School (which falls within the neighbouring locality: 'North West'). Widewell Primary School is currently oversubscribed and Thornbury and Oakwood will reach capacity in about 2 years time. Furthermore, every primary school in the city will be full at reception by the end of 2011. The development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £37,000.

2. Local green space.

By reason of increased population facilitated by the development it will contribute to the cumulative impact on existing green space, most specifically an additional pressure on its management. The estimated cost of mitigating this impact is £8,607.

3. Local play space.

By reason of the increased population facilitated by the development, it will contribute to the cumulative impact on existing play facilities, most specifically

an additional pressure on its management. The estimated cost of mitigating this impact is £6,160.

4. Playing Pitches.

The development is in a location that is deficient in terms of access to playing pitches. There is therefore an impact on infrastructure requirement that arises as a result of the development, namely the provision of improved access to playing pitches. The estimated cost of mitigating this impact is £15,613.

5. Strategic green space.

By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the quality of environmental sites protected by legislation, particularly through increased recreational demands. The Council has an obligation through the Habitats Regulations Assessment of the LDF Core Strategy and relevant Development Plan Documents to seek mitigation for such cumulative impacts. The estimated cost of mitigating this impact is £19,198.

6. European Marine Site.

By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the environmental quality of European Marine Site particularly through increased recreational demands. The Council has an obligation through the Habitats Regulations Assessment of the LDF Core Strategy and relevant Development Plan Documents to seek mitigation for such cumulative impacts. The estimated cost of mitigating this impact is £454.

7. Strategic sports facilities.

By reason of the increased population facilitated by the development and the increased demand for use of sports facilities, it will contribute to the cumulative impact of development on the city's sports infrastructure. The estimated cost of mitigating this impact is £12,263.

8. Strategic public realm.

By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the City Centre's public realm. This is because there will be a greater level use of the City Centre which itself generates extra pressure on the existing infrastructure. The estimated cost of mitigating this impact is £1,467.

9. Strategic transport.

By reason of the increased population facilitated by the development and the increased demand for journeys, it will contribute to the cumulative impact of development on the city's strategic transport infrastructure. This will bring the likelihood of increased congestion and pollution, particularly in the northern corridor, unless there is adequate mitigation. The estimated cost of mitigating this impact is £63,172.

10. Site specific biodiversity impacts.

The development will have an impact on protected species, as identified in the submitted Ecological Impact Assessment. Most of these impacts can be dealt with on site, however the impacts on protected reptiles requires mitigation off-site. This can be achieved through the translocation of slow worms to the nearby Southway Valley Nature Reserve which is in the ownership of Plymouth City Council.

A restrictive condition is recommended to ensure that all ecological mitigation, whether on site or off-site, shall be carried out in accordance with the proposals outlined in the Ecological Impact Assessment, December 2010; Bat and bird box sketch plan, February 2011; and the Eco-balance, February 2011

The total estimated cost of mitigating these impacts would be £163,932 if this is to be delivered through financial contributions.

Market Recovery

The applicant has indicated that they wish to have the application considered under the Council's Market Recovery Scheme, and are prepared to accept the terms of that provision to make a substantive start on site within 2 years. The early delivery of this project is considered to be a weighty material consideration in its own right, sufficient to justify a limited relaxation of the Council's policy requirements for mitigation of development impacts, in accordance with the Market Recovery Scheme.

The Market Recovery Scheme 2010/11 sets out the following measures:

- Up to 50% discount on tariff for development on Brownfield sites
- Up to 25% discount on tariff for development on Greenfield sites

Domestic gardens are no longer defined as brownfield, or previously-developed land (in accordance with PPS3). Therefore, whilst part of the application site is occupied by two dwellinghouses, the majority of the site is now classified as 'greenfield' land. Given this, an acceptable compromise appears to be a 37.5% reduction in this case. On the basis of this, the Market Recovery Scheme provides for a total contribution of £102,458 for mitigation of the development's impacts on infrastructure.

Given that the development will not provide for the complete mitigation of its impacts, it is necessary to ensure that the planning contributions are allocated to the address the impacts of greatest need. The following priorities are recommended, having regard to priority strategic infrastructure requirements and the specific needs of the neighbourhood within which the development is located.

1. Strategic Transport

The Glenholt neighbourhood borders the site covered by the pre-submission draft Derriford and Seaton Area Action Plan (AAP). There are considerable existing transport pressures in this area and a substantial amount of new development is also proposed. The delivery of strategic transport improvements in the northern corridor is therefore of critical importance.

2. Primary Schools

Given the considerable capacity issues relating to primary schools in the city referred to earlier in the report, including specifically within the locality of this development, it is considered appropriate to prioritise schools infrastructure in the allocation of contributions. This capacity issue is also reflected in the Sustainable Neighbourhoods DPD Issues and Preferred Options consultation pamphlet for Glenholt.

3. European Marine Site

The impacts of the development upon the Europe Marine Site are recommended as priorities given the Council's obligations in relation to the Habitats Regulations.

4. Strategic Greenspace

The impacts of the development upon the strategic green infrastructure are recommended as priorities given the Council's obligations in relation to the Habitats Regulations.

Heads of Terms

The following Heads of Terms are therefore proposed, each of which have been tested against Regulation 122 of the Community Infrastructure Levy Regulations 2010, to enable appropriate mitigation of the impacts identified above:

- i. Strategic transport tariff. £53,995.00, to be allocated to the delivery of priority strategic transport interventions as identified in the LTP3 Transport Implementation Plan, specifically the Northern Corridor Whole Route Implementation Plan*
- ii. Local schools tariff: £31,660.00, to be allocated to the provision of additional school places within the vicinity of the development.*
- iii. European Marine Site tariff. £410.00, to be allocated to appropriate management measures for the Tamar Estuaries as identified in the Tamar Estuaries Management Plan.*
- iv. Strategic green space tariff. £16,393.00, to be allocated to the provision of strategic green spaces that help to take pressure off the designated environmental sites, as identified in the Plymouth Green Infrastructure Delivery Plan.*
- v. Planning Obligations Management Fee. £6,163.83, to be used to meet the Council's costs in administering and monitoring implementation of the Section 106 Agreement.*

Equality and Diversity

No negative impact to any equality group is anticipated.

Conclusions

It is concluded that the development itself can be accommodated within the site without causing demonstrable harm to the nearest neighbours. Previous concerns regarding biodiversity have been addressed, and the application has been accompanied by a S106 Heads of Terms to mitigate the impacts on local and strategic infrastructure and the environment.

The application is therefore recommended to grant conditionally subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by .

Recommendation

In respect of the application dated **18/01/2011** and the submitted drawings 0388/100 - Topographical Survey, 0388/101 - Location Plan, 0388/102 Rev.G - Planning Layout, 0388/103 Rev.B - Street Scenes, 0388/104 Rev.F - External Works Layout, 0388/105 Rev.F - Vehicle Tracking Layout, 0388/106 - External Detailing, 0388/108 Rev.F - Materials Layout, 0388/109 Rev.A - Garages, 0388/110 Rev.A - Garden Area Plan, 0388/200 Rev.C - Plans and Elevations - Plot 1, 0388/201 Rev.A - Elevations - Plot 5 and 14, 0388/202 Rev.A - Plans - Plots 5 and 14, 0388/203 Rev.A - Elevations - Plot 8, 0388/204 Rev.A - Plans - Plot 8, 0388/205 - Plans and Elevations - Plot 9, 0388/206 Rev.A - Plans and Elevations - Plots 7 and 12, 0388/207 Rev.A - Plans and Elevations - Plots 6 and 10, 0388/208 - Plans and Elevations - Plot 11, 0388/209 - Plans and Elevations - Plots 2, 3 and 13, 0388/211 Rev.C - Plans - Plot 4, 0388/212 Rev.C - Elevations - Plot 4, 0388/302 Rev.B - Road and Sewer Long Sections, 0388/320 Rev.C - Drainage Strategy Plan, accompanying Design and Access Statement, Sustainability Report, dated 17th January 2011, 0388/2001 - Site Waste Management Plan, 4546-L-01 Rev.D - Soft Landscape Scheme, ACD228 - Assessment Report, Statement of Community Involvement, Arboricultural Constraints Report and Tree Protection Plan, dated 24th December 2010, Ecological Impact Assessment, dated December 2010, Habitat and Bat Survey, Bat and Bird Box Sketch Plan, dated February 2011, EcoBalance, dated February 2011, Flood Risk Assessment, 'Clarke Bond' Site Investigation Report, dated June 2010, Life Time Homes Statement, dated 17th January 2011, it is recommended to: **Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 06 May 2011.**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 2 YEARS

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

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004, and due to concessions in Planning Obligation contributions/requirements under Plymouth's temporary Market Recovery measures.

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 0388/100 - Topographical Survey, 0388/101 - Location Plan, 0388/102 Rev.G - Planning Layout, 0388/103 Rev.B - Street Scenes, 0388/104 Rev.F - External Works Layout, 0388/105 Rev.F - Vehicle Tracking Layout, 0388/106 - External Detailing, 0388/108 Rev.F - Materials Layout, 0388/109 Rev.A - Garages, 0388/110 Rev.A - Garden Area Plan, 0388/200 Rev.C - Plans and Elevations - Plot 1, 0388/201 Rev.A - Elevations - Plot 5 and 14, 0388/202 Rev.A - Plans - Plots 5 and 14, 0388/203 Rev.A - Elevations - Plot 8, 0388/204 Rev.A - Plans - Plot 8, 0388/205 - Plans and Elevations - Plot 9, 0388/206 Rev.A - Plans and Elevations - Plots 7 and 12, 0388/207 Rev.A - Plans and Elevations - Plots 6 and 10, 0388/208 - Plans and Elevations - Plot 11, 0388/209 - Plans and Elevations - Plots 2, 3 and 13, 0388/211 Rev.C - Plans - Plot 4, 0388/212 Rev.C - Elevations - Plot 4, 0388/302 Rev.B - Road and Sewer Long Sections, 0388/320 Rev.C - Drainage Strategy Plan, accompanying Design and Access Statement, Sustainability Report, dated 17th January 2011, 0388/2001 - Site Waste Management Plan, 4546-L-01 Rev.D - Soft Landscape Scheme, ACD228 - Assessment Report, Statement of Community Involvement, Arboricultural Constraints Report and Tree Protection Plan, dated 24th December 2010, Ecological Impact Assessment, dated December 2010, Habitat and Bat Survey, Bat and Bird Box Sketch Plan, dated February 2011, EcoBalance, dated February 2011, Flood Risk Assessment, 'Clarke Bond' Site Investigation Report, dated June 2010, Life Time Homes Statement, dated 17th January 2011.

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.

GRAMPIAN (ACCESS/HIGHWAY IMPROVEMENTS)

(3) No development shall commence on site until the proposed access and improvements to the existing highway shown on plans to be submitted to and approved in writing by the Local Authority have been completed.

Reason:

In the interests of highway and pedestrian safety, in accordance with policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

STREET DETAILS

(4) Development shall not begin until details of the design, layout, levels, gradients, materials and method of construction and drainage of all roads and footways forming part of the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until that part of the service

road which provides access to it has been constructed in accordance with the approved details.

Reason:

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

ROAD ALIGNMENT AND DRAINAGE

(5) Development shall not begin until details of the vertical alignment for the new street areas have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved details.

Reason:

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

COMPLETION OF ROADS AND FOOTWAYS

(6) All roads and footways forming part of the development hereby permitted shall be completed in accordance with the details approved under condition 4 above before the first occupation of the penultimate dwelling.

Reason:

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

ACCESS (CONTRACTORS)

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

Reason:

To ensure an adequate road access at an early stage in the development in the interests of public safety, convenience and amenity.

EXTERNAL MATERIALS

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

Reason:

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

DETAILS OF BOUNDARY TREATMENT

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

Reason:

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

LANDSCAPE WORKS IMPLEMENTATION

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

Reason:

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

RENEWABLE ENERGY

(11) Unless otherwise agreed previously in writing with the Local Planning Authority, prior to any development taking place, the applicant shall provide to the Local Planning Authority a report for approval identifying how for the period up to 2016, a minimum of 15% of the carbon emissions for which the development is responsible will be off-set by low carbon production methods. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations.

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

Reason:

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

LIFETIME HOMES

(12) At least 20% of the dwellings hereby approved shall be first constructed and subsequently maintained so as to meet Lifetime Homes Standards. No development shall take place until details of the design and location of the dwellings demonstrating the achievement of such standards has been submitted to and agreed in writing with the Local Planning Authority. Such agreed details shall be strictly adhered to during the course of development and thereafter maintained.

Reason:

To ensure that the development delivers 20% of the residential units to Lifetime Homes Standards in accordance with Policy CS15 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and relevant Central Government advice.

BIODIVERSITY

(13) Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Ecological Impact Assessment, December 2010; Bat and bird box sketch plan, February 2011; and the Eco-balance, February 2011 for the site.

Reason

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Core Strategy Policies CS01, CS19 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in PPS9.

CODE OF PRACTICE

(14) 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.

NO FURTHER WINDOWS

(15) 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), and Class A of Part 1 of Schedule 2 to that order, no windows, doors or other openings (except for the windows shown on the approved plans) shall at any time be constructed in the side elevation of the dwellings on plot 2, 6, 7, 9, 10, and 12 hereby approved.

Reason:

In order to protect the privacy enjoyed by the occupiers of the adjacent dwellings in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LAND QUALITY

(16) Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved (other than that required to be carried out as part of an approved scheme of remediation) shall not commence until conditions 17 to 19 have been complied with. If unexpected contamination is found after the development hereby approved has commenced, development shall be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 20 has been complied with in relation to that contamination.

Reason:

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

SITE CHARACTERISATION

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

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

(ii) an assessment of the potential risks to:

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

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

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

Reason:

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

receptors, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SUBMISSION OF REMEDIATION SCHEME

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

Reason:

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

IMPLEMENTATION OF APPROVED REMEDIATION SCHEME

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

Reason:

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

REPORTING OF UNEXPECTED CONTAMINATION

(20) 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 17, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 18, 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 19.

Reason:

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

TREE PROTECTION DURING CONSTRUCTION

(21) The existing trees and/or hedgerows shown to be retained 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 drawing no.4546-L-01 Rev.D 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.

TREE PROTECTION - ACCESS/DRIVEWAY CONSTRUCTION

(22) Prior to the commencement of the development hereby approved, an arboricultural method statement in accordance with BS:5837 Trees in Relation to Construction 2005 shall be submitted to and approved in writing by the Local Planning Authority. This shall set out in detail how the trees on site are to be protected, with specific reference to the use of ground protection over the Ash trees rooting area at the entrance to the site to prevent compaction from loaded lorries and to prevent lower canopy damage by high sided construction vehicles. It should also provide details of the final surfacing for the access road which should be constructed using a no-dig load bearing permeable solution (such as a cellular confinement system) for the area of drive beneath the Ash.

Reason:

To ensure that the trees on site are protected during excavation and construction work in accordance with Policy CS18 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE - 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: impact upon existing residential properties, visual amenity issues, highway matters and ecology, 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
- PPS23 - Planning & Pollution Control
- CS28 - Local Transport Consideration
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS22 - Pollution
- CS18 - Plymouth's Green Space
- CS19 - Wildlife
- CS20 - Resource Use
- CS01 - Sustainable Linked Communities
- CS02 - Design
- CS15 - Housing Provision
- SPD2 - Planning Obligations and Affordable Housing
- SPD1 - Development Guidelines

PLANNING APPLICATION REPORT



ITEM: 03

Application Number:	10/02006/FUL
Applicant:	Town House (Plymouth) Ltd
Description of Application:	Demolition of existing public house and redevelopment of the site to provide student accommodation comprising of 44 bed spaces in 9 cluster flats together with associated refuse and cycle storage
Type of Application:	Full Application
Site Address:	THE TOWN HOUSE,32 HARWELL STREET, PLYMOUTH
Ward:	St Peter & The Waterfront
Valid Date of Application:	26/11/2010
8/13 Week Date:	25/02/2011
Decision Category:	Major Application
Case Officer :	Mark Evans
Recommendation:	Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 15 June 2011

Click for Application Documents: www.plymouth.gov.uk



OFFICERS REPORT

Site Description

The application site is currently occupied by the Town House public house, an adjoining footway, a small customer car park and a narrow banked transition area between the car park and the public footway.

A residential car parking area adjoins the site to the east, beyond which lies the Western Approach dual carriageway. Harwell Street adjoins the site to the west and south.

Proposal Description

Demolition of existing public house and redevelopment of the site to provide student accommodation comprising of 44 bed spaces in 9 cluster flats together with associated refuse and cycle storage

The proposed materials include stone cladding, coloured metal cladding system, render and a glazed curtain walling system. Windows and doors are to be constructed from powder coated aluminium.

Relevant Planning History

This application was the subject of pre-application discussions which has resulted in the number of units and massing of development being reduced.

Consultation Responses

Highway Authority

No objections subject to conditions.

Public Protection

No objections subject to further information on Land Quality, Management Plan to address potential noise problems and regarding a Management Plan for the cleaning regime for the bin stores.

Representations

6 letters of objection had been received, together with two petitions (It is noted that a number of the names are unsigned). One letter has also been received from the applicant's agent responding to the comments raised.

Objections can be summarised as:

1. In terms of proportion and design, the building is totally out of context with surrounding residential buildings in what is considered a "village type" area, and towers above anything that currently exists.
2. Height of building will result in loss of sunlight to adjoining residents.
3. Development will overlook adjoining properties and result in loss of privacy to adjoining residents resulting in breach of human rights.
4. Lack of adequate car parking in an area considered to have existing parking issues. The issue of parking is considered to have been deliberately misrepresented.

5. The siting of the development will create a blind corner and subsequent accident blackspot.
6. Student use is inappropriate to the area and will exacerbate existing anti-social behaviour problems associated with the nearby halfway house at the top of Harwell Street.
7. Student use will add to the existing litter problem in the area.
8. The proposed size of the waste storage area is considered to be inadequate to cope with the number of student units.
9. Loss of the planted bank at the end of Harwell Street could add to the surface water flooding problems existing in the area.
10. Objection to likely increased noise disturbance, particularly taking into account the large number of elderly residents in the immediate vicinity.
11. The city is being overwhelmed by student accommodation for which there is no proven need.
12. The development is not considered to bring any benefit to the area, residents or Plymouth City Council with the only financial benefit being to the applicant.
13. Incorrect information on application form relating to the number of existing car parking spaces on the site, and also regarding the existence of a number of trees on the site.

The letter of representation from the agent in response to the letters of objection can be summarised as:

1. With respect to the comment that “in terms of proportion and design, the proposed building is totally unsympathetic to the character of the surrounding area”, the architect advises that the building has been designed to sit well within the environment and that it represents a considerable improvement in design terms upon the existing.

2. It is not accepted that the building will “tower over” the footpaths - it can be seen that the proposed building is of similar height to the adjacent houses in Harwell Street and not dissimilar in mass to the existing public house. Towards the southern end of the site it is accepted that the building effectively increases in height, partially by virtue of the falling gradient on the footpath but it is considered that the mass is appropriate to its context.

3. With respect to the comment that “*The issue of parking has been deliberately misrepresented*” It is not accepted that parking has been misrepresented and it does reflect the Council’s policy for “zero parking” on student accommodation schemes.

4. Taking into account the concerns regarding the need to reduce the impact of parking on adjoining streets, in consultation with the Highway Authority a “Framework Travel Plan” is being prepared which shall set out the measures proposed in order to mitigate potential parking nuisance. It is noted that the Highway Authority supports the proposals.

5. *With respect to concerns regarding “Loss of amenity for existing residents” it is stated that there is already student housing in the locality and indeed within the*

heart of the community. It should be noted that the proposed new development is far more on the periphery of the residential area, where “comings and goings” to and from the University will be far less intrusive.

6. *“Water and waste disposal” – The arrangements for waste storage are considered to be acceptable and will accord with the RECAP Waste Management Design Guide.*

7. *“Lack of proven need” – It is not considered that there is any identified reduced requirement for student accommodation in Plymouth as yet. It is suggested that with the slow progress of both the Notte Street and Woolworth schemes that there is an increased need in the short term for the smaller, more deliverable projects. Therefore rather than the building becoming surplus to requirements it may be more likely to impose pressure on some of the other schemes with lesser quality accommodation.*

8. It is not considered that we are dealing with a “village type area”. The proposed new building is not 6/7 storeys high and nor is it clearly not twice as high as any other building in the area.

9. With regards impact on privacy, it is considered that there are a number of similar instances in the City where taller buildings have been constructed but in each case, as in this one, there is a road width between them.

10. Noise levels - It is acknowledged that noise levels may increase in any area for a number of reasons and not just because of student accommodation. It is noted that the public house in its heyday was probably perceived as a nuisance.

11. Litter – Whilst it should be noted that this is not a material planning consideration, it is considered that there is already a litter problem and that it should not be assumed that this will necessarily be exacerbated by 44 additional residents.

12. Impact on highway safety at road junction – It is not accepted that the building will adversely affect the existing footpath or roads - generally visibility will be retained as it is at the main crossing points. It is not accepted that the development will constitute a “major danger” at the junction.

13. It should be noted that there are benefits to the area (removal of a building that is falling into disrepair, improved lighting and better “policing” of the area currently used by an undesirable element etc).

14. Credibility of petition – It is noted that several names are unsigned and prepared by the same hand and it is therefore very unclear as to what real support, or thought, if any, has been given to the content.

15. In terms of concerns regarding the building massing, it should be noted that Morley Court is eight storeys high and on the opposite side of Western Approach - as such the development is not considered to have any adverse impact on residents.

Analysis

The key issues are:

1. The impact of the development on the appearance and character of the area;
2. The impact of the development upon neighbouring properties;
3. The impact of the development upon the highway network;

The application should be assessed primarily against adopted Local Development Framework Core Strategy. This report therefore has due regard to the following policies: CS01 (Sustainable Linked Communities); CS02 (Design); CS06 (City Centre), CS18 (Plymouth's Green Space), CS20 (Sustainable Resource Use); CS22 (Pollution); CS28 (Local Transport Considerations); CS32 (Designing Out Crime); CS33 (Community Benefits/Planning Obligations) and CS34 (Planning Application Considerations).

Consideration should also be given to PPS1 - Delivering Sustainable Development, PPS3 – Housing, PPS6 Planning for Town Centres, PPG13 – Transport, PPG16 – Archaeology, PPS22 – Renewable Energy, PPS23 – Pollution Control, PPG24 – Noise, adopted Design Supplementary Planning Document (2009), adopted Development Guidelines Supplementary Planning Document (2009) and adopted Planning Obligations Supplementary Planning Document (2010).

The impact of the development on the appearance and character of the area:

Planning Policy Statement 1 (PPS1) sets out the overarching planning policies on the delivery of sustainable development through the planning system. This PPS replaces *Planning Policy Guidance (PPG) Note 1, General Policies*. PPS1 establishes the Government's firm commitment to creating sustainable communities. It emphasises that good planning is critical to realising this commitment through delivering this objective. Guidance on quality of design is clear: *Good design ensures attractive, usable, durable and adaptable places and is a key element in achieving sustainable development. Good design is indivisible from good planning' (para 33)*

Good design should contribute positively to making places better for people (para 34) Thus planning authorities should plan positively to secure high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions should not be accepted: *High quality design ensures usable, durable and adaptable places and is a key element in achieving sustainable development. Good design is not just about the architecture of individual buildings, but also about the functionality and impact of the development on the overall character, quality and sustainability of an area including resources efficiency (for example energy consumption) There should be no acceptance of ill-conceived designs which do not contribute positively to making places better for people.*

In terms of the principle of permitting student accommodation in this location, the site is considered appropriate for student accommodation given its proximity to the University, City Centre, public transport and all amenities.

There is no evidence that student accommodation in this locality will cause significant noise disturbance or exacerbate existing anti-social behaviour problems that it is alleged are associated with the nearby halfway house at the top of Harwell Street. Whilst the issue of litter is not a material planning consideration, there is no evidence that this use will add to any litter problem that may already exist in the area.

A condition is recommended to require the submission of an adequate management regime which will be expected to control general noise levels, car parking, pick-up and drop-off, tidiness, social behaviour, maintenance and bin storage provision and management.

It is recognised that the proposed revised height and massing is at the maximum that can be supported on this particular site. The design, scale and massing of the building is considered an appropriate response to the local and wider City Centre context and is in keeping with the appearance and character of the area. The proposed materials palette, including limestone and render, is considered positive and locally distinctive.

The development therefore accords with adopted policies CS01, CS02, CS32 and CS34, the Council's adopted Design Supplementary Planning Document (2009), adopted Development Guidelines Supplementary Planning Document (2009) and Government guidance contained in PPS1.

The impact of the development upon neighbouring properties:

It is acknowledged that due to its siting, height and massing, the development will have an overlooking impact upon neighbouring and adjoining properties. However, taking into account the extent of overlooking that already exists from both existing properties and from the street itself, the 17 metre minimum distance of the development from any adjoining properties potentially affected and the context of the site within the city centre, on balance, the impact of the development upon neighbouring residents is considered to be satisfactory and not so significant as to warrant a refusal of the application.

Taking into account the City Centre location, the relationship and orientation of the development to adjoining properties is considered to be acceptable and is not considered to have a significant adverse impact upon the levels of sunlight enjoyed by existing residents.

The proposed student accommodation is not considered to have a significant adverse impact upon the residential amenity of neighbouring properties and taking into account the close proximity of the site to the City Centre and University, is considered to be an entirely appropriate use for the development. The development is therefore acceptable and accords with adopted Core Strategy policies CS02 and CS34 and Government guidance contained in PPS1.

The impact of the development upon the highway network

The Highway Authority does not object to the proposed development.

Taking into account the close proximity to the city centre and public transport network, the proposed development is in a sustainable location and will provide good connectivity for non-car based travel to and from the site. On this basis, there are no objections to the proposal for a predominantly car free development at the site.

Contrary to concerns raised regarding the potential for the development to create an accident blackspot at the road junction due to its siting, the Highway Authority does not consider that the siting of the development will adversely affect visibility at the junction nor have any adverse impact on highway safety at this point.

The siting and design of the development is not considered to adversely affect surface water flooding issues that it is alleged exist in the locality. A condition is recommended to ensure that satisfactory surface water drainage is provided.

A condition is recommended to ensure that occupiers of the development adhere to a Green Travel Plan in order to reduce reliance on the use of private cars (particularly single occupancy journeys) and to assist in the promotion of more sustainable travel choices in accordance with adopted Core Strategy Policy CS01, CS28.

The development will include 3 parking bays for drop off/loading/unloading purposes only. A condition is attached relating to the need for a Car Parking Management Strategy for these spaces.

The site lies within a resident parking permit scheme which is currently over-subscribed. As such the new development will be excluded from obtaining permits or visitor tickets. An informative is recommended accordingly. The proposed secure cycle storage is considered to be sufficient and the ongoing use of this space will be secured by condition.

On this basis, the development is considered to have an acceptable impact upon the highway network and therefore accords with adopted Core Strategy Policies CS01, CS02, CS28 and CS34, together with Government advice contained in PPS1 and PPG13.

Section 106 Obligations

In order to set the proposed development in the context of the current economic climate, it is important to note that the Council has formally agreed the adoption of a series of phased-in temporary concessions to be granted for developments in relation to the Plymouth Development Tariff. It has been agreed that as part of these measures a reduced financial contribution of up to 50% of the full requirement may be considered for the development of previously developed brown-field land.

The proposed development would have direct impacts on local infrastructure and the environment requiring mitigation. This mitigation will be achieved through a combination of planning conditions and planning obligations identified in a S106

agreement. Each planning obligation has been tested to ensure that it complies with the three tests set out in Reg.122 of the Community Infrastructure Levy Regulations April 2010.

The impacts relate to the following areas:-

1. Libraries

Library Services advise that development in this area will generate a pressure on the existing Central Library facility which The Planning Obligations Evidence Base advises is already in need of additional capital investment as a result of the cumulative impact of population growth. The development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £1,848.

2. Local green space.

By reason of increased population facilitated by the development it will contribute to the cumulative impact on existing green space, most specifically an additional pressure on its management. The estimated cost of mitigating this impact is £5,386.

3. Playing Pitches.

The Plymouth Playing Pitch Strategy 2007-2016 identifies that this area of the city is deficient in terms of access to playing pitches. There is therefore an impact on infrastructure requirement that arises as a result of the development, namely the provision of improved access to playing pitches. The estimated cost of mitigating this impact is £9,769.

The total estimated cost of mitigating these impacts would be £17,033 if this is to be delivered through financial contributions.

A Planning Obligations Management Fee of £2,331 is also required. This management fee will be used to meet the Council's costs in administering and monitoring implementation of the Section 106 Agreement;

The current scheme is brought forward under the structured approach of the Market Recovery Plan. If approved and implemented, it would ensure that there would be a substantial start on this development within two years of the grant of planning permission.

Section 106 Obligation Heads of Terms:

The following Heads of terms are therefore proposed, each of which have been tested against Regulation 122 of the Community Infrastructure Levy Regulations 2010, to enable appropriate mitigation of the impacts identified above:

1. Libraries: £1,848 to be allocated to the provision and upgrade of local library facilities.
2. Local Green Space: £5,386 to be allocated to the upgrade and management of local green space.
3. Playing Pitches: £9,769 to be allocated to the provision of improved access to playing pitches.

4. Planning Obligations Management Fee: £2,331 to be used to meet the Council's costs in administering and monitoring implementation of the Section 106 Agreement, payable upon completion of the S106 agreement;

Sustainable Resource Use

Adopted policy CS20 requires that the development incorporates on-site renewable energy production equipment to off-set at least 15% of predicted carbon emissions for the period 2010-2016.

In accordance with this, a condition is recommended to ensure that the potential for the development to accord more closely with the requirements of Policy CS20 and Government advice contained within PPS22 is investigated further.

Other Matters

Updated plans and supporting information have been received which satisfactorily address the inaccuracies relating to the number of existing car parking spaces on the site, and also regarding the existence of a number of trees on the 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.

Equalities & Diversities issues

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

Conclusions

The impact of the development on the appearance and character of the area; The impact of the development upon neighbouring properties and the impact of the development upon the highway network is considered to be acceptable and it is recommended that the development proposal be granted conditional consent subject to the satisfactory completion of the Section 106 Obligation. Delegated Authority is sought to refuse the application if the S106 Obligation is not signed by the 15th June 2011.

Recommendation

In respect of the application dated **26/11/2010** and the submitted drawings 1663 - 120 Rev B, 1663 - 121 Rev C, Design and Access Statement, Tree Survey, Transport Statement, Travel Plan, it is recommended to: **Grant Conditionally**

Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 15 June 2011

Conditions

DEVELOPMENT TO COMMENCE WITHIN 2 YEARS

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

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004, and due to concessions in Planning Obligation contributions/requirements under Plymouth's temporary Market Recovery measures.

DEVELOPMENT IN ACCORDANCE WITH APPROVED PLAN NUMBERS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans I663-120 Rev B and I663-121 Rev C.

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

CODE OF PRACTICE DURING CONSTRUCTION

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

Reason:

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

LAND QUALITY

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

I. Site Characterisation

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

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

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

2. Submission of Remediation Scheme

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

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

3. Implementation of Approved Remediation Scheme

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

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

4. Reporting of Unexpected Contamination

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

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

Reason:

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

TREE PROTECTION DURING CONSTRUCTION

(5) The existing trees and/or hedgerows shown to be retained 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.

SUSTAINABILITY MEASURES

(6) Unless otherwise agreed previously in writing with the Local Planning Authority, prior to any development taking place, the applicant shall provide to the Local Planning Authority a report for approval identifying how for the period up to 2016, a minimum of 15% of the carbon emissions for which the development is responsible will be off-set by low carbon production methods. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations.

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

Reason:

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

EXTERNAL MATERIALS

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

Reason:

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

SURFACING MATERIALS

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

Reason:

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

DESIGN DETAILS

(9) Notwithstanding the details submitted, unless otherwise agreed previously with the Local Planning Authority (LPA), no work shall commence until the following details have been submitted to and agreed in writing by the LPA:

- (i) Details of the design, method of construction and finish of the glazing system/curtain walling system and spandrel panel to be used;
- (ii) Details of the depth of reveals to all window openings.
- (iii) Details of the design, materials and finish of the proposed balconies/Juliette balconies including all balustrades;
- (iv) Details of the design of any external building lighting proposed;
- (v) Details of the proposed siting, design and external materials of any roof plant, services or lift rooms and any wall or roof vents, ducts, pipes, extracts, window cleaning apparatus or other accretions to the roof or elevations;
- (vi) Details of the design of the treatment of the junctions between the different cladding systems.

Such agreed details shall be strictly adhered to during the course of development and thereafter so maintained.

Reason:

To enable the LPA to consider the above details in the interests of the appearance and character of the development and locality, in accordance with Policy CS01, CS02, CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

NOISE

(10) Unless otherwise agreed previously in writing with the Local Planning Authority, the development 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 communal/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).

Prior to any occupation of the buildings, the applicant/developer should submit, for written approval by the Local Planning Authority, a verification report proving that the buildings meet the criteria.

Reason:

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

GREEN TRAVEL PLAN

(11) Unless otherwise agreed previously in writing with the Local Planning Authority, use of the building shall not commence until the applicant has entered into a Green Travel Plan, the details of which shall have been previously submitted to and agreed in writing by the Local Planning Authority. The development and occupiers of the development shall thereafter conform to the measures detailed in the plan.

Reason:

In the opinion of the Local Planning Authority, such measures need to be taken in order to reduce reliance on the use of private cars (particularly single occupancy journeys) and to assist in the promotion of more sustainable travel choices in accordance with adopted Core Strategy Policy CS01, CS28 and relevant Central Government advice.

STREET DETAILS

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

Reason:

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

ACCESS

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

Reason:

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

COMMUNAL VEHICULAR DROP-OFF/LOADING/UNLOADING PROVISION

(14) No unit of accommodation shall be occupied until drop-off/loading/unloading spaces have been laid out within the site in accordance with the approved plan for a minimum of 3 cars and that area shall not thereafter be used for any other purpose other than the drop-off/loading/unloading of vehicles.

Reason:

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

CYCLE PROVISION

(15) Unless otherwise agreed previously in writing with the Local Planning Authority, no unit shall be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for 27 bicycles to be parked.

Reason:

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

CYCLE STORAGE

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

Reason:

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

STUDENT USE RESTRICTION

(17) The units of residential accommodation within the building shall only be occupied by students in full-time education, by a warden (who may not be in full-time education), by delegates attending conferences or courses during vacation periods (No such delegate shall occupy the premises for more than four weeks in any

calendar year), or any registered student of any college or university within the Plymouth City boundary, provided that the student is studying a for a qualification at Higher Education level on a course that satisfies the criteria on eligibility for council tax exemption for student occupation of premises that is in force at the date of this planning permission, or any future such criteria as apply from time to time.and for no other purpose.

Reason:

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

MANAGEMENT ARRANGEMENTS

(18) The development shall not be occupied until details of the arrangements by which the approved student accommodation is to be managed, are submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall continue to be managed permanently in accordance with the agreed management arrangements.

Reason:

To protect the residential amenities of the area to comply with policy CS34 of the adopted Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE - CODE OF CONSTRUCTION

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

- a. Site management arrangements including site office, developer contact number in event of any construction/demolition related problems, and site security information.
- b. Construction traffic routes, timing of lorry movements, weight limitations on routes, initial inspection of roads to assess rate of wear and extent of repairs required at end of construction/demolition stage, wheel wash facilities, access points, hours of deliveries, numbers and types of vehicles, and construction traffic parking.
- c. Hours of site operation, dust suppression measures, and noise limitation measures.
- d. Details of an area to be created within the site for the parking of contractor's equipment and materials.
- e. All sensitive properties surrounding the site boundary should be notified in writing of the nature and duration of works to be undertaken and the name and address of a responsible person, to whom an enquiry/complaint should be directed.

INFORMATIVE: DETAILS OF THE MANAGEMENT ARRANGEMENTS

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

- 1 - At all times to restrict the occupation of the property to bona-fide students who are currently undertaking full time education, a warden who may not be in full-time education and delegates attending conferences or courses during the vacations.
- 2 - To employ a warden who is resident at the property.
- 3 - To include in any tenancy agreement between the owners and student tenant terms which clearly state the expected standard of conduct including the need to have due consideration to the amenities of the nearby properties and that failure to comply with those requirements may result in the termination of the tenancy and the form of such a tenancy agreement shall be supplied to the Council on request. Each tenancy agreement must contain advice that the on site car parking spaces must only be used for drop off purposes and not be used by tenants or visitors for car parking.
- 4 - To circulate to all premises adjoining the property annually with details of the name, address and telephone number of the person responsible for the management of the property.
- 5 - The owners shall impose on the person responsible for the management of the property; a strict timescale to include an investigation of any complaint within twenty four hours and a written response within five working days and shall take such steps as are necessary to ensure that the timescale is adhered to.
- 6 - Details of the proposed arrivals/departures procedures.
- 7 - Details of the proposed Management of the bin stores.

INFORMATIVE - EXCLUSION FROM RESIDENT PARKING PERMIT SCHEME

(3) The applicant should be aware that the development lies within a resident parking permit scheme which is currently oversubscribed. As such the development will be excluded from obtaining permits, visitor tickets and business permits for use within the scheme.

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 the appearance and character of the area; The impact of the development upon neighbouring properties; The impact of the development upon the 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:

- PPG13 - Transport
- PPG16 - Archaeology and Planning
- PPG24 - Planning and Noise
- PPS3 - Housing
- PPS1 - Delivering Sustainable Development
- PPS6 - Planning for Town Centres
- PPS22 - Renewable Energy

PPS23 - Planning & Pollution Control
CS28 - Local Transport Consideration
CS32 - Designing out Crime
CS33 - Community Benefits/Planning Obligation
CS34 - Planning Application Consideration
CS22 - Pollution
CS06 - City Centre
CS18 - Plymouth's Green Space
CS20 - Resource Use
CS01 - Sustainable Linked Communities
CS02 - Design
SPD2 - Planning Obligations and Affordable Housing
SPD1 - Development Guidelines
SPD3 - Design Supplementary Planning Document

PLANNING APPLICATION REPORT

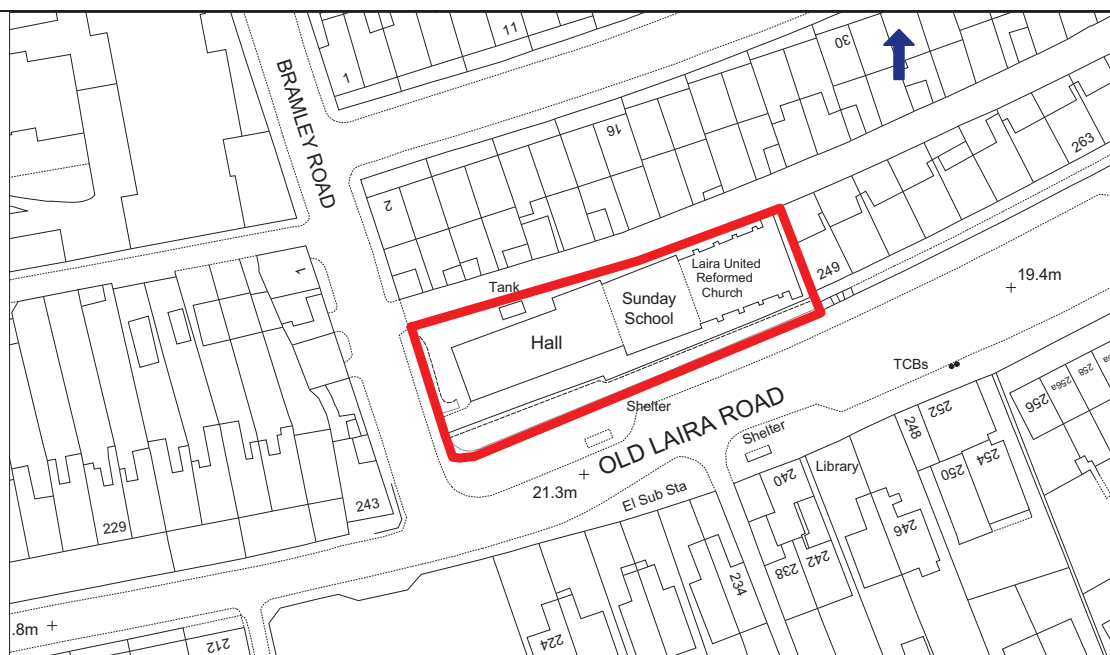


ITEM: 4

Application Number:	I1/00028/FUL
Applicant:	United Reformed Church South Western Synod
Description of Application:	Re-develop site by erection of 14 two bed apartments with associated car parking, cycle and refuse storage (demolition of existing church and building)
Type of Application:	Full Application
Site Address:	LAIRA UNITED CHURCH, 247 OLD LAIRA ROAD PLYMOUTH
Ward:	Efford & Lipson
Valid Date of Application:	01/02/2011
8/13 Week Date:	03/05/2011
Decision Category:	Major Application
Case Officer :	Robert Heard
Recommendation:	Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 03 May 2011

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OFFICERS REPORT

Site Description

The site is rectangular in shape and is located at the end of an existing terrace of houses, at the junction of Old Laira Road and Bramley Road in Laira. It is stepped up from the road due to the steepness of the land in this area, which rises significantly northwards from Old Laira Road. The church and adjacent residential development are accessed via steps that serve a raised platform providing access to the front of the existing development.

The church is single storey with a pitched roof and is finished predominantly in red brick. The main church building appears to be emanate from the early twentieth century, although there are post war additions providing a hall and school room. Due to the steepness of the roof pitch and scale of the building the ridge level of the church roof is marginally higher than the ridge of the adjacent properties roofs, which due to the topography are also on slightly lower land. The church is currently vacant and hasn't been used for approximately 18 months. The surrounding area is predominantly residential, comprising mainly of terraced houses from the late nineteenth/early twentieth century.

Proposal Description

It is proposed to demolish the existing church and construct 14 two bed apartments in three linked blocks. The proposed development has been oriented to face south and overlook Old Laira Road, with the main access via the lane to the rear of the site.

Put a section in here about parking and site layout once revised plans received

Relevant Planning History

No relevant planning history.

Consultation Responses

Public Protection Service

No objection subject to conditions

Highway Authority

No objection subject to conditions

Representations

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

- Loss of view of the estuary to properties to the rear of the site.
- The layout and density of the site not in keeping with surrounding development.
- Loss of view and sunlight to no. 18 Federation Road.
- The service land would become blocked with cars making it inaccessible.
- Parking on Federation Road would become difficult.
- Construction noise and disturbance will impact upon existing residents amenities.
- Federation Road is not suitable as the main access to the proposed development.
- The proposed development is too high.

Analysis

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

This application raises a number of key topics; the principle of development, highways, access and parking issues, design and layout considerations and residential amenity issues.

Principle of Development

The site is located within an established residential area and is not constrained by any restrictive planning policies. It does not lie within a Conservation Area and there are no protected trees on the site.

It is considered that this proposal will ensure that a previously used but now redundant site is developed for a use that is compatible with the surrounding development, which is mainly residential. The loss of the existing church is not considered to be significant. It has been empty for almost 2 years and there is not an identified shortfall of community facilities in the area. The Sustainable Neighbourhoods Assessment for Laira states that it is served by a moderate range of community facilities which correlates with the moderate population size.

Proposed density levels at the site are consistent with the density levels in the immediate vicinity. The constraints at the site with regards to the steeply sloping topography and the limited space which is constrained by existing surrounding development make it difficult to provide any further units without impacting upon parking levels and amenity within the site, which would result in over development.

Therefore officers are satisfied that there has been no attempt by the developer to deliberately avoid having to provide affordable housing at the site, and the application is thus considered compliant with Policy CS15 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

Highways, Access and Parking Issues

The highways officer is supportive of the application, stating that it provides 'a separate pedestrian access onto Bramley Road to allow safe pedestrian movement to and from the site without the need to walk along the narrow rear lane which would not provide safe suitable pedestrian access to the site. The car parking spaces which are all served off the rear access lane are shown to be of suitable dimensions in accordance with normal standards. Therefore there is no objection to the proposal.

Eight cycle parking spaces are to be provided in covered and secure lockers. Finally a condition is suggested to ensure that the proposed boundary fence does not impact on visibility to the left for vehicles emerging from the rear lane onto Bramley Road.'

Design and Layout

The area surrounding the site is predominantly characterised by period development from the early twentieth century, mainly in the form of terraced streets containing 2 storey housing with pitched roofs. The topography is steeply sloping, with the land falling away significantly to the south of the site and rising steeply to the north.

The application proposes to demolish the existing church and construct 14 two bed apartments in three linked blocks. The proposed development has been oriented to face south and overlook Old Laira Road, with the main access via the lane to the rear of the site. The layout of the proposed development is a direct response to the constraints of the site and appears to be a sensible solution to its redevelopment. The existing building line, established by the properties adjacent to the east of the site, is respected, with the proposed development appearing as a continuation of the existing terrace of housing on the north side of Old Laira Road. In terms of scale and massing, it is respectful of the existing development that is nearby, being 2 storeys with a pitched roof to match the closest existing development (being the adjacent terrace of period housing to the east) and also being similar in scale (and height) to the existing church that is to be demolished. The existing landscaped bank at the front of the site is to be retained, ensuring that the development sits comfortably within the streetscene at the same level as the existing development to the east of the site, which is set above the road and accessed from a raised platform due to the steeply sloping topography in the vicinity.

The proposed car parking is to the rear of the site and will not be visible from Old Laira Road, with access from the rear lane. It will be well overlooked by the proposed apartments but also located safely within the site so as not to obstruct the lane. The proposed refuse and cycle storage areas are communal and easily accessible to future occupants. The potential for usable outdoor amenity space is limited given the requirement for parking and the steeply sloping nature of the site. However, the total amount provided is considered acceptable. The space is distributed between one discrete area of 58m² at the corner of the rear lane and

Bramley Road which will be landscaped, a landscaped bank, 170m², at the front of the site as at present and private balconies each with a useable area exceeding 3m² comprising some 72m² in all. The proposed layout of the site is therefore considered acceptable and is consistent with the existing pattern of development in the area.

Concerning issues of building design, the external appearance of the proposed apartment blocks is residential and domestic in character, respecting the established character of the surrounding buildings which are of traditional two storey appearance, the majority being render faced with slate pitched roofs. The proposed apartments continue the building line of the adjoining buildings to the east and also show a consistent roofscape, with slate coverings to match the existing nearby development (although with photovoltaic cells in order to meet the requirements of Policy CS20 Sustainable Resource Use). The windows and doors are to be casement operated with returns to the reveals to provide some depth and shadow. Wall finishes are rendered as is common in the area but with a subsidiary note of brick to the link blocks and the rear boundary walls (referencing the existing church) and with a single, feature, gothic window as a reminder of the existing building. The traditional form of the proposal and proportioning of openings and features such as the entrance and bay windows ensures that the character, identity and context of the surrounding and closest existing townscape is respected. The overall design of the proposed development and use of a varied materials palate is considered positive, ensuring an acceptable balance between the introduction of contemporary features and materials whilst ensuring compatibility with the existing townscape and local context.

The proposed layout of the site and design of the proposed apartments is thus considered acceptable. In summary, it is considered that the application will provide a positive addition to the streetscene and help to improve local visual amenity. It is therefore compliant with Policy CS02 (Design) of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

Residential Amenity Issues

It is important that the residential amenities of nearby property occupiers are not significantly affected. The proposed development has been located and oriented on the site to ensure its impact on the amenities of neighbours is not significant. The dwellings closest to the site are no. 249 Old Laira Road which is the end of terrace property on the adjacent terrace of dwellings to the east and no.s 2 - 24 Federation Road to the rear (north) of the site.

With regards to 249 Old Laira Road, there will be a 1 metre gap (at the tightest point) between this property and the proposed development. This leaves a large enough gap for maintenance to be carried out to its side elevation and is identical to the gap between the existing church and 240 Old Laira Road, thus the relationship created between existing and proposed development is not materially different. There are no existing windows in the side elevation of 240 Old Laira Road or the side elevation of the proposed development so no direct conflict with regards to loss of privacy to habitable rooms in either the existing or proposed development will be created. The rear first floor windows of the proposed development will to some degree overlook the rear garden space of 240 Old Laira Road but this relationship is

identical to the existing relationships shared by the existing terrace of properties on Old Laira Road to the east of the site and therefore the rear garden space of 240 Old Laira Road is already overlooked by its adjoining neighbour no 251 Old Laira Road.

To the rear of the site is Federation Road, which is characterised by terraced housing that is 2 storey and late Victorian in appearance. Federation Road is positioned on higher land than the application site due to the steeply sloping topography in the area and the properties on the southern side of Federation Road (the side closest to the application site) face north, therefore turning their backs on the proposed development. The separation distance between the rear elevation of the proposed development and the rear elevations of the existing properties on Federation is 18 metres at the closest point. This, and the fact that the dwellings on Federation Road are located on significantly higher land than the application site ensure that the proposed development has no impact upon any of the existing dwellings on Federation Road.

The existing residential development on the southern side of Old Laira Road will not be affected by this proposal as it is separated from the application site by a busy road, will have a minimum separation distance of 25 metres (between the front elevation of the existing properties and front elevation of proposed development) and is situated on significantly lower land than the application site, with the proposed development looking straight over the roof tops of the existing development on the south side of Old Laira Road.

Due to the site being positioned on a corner and at the junction of Old Laira Road and Bramley Road there is also existing development to the west of the site across Bramley Road. No 243 Bramley Road is situated on the opposite corner and is currently a hairdressers/beauty salon. This property projects forward of the building line and faces south with its main window openings on the front elevation. It will not be significantly affected by the proposed development and the relationship created will be similar to the existing relationship with the church.

In summary, it is considered that there will be no significant residential amenity conflict created between the existing dwellings and proposed development, and that they will sit comfortably alongside each other without any negative impacts or unacceptable relationships being created. The proposed development will not appear dominating and the application is therefore considered compliant with Policy CS34 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

Other Issues

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

The application includes an energy statement and in order to meet the requirements of Policy CS20 it is proposed to have Photovoltaic Panels installed on the roof. With regards to visual impact, the panels will be almost flush with the roofline and will not

be visible from the street. Photovoltaic Panels generate electricity from light and their energy source is therefore sunlight, meaning that they do not require fuel to operate and produce no air pollution or hazardous waste.

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

Policy CS19 (Wildlife) seeks to provide net biodiversity gain and protect important species. The site is generally hard surfaced and therefore there is very little biodiversity at the site. The applicants have submitted a bat survey which shows that there is a very low likelihood of bats or birds using the building. It is considered that the application is compliant with Policy CS19 subject to the provision of a bat tube and bird boxes, which can be secured by planning condition.

Concerning Lifetime Homes, three of the proposed apartments (4, 7 and 8) are designed as Lifetime Homes compliant and this is shown on drawing P3215.03. This meets the policy requirement as set out in Policy CS15 (Housing Provision) and is proposed to be secured via planning condition.

Letters of Representation

Four letters of representation have been received, objecting to the application on the grounds listed above in the Representations section of this report. Most of the issues raised in the letters received have been addressed above in the main analysis section of this report. However, with regards to those that have not; loss of a view is not a planning consideration and construction noise and disturbance is accepted for a short time whilst development is undertaken, but the impacts of this can be managed and a code of practice condition is attached in order to control working operations at the site.

Section 106 Obligations

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

Local Infrastructure

Primary schools. The development provides for family accommodation which will generate a demand for school places. The Council's Children's Services have provided evidence that there is likely to be a deficiency of school places in the locality from 2012 given projected population growth. The development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £28, 589.

Local green space. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact on existing local green space, most specifically through the need for green space improvements. The estimated cost of mitigating this impact is £6, 374.

Playing Pitches. The development is in a location that is deficient in terms of access to playing pitches. There is therefore an impact on infrastructure requirement that arises as a result of the development, namely the provision of improved access to playing pitches. The estimated cost of mitigating this impact is £11, 563.

Strategic Infrastructure

Strategic green space. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the quality of environmental sites protected by legislation, particularly through increased recreational demands. The Council's has an obligation through the Habitats Regulations Assessment of the LDF Core Strategy and relevant Development Plan Documents to seek mitigation for such cumulative impacts. The estimated cost of mitigating this impact is £14, 218.

European Marine Site. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the environmental quality of European Marine Site particularly through increased recreational demands. The Council's has an obligation through the Habitats Regulations Assessment of the LDF Core Strategy and relevant Development Plan Documents to seek mitigation for such cumulative impacts. The estimated cost of mitigating this impact is £355.

Strategic sports facilities. By reason of the increased population facilitated by the development and the increased demand for use of sports facilities, it will contribute to the cumulative impact of development on the city's sports infrastructure. The estimated cost of mitigating this impact is £9086.

Strategic transport. By reason of the increased population facilitated by the development and the increased demand for journeys, it will contribute to the cumulative impact of development on the city's strategic transport infrastructure. This will bring the likelihood of increased congestion and pollution unless there is adequate mitigation. The estimated cost of mitigating this impact is £50, 246

Strategic public realm. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the City Centre's public realm. This is because there will be a greater level use of the City Centre which itself generates extra pressure on the existing infrastructure. The estimated cost of mitigating this impact is £1, 078.

The following Heads of Terms are proposed, each of which have been tested against Regulation 122 of the Community Infrastructure Levy Regulations 2010, to enable appropriate mitigation of the impacts identified above:

- a. Local schools tariff: £28, 589, to be allocated to the provision of additional school places within the south east locality.*

- b. Playing pitches tariff. £11, 563, to be allocated to the provision of improved playing pitch facilities in the south sub-area, as identified in the Playing Pitch Strategy.*
- c. Local green space tariff. £6, 374, to be allocated to the improvement of local green space.*
- d. Strategic green space tariff. £14, 218 to be allocated to the provision of strategic green spaces that help to take pressure off the designated environmental sites, as identified in the Plymouth Green Infrastructure Delivery Plan.*
- e. European Marine Site tariff. £355, to be allocated to appropriate management measures for the Tamar Estuaries as identified in the Tamar Estuaries Management Plan.*
- f. Strategic sports facilities tariff. £9, 086, to be allocated to the delivery of priority strategic sports facilities as identified in the Sports Facilities Strategy.*
- g. Strategic transport tariff. £50, 246, to be allocated to the delivery of priority strategic transport interventions as identified in the LTP3 Transport Implementation Plan.*
- h. Public realm tariff. £1, 078, to be allocated to the delivery of priority City Centre public realm improvements as proposed in the City Centre & University Area Action Plan.*
- i. Planning Obligations Management Fee. £1, 968, to be used to meet the Council's costs in administering and monitoring implementation of the Section 106 Agreement.*

Therefore, to mitigate the impacts of the proposal, a total tariff contribution of £121, 509 is required. In addition to this, a Planning Obligations Management Fee of £1, 968 is required, in order to meet the Council's costs in administering and monitoring the implementation of this Section 106 Agreement.

Equalities & Diversities issues

The application proposes 14 new residential units that on completion should be offered for sale on the open market and therefore will be available to people from all backgrounds to purchase. No negative impact to any equality group is anticipated.

Conclusions

This application proposes fourteen new 2 bed apartments in an established residential area that is not constrained by any restrictive planning policies. The development provides satisfactory levels of car parking, cycle and refuse storage and is in a form that is respectful of the surrounding townscape, whilst introducing contemporary elements of building design and materials. The residential amenities of nearby property occupiers are not significantly affected and the applicant has agreed

to provide the financial contributions generated by the Plymouth Development Tariff. It is therefore recommended for approval, subject to conditions and the satisfactory completion of a Section 106 Legal Agreement, with delegated authority to refuse the application sought if the Section 106 Agreement is not signed by the 3rd May 2011.

Recommendation

In respect of the application dated **01/02/2011** and the submitted drawings P3215.01, P3215.02, P3215.03B, P3215.04B, P3215.05B

,it is recommended to: **Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 03 May 2011**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: P3215.01, P3215.02, P3215.03B, P3215.04B, P3215.05B.

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.

EXTERNAL MATERIALS

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

Reason:

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

DETAILS OF BOUNDARY TREATMENT

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

Reason:

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

SITE CHARACTERISATION

(5) 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

(6) 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

(7) 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

(8) 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 5, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 6, 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 7.

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

(9) Prior to the commencement of development approved by this planning permission the developer shall submit a Code of Practice for the site that outlines how they intend to prevent or control any nuisance arising from any work carried out. The Code of practice must comply with all 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. All sensitive properties surrounding the site boundary shall be notified in writing of the nature and duration of works to be undertaken, and the name and address of a responsible person, to whom an enquiry/complaint should be directed.

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.

SUSTAINABLE RESOURCE USE

(10) 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 a minimum of 15% of the carbon emissions for which the development is responsible will be off-set by on-site renewable energy production methods. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations.

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

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to off-set at least 15% of predicted carbon emissions for the period 2010-2016 in accordance with Policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and relevant Central Government guidance contained within PPS22.

FURTHER DETAILS

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

Details showing the location of 3 x Schwegler IFR bat tubes and 3 x Schwegler No 17 Single Cavity Swift Boxes. The approved bat tubes and swift boxes shall be provided in the agreed locations prior to occupation of the development hereby approved and shall be permanently retained.

The works shall conform to the approved details.

Reason:

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

CAR PARKING PROVISION

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

Reason:

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

CYCLE PROVISION

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

Reason:

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

PRESERVATION OF SIGHT LINES

(14) 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 Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PEDESTRIAN/CYCLE ACCESS

(15) The building shall not be occupied until a means of access for pedestrians has been constructed in accordance with the approved plans.

Reason:

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

LIFETIME HOMES

(16) The development shall be constructed strictly in accordance with drawing no. P3215.03B which shows 5 units (plots 4, 7 and 8) within the development hereby approved to be constructed to Lifetime Homes standards. The layout of the floor plans hereby approved shall be permanently retained for so long as the development remains in existence, unless a further permission is granted for the layout of these units to change.

Reason:

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

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be the impact of the proposed development on visual amenity and the streetscene, residential amenity and highway safety, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (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:

- CS28 - Local Transport Consideration
- CS32 - Designing out Crime
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS19 - Wildlife
- CS20 - Resource Use
- CS01 - Sustainable Linked Communities
- CS02 - Design
- CS15 - Housing Provision
- CS16 - Housing Sites

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PLANNING APPLICATION REPORT



ITEM: 05

Application Number:	I1/00282/FUL
Applicant:	Mr Phil Chevis
Description of Application:	Erection of two -storey detached dwelling
Type of Application:	Full Application
Site Address:	12 ELFORD CRESCENT PLYMOUTH
Ward:	Plympton St Mary
Valid Date of Application:	23/02/2011
8/13 Week Date:	20/04/2011
Decision Category:	Delegated
Case Officer :	Jon Fox
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



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This application is being reported to members as a result of a referral by Councillor David James on the grounds of highway safety, the impact on the appearance of the estate and inappropriate development of garden land.

Site Description

The dwelling at 12 Elford Crescent is a detached, two-storey house situated on a roughly rectangular plot situated on the southern side of the junction between Elford Crescent and Waddon Close. The existing building is positioned approximately 8.6 metres from Elford Crescent, which is the fronting road, and approximately 9 metres from the side road. The site slopes upwards from south to north, towards Waddon Close. A fence and high hedge screens the rear half of the site from the road.

Proposal Description

Erection of two -storey detached dwelling.

Relevant Planning History

10/01961 - Erection of two-storey detached dwelling. The proposed building would have been positioned approximately in line with the front of the existing building and was proposed to be approximately 1.05 metres from the back edge of footway in Waddon Close. The building would have been approximately 700mm higher than No.12. This application was refused for the following reason:

(1) The Local Planning Authority considers that the proximity of the proposed dwelling to Waddon Close and its height, design and elevated position above the host dwelling at 12 Elford Crescent is at odds with the street pattern of surrounding development, which maintains a much more significant set back from the road. The position of the dwelling would appear unduly intrusive in the street scene and be incompatible with its surroundings in terms of siting, layout, visual impact and local context. The visual impact of the relatively blank brick wall would exacerbate the uncharacteristic visual impact of the building in the street scene and as such the development would not contribute positively to the townscape. For these reasons the proposals are considered to be demonstrably harmful to the character and appearance of the area, contrary to policies CS02 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and to the Development Guidelines Supplementary Planning Document 2009.

Consultation Responses

Highway Authority

No objections subject to conditions relating to car parking provision and sight lines.

Public Protection Service

Do not wish to comment on this application.

Representations

Seven letters were received, which raise the following objections:

1. Permission was refused for an enlarged garage at No 1. Deeble Close, so how can permission be given for a house on this site?
2. This is garden-grabbing, which is against Conservative policy.
3. It would spoil an established and well-spaced locality.
4. Loss of wildlife habitat and green space.
5. The side of the property is still too close to Waddon Close and would be out of character with other corner properties.
6. The exterior appearance would be out of character with other corner houses, which have distinctive features.
7. It would be too close to the existing property and would alter the concept of detached houses in the area.
8. From Elford Crescent it will look squeezed into the plot, to the detriment of the street scene.
9. Parking on Waddon Close/Elford Crescent junction will be a hazard.
10. There would be a dangerous drop from the top of the fence and the side. The steps also look dangerous.
11. The houses would appear to be too close together, the eaves almost touch, and would be out of character. This would also create maintenance problems.
12. The development would encourage parking on the junction, which would be dangerous.
13. If permission is granted it will set a precedent for other development of corner plots that will change the open feeling of the estate.
14. Parking will cause access problems for No. 14 Elford Crescent.
15. Traffic generation and any impact through noise and odour.
16. Loss of daylight/sunlight, privacy, and proximity of buildings to living areas.
17. Loss of views/vistas, trees, hedgerows and community facilities.
18. There has already been an impact with the removal of front garden hedges.
19. How will the retaining walls affect 4 Waddon Close? Will the proposed parking spaces be above the parking spaces at 4 Waddon Close? Will the new dropped kerbs allow more water to flow down No. 4's drive? Could there be a space between the new parking spaces and those at No. 4, which would allow an area of raised kerb between them?
20. Trees at the front of the property were removed.
21. The proposed wall/fence adjacent to Waddon Close will set a precedent; other 1.8 metre high fences on the estate have been refused.

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), CS15 (Housing Provision), CS28 (Transport Considerations) and CS34 (Planning Application Considerations) and the main issues are the impact of the development on the street scene and the character

and appearance of the area, as identified in the previously refused planning application.

With regard to the impact on the character and appearance of the area, paragraph 3 of policy CS02 states that development should contribute positively to an area's identity and heritage in terms of scale, density, layout and access, and the text to this policy states that design is also about the spaces within which the development sits and the quality of the relationships between the development and surrounding areas. Considerations in policy CS34 include whether the development positively contributes to the townscape and whether it is compatible with its surroundings in terms of style, siting, layout, orientation, visual impact, local context and views, scale, massing, height, density, materials and detailing. SPD1 refers to the varied characteristics of Plymouth's neighbourhoods and the need for development to reflect local distinctiveness, including urban setting, density, scale and layout. The SPD states that new development should normally reflect the existing scale and massing of its surroundings. The existing block sizes, plot sizes, and street patterns should influence the layout.

In this case the applicant's agent met with the planning officer following the recent refusal and, based on these informal discussions, the new application was submitted. The main differences are that the new proposals show the house situated approximately 2.45 metres away from the back edge of footway in Waddon Close and the building would also be approximately level with the house at No.12. This compares with a 1.05 metres set-back from the back edge of footway in Waddon Close and a difference in height between the two buildings of approximately 700mm (higher than No.12. The proposed house is also in line with that at No.12 and would be set below the level of the footway in Waddon Close by more than a metre. In these circumstances it is considered that the proposals significantly reduce the impact of the development in the street scene to the point where it would be difficult to resist it. Although the house is still within three metres of the footway, which is the minimum distance recommended in Development Guidelines Supplementary Planning Document 2009 (SPD1) in relation to development on corner plots, it is considered that the combination of the 2.45 metre gap and the lower level of the house are sufficient. The northern, flank, wall of the proposed house is similar to that previously proposed and while it would appear relatively blank, the lower level of the house and increased set back would effectively reduce the impact of the wall in the street scene. For these reasons it is considered that the new proposals overcome the previous refusal reason and are in accordance with policies CS02 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

With regard to other matters raised in letters of representation: the issue of precedents can be a material consideration, but each planning case is considered on its merits and the specific issues in this case have been assessed against relevant planning policies; 'garden-grabbing' is a term that reflects the government's changed stance towards development proposals affecting garden land, but is not a presumption against such development; the wildlife interest on the plot is not considered to be significant; the perceived dangerous drops are matters for building control; there is considered to be no significant impact on daylight/sunlight and privacy; the construction of the footway crossover, to serve the proposed parking

spaces, is a matter for the Highway Authority (the potential change in level between the two properties can be the subject of a condition on boundary treatments; the proposed wall/fence adjacent to Waddon Close is considered to be set back far enough from the junction so as to avoid being visually intrusive, although there would presumably have to be a barrier at the back edge of the landscaped area and these details could be part of the boundary treatment condition; the loss of view has also been cited, but this is not a planning matter. There are concerns on highway grounds, but the parking arrangement is similar in nature to other properties in the street and is satisfactory in terms of its distance from the nearby junction. The proposal will result in the loss of a short section of kerbside parking however there is sufficient off street parking available for existing properties along the street and this will not have a significant impact. Concern has been raised with regard to the relationship between the two proposed parking spaces and those at No.4 Waddon Close.

Section 106 Obligations

None.

Equalities & Diversities issues

None.

Conclusions

The proposals are considered to have overcome the previous reason for resisting the development, which, subject to conditions is recommended for approval.

Recommendation

In respect of the application dated **23/02/2011** and the submitted drawings The consultation period has been extended by a further 21 days due to original notifications sent on 2 March 2011 not reaching all intended recipients

P420-01, P420-02E, P420-03a and accompanying design and access statement, it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

CAR PARKING PROVISION

(2) The development shall not be occupied until space has been laid out within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority for a maximum of 2 cars to be parked.

Reason:

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

SIGHT LINES

(3) Details of the intervisibility to be provided at the junction between the driveway and the highway shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced.

Reason:

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

NO ADDITIONAL WINDOWS AND DOORS

(4) 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) and Class A of Part I of the Schedule to that order, no further windows, external doors or other external openings (additional to those hereby approved) shall at any time be provided in the dwelling hereby permitted.

Reason:

In order to protect the privacy enjoyed by the occupiers of the adjacent dwellings in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

RESTRICTIONS ON PERMITTED DEVELOPMENT

(5) 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), or C (any other alteration to the roof of a dwellinghouse) of Part I 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 areas, in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

DETAILS OF BOUNDARY TREATMENT

(6) Notwithstanding the submitted plans 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, including details of the boundary between the parking spaces and No.4 waddon Close. The boundary treatment shall be completed before the permitted dwelling is first occupied and the 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 and in the interests of amenity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE - DROPPED KERBS

(1) Before the parking spaces are brought into use, it will be necessary to secure dropped kerbs with the consent of the Local Highway Authority. The developer should contact the Technical Consultancy of Plymouth City Council for advice on this matter before any work is commenced.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the impact on the street scene and 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:

CS28 - Local Transport Consideration

CS34 - Planning Application Consideration

CS02 - Design

CS15 - Housing Provision

SPD1 - Development Guidelines

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PLANNING APPLICATION REPORT



ITEM: 06

Application Number: 11/00369/FUL

Applicant: Persimmon Homes Ltd

Description of Application: Renewal of permission for engineering works comprising site trials and monitoring, including trial blast (pre-split and bulk) to the north face, trial excavations, trial scaling to the south face, trial excavations at the clay pocket and trial grubbing of existing foundations to facilitate/inform the consented remodelling works

Type of Application: Full Application

Site Address: PLYMSTOCK QUARRY PLYMOUTH

Ward: Plymstock Radford

Valid Date of Application: 08/03/2011

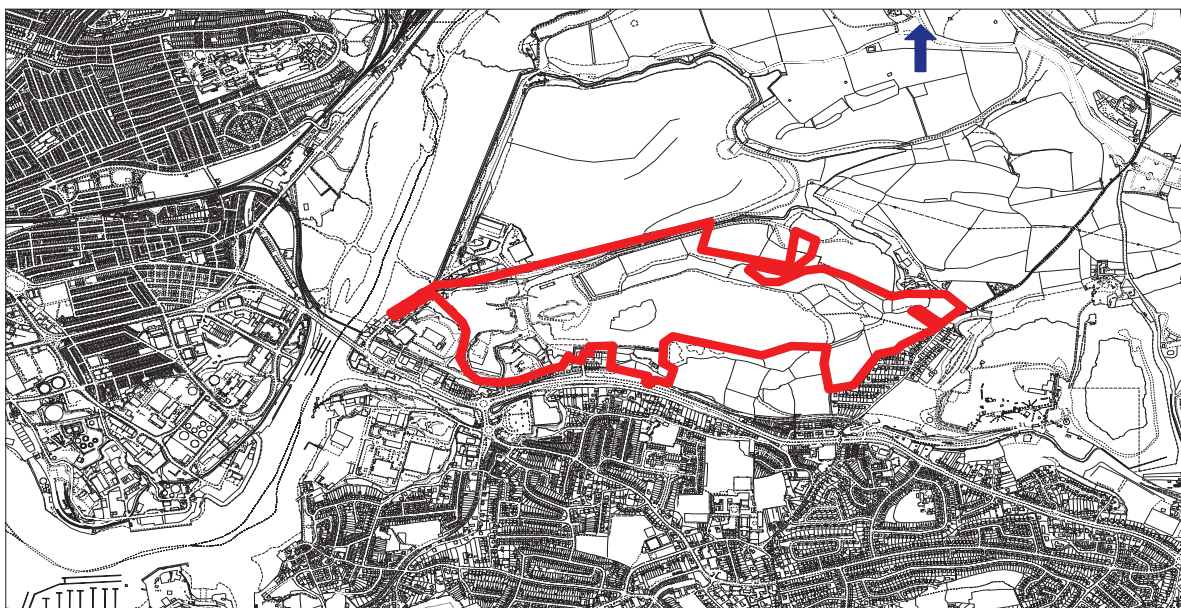
8/13 Week Date: **03/05/2011**

Decision Category: Major Application

Case Officer : Alan Hartridge

Recommendation: Grant Conditionally

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Site Description

The former quarry complex located 4km from the City Centre off The Ride and south of Chelson Meadow Recycling Centre and bounded to the south east by the Billacombe Green hillside of public open space. The quarry complex includes the foundation remains of the former Blue Circle cement works in the west and associated former quarry walls to the east. The Plymstock Quarry wider area extends to some 72ha, however the application site for trial engineering operations is in respect of 5 separate areas totalling 3.6ha of former foundations (one site) and quarry faces (4 sites). The application sites, and indeed the quarry itself are largely obscured from view. The perimeter of the quarry area is largely composed of trees and scrub, plantations and grassland fields.

Proposal Description

In essence the application is one for renewal of permission as it replicates the proposals for site trials and monitoring previously approved in January 2008 under consent 07/02101. The trials involve pre-splitting and controlled blasting a 50m stretch of the north quarry face to release and stockpile approximately 12,480 tonnes of material –with temporary access to the top of the cliff face being via a former access for the drill rig –not within Pomphlett plantation. Excavations are also proposed into the northwest face using ‘long reach’ excavators, and an excavator would also rip part of the southern face and a ‘clay pocket’ buttress –with no requirements for any temporary access. Trial pits would also be excavated alongside some existing deep mass concrete slab foundations to ascertain their depth and size and at least six trial excavations are proposed in that area. The engineering operations are designed to inform the consented remodelling works.

Relevant Planning History

1794/91 Planning permission from Devon County Council for the excavation of the floor of the quarry and restoration (with legal agreement) - granted Oct 1994

The background planning history is such that by 1994 Blue Circle Industries PLC had permission for works pursuant to planning consents issued in 1947, 1954 and 1971. Further works were the subject of conditions and legal clauses in 1994 and aftercare conditions were superseded. Cement production and stone processing operations ceased in the 1997 - 2000 period.

04/00539 planning permission for the importation of 100,000m³ of inert material for temporary stockpiling for eventual use in ground remodeling - granted July 2004.

05/00475/OUT Mixed use development scheme (1500 dwellings) -Withdrawn July 2005. Mitigation measures were incomplete. The applicants at that time were Westbury Homes Ltd.

05/00473/FUL Comprehensive remodeling - approved Sept 2005 subject to S106.

05/00476/FUL Stabilisation of Clay pocket -- approved Sept 2005 subject to S106.

06/02048/FUL Planning permission to permit the comprehensive remodeling of the quarry required to precede the redevelopment of the quarry. (The S106 that was agreed in respect of the above remodeling proposals included provision of a bond).

07/01094/OUT – Outline master plan redevelopment of quarry – Planning Committee agreed in January 2011 that permission was warranted subject to the completion of a S106 based on the scale and nature of requirements reported -- Under preparation by lawyers.

07/02101 –Engineering operations comprising site trials and monitoring including trial blasting and excavations to facilitate/inform the consented remodelling works - Approved January 2008

Consultation Responses

Environment Agency – No comments.

Highway Authority – No objections subject to material remaining on site and imposition of condition on code of practice.

Natural England – No comments.

Public Protection Service –approval warranted subject to previous planning conditions

Representations

Letter of concern from the occupier of 55, Higher Compton Road, Hartley, that the Council should do everything in its power to ensure that habitats and wildlife within Plymstock Quarry are not disturbed before an up to date Ecological Survey is provided to establish the significance of Plymstock Quarry to the biodiversity of the area. He refers to flourishing plant life unusual to the locality and also refers to roosting herons on the banks of the east lake within the Quarry.

Analysis

This is essentially an application to renew a planning permission that expired in January. It is to facilitate a development where the mitigations for environmental impacts have been considered fully in accordance with planning policy guidance, Core strategies and the policies of the North Plymstock Area Action Plan (NPAAP). The mitigation measures for the development of this quarry area are the subject of Planning Committee requirements.

The biodiversity of the quarry area and wildlife interests within the quarry have been recognised by the Planning Committee in their decision making in recent years. The quarry area has been identified as an area offering significant opportunity for strategic development within the City's Eastern Corridor (Core Strategy Area Vision 8 –and North Plymstock Area Action Plan (Proposal NP01). The principle of blasting, excavating and remodelling Plymstock Quarry has been established by past decisions and it has been accepted that this has consequences for existing surrounding vegetation and quarry habitats.

It is considered that the instability of quarry faces needs to be addressed to realise the Council's planning policy aspirations for this area and the applicants propose to

do this by a combination of blasting, regrading and then face stabilisation. The Planning Committee has accepted (June 2005) that large scale ground remodelling including some blasting is warranted to achieve a development platform suitable to meet the development objective. Furthermore, safeguarding part of Billacombe Green from erosion would accord with local planning policies (including NP01).

Site levels would be raised above the quarry floor in some areas and reduced in other areas. Large scale cutting and lowering and reprofiling is acceptable to facilitate the future development and the construction of a new junction/access road off the A379 Billacombe Road. Recontouring of the eastern end of the quarry would take place to provide a raised platform that would facilitate a gentle gradient with the higher eastern fields, in effect reducing the height of the exposed rock face in this part of the quarry.

The remodelling proposed will impact upon the flight lines of bats (a Protected Species under the Habitats Directive) and the applicants have agreed to mitigation measures including bat friendly features which have been accepted to accord with Core Strategy policy CS19.

The nature and scale of landscape and ecological mitigation measures that are warranted have been considered as part of past applications to comply with the Council's planning policies CS19 and CS34 and these current proposed trial works were considered acceptable in January 2008.

This renewal application is to enable site trials and monitoring to take place to inform the design and specifications for the initial works contract for comprehensive remodelling and will inform the preparation of suitable method statements and risk assessments. The site trials are programmed to take place in September, and although there would be a short term disturbance impact upon non-breeding birds, this is not considered to be a detrimental ecological impact particularly as extensive ecological survey and analysis work has been undertaken in respect of recent planning applications.

There would be one controlled blast during the daytime and the use of heavy machinery for cutting and crushing works to test the material on site. Access would be from The Ride which provides a safe and satisfactory access in accordance with CS34, No other access points would be used and the operations would be confined to approximately 2 weeks and it is considered that nuisance with respect to noise and dust to the existing residents who reside to the south and east of the site should not be an issue in accordance with Core Strategy CS22.

Saltram House and gardens are of national importance and the National Trust parkland estate lie to the North East beyond Chelson Meadows and Pomphlett plantation. The applicants state that there would be some clearance of undergrowth and saplings to facilitate temporary access for positioning the drill rig at the cliff edge on one of the sites –but that Pomphlett Plantation with its significant amount of skyline trees would not be affected. It is considered that the views from Saltram should not be adversely affected in accordance with Core Strategy CS34 and there should not be adverse impacts upon the Registered parkland. Additional information confirms that the trial blast and consequent release of material will not impact the veteran Sycamore on the skyline in this part of the site,

Equalities

The proposed development does not particularly affect any of the equality groups. Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Section 106 Obligations

Not required.

Conclusions

This application will allow for limited activity within the quarry that will help to inform remodelling works for future development proposals. The activities themselves can be suitably controlled in the interests of residential and general amenity and also in the interests of nature conservation.

It is considered that conditions will be able to control the activities.

Recommendation

In respect of the application dated **08/03/2011** and the submitted drawings Site Plan CP-005-02, Area Locations CG-001., it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

CODE OF PRACTICE DURING SITE WORKS

(2) Prior to the commencement of the development hereby approved, a detailed management plan/code of practice which shall indicate measures to mitigate against adverse effects of noise, dust and traffic generation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the management plan/code of practice.

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.

ACCESS FROM NAMED ROAD

(3) Means of access for all vehicles, plant and machinery to the site shall be from The Ride only.

Reason:

To ensure that an appropriate and safe access is provided in the interests of public safety, convenience and amenity and in the interests of nature conservation in accordance with Policies CS18, CS19, CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SPECIFIC DETAILS

(4) The development hereby permitted shall be carried out in accordance with the Arup report dated 25th October 2007 'Outline Scope of Site Trials and Monitoring' and the approved plans showing the location of the trial works and access unless subsequently otherwise approved in writing by the Local Planning Authority.

Reason:

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

STOCKPILING EXCAVATED AND QUARRIED MATERIAL

(5) The material arising from the trial works shall be retained on site in the locations shown on the approved plan unless otherwise agreed in writing by the local planning authority. It shall be stored in accordance with details that shall have been submitted to and agreed in writing by the local planning authority .Reason:

To control vehicle movements to and from and across the quarry complex and to allow the monitoring of material to be subsequently used in remodelling works in the interest of amenity and in accordance with Policies CS22, CS28 and and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

APPROVED PLANS

(6) The development hereby permitted shall be carried out in accordance with the following approved plans: CP-005-02 and CG-001.

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: NESTING SEASON

(1) It is an offence under the Wildlife and Countryside Act to damage to destroy the nest of any wild bird while it is in use or being built and it is also an offence to disturb many species of wild bird while nesting. Works should take place outside the bird nesting season (September-February) .

INFORMATIVE: CODE OF PRACTICE DURING WORKS

(2) 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 arrangements to notify local residents bordering the Plymstock Quarry complex of the proposed blasting details. It shall also include sections on the following;

1. Site management arrangements including site office, developer contact number in event of any related problems, and site security information.
2. Construction traffic routes, timing of lorry movements, wheel wash facilities, access points, , 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: ecological and landscape impacts and possible impacts upon the highway network and the need to mitigate pollution risk, 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:

PPG15 - Planning and the Historic Environment

PPG24 - Planning and Noise

PPS23 - Planning & Pollution Control

CS28 - Local Transport Consideration

CS34 - Planning Application Consideration

CS22 - Pollution

CS18 - Plymouth's Green Space

CS19 - Wildlife

CS01 - Sustainable Linked Communities

NP01 - Plymstock Quarry

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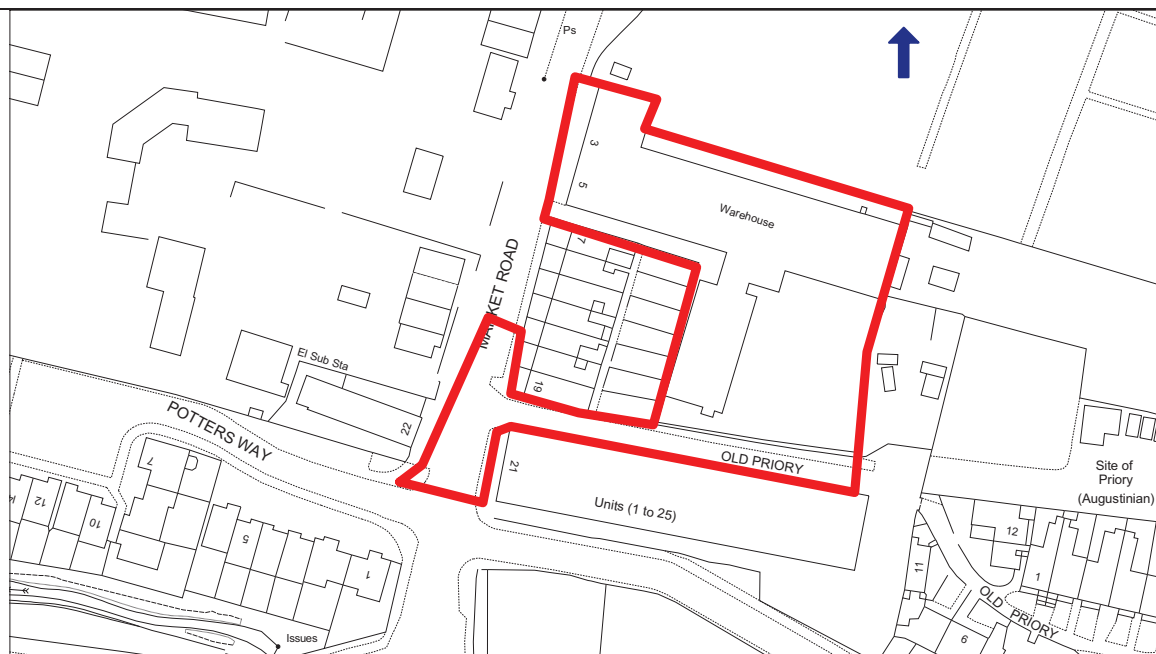
PLANNING APPLICATION REPORT



ITEM: 07

Application Number:	11/00238/FUL
Applicant:	Barratt Homes (Exeter Division)
Description of Application:	Re-develop site by erection of 14 dwellings with associated access, parking, landscaping and drainage (demolition of existing buildings)
Type of Application:	Full Application
Site Address:	3 to 5 MARKET ROAD PLYMOUTH
Ward:	Plympton Erle
Valid Date of Application:	28/02/2011
8/13 Week Date:	30/05/2011
Decision Category:	Major Application
Case Officer :	Robert Heard
Recommendation:	Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 28 May 2011

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OFFICERS REPORT

Site Description

The site is located on Market Road in Plympton, adjacent (and to the south) of the existing St Marys Church and opposite (to the east) of the former livestock market previously known as Plympton Cattle Market, which is in the final stages of being redeveloped for 49 dwellings. The site is approximately 0.25 hectares and is currently occupied by various commercial buildings (mainly in the form of warehouses) being mostly used for vehicle repairs and storage with a small element of office use, although some of buildings have recently become vacant.

The surrounding area is mixed in terms of uses, there is a new housing development nearing completion to the west on the former cattle market site, further vehicle repairs and mixed industrial uses to the south, a primary school to the north and also a hospital to the west. The site shares a boundary with St Marys Church to the north and Plympton Priory (the remains of a medieval monastery) is adjacent to the east. Further housing is scattered around the aforementioned uses on all sides of the site. The site is a short walk from Plympton Ridgeway and is thus close to a range of local amenities.

Proposal Description

This application proposes to demolish the existing buildings and erect 14 dwellings at the site with associated access, parking, landscaping and drainage. The dwellings proposed are a mix of four 2 bed, seven 3 bed and three 4 bed houses, with one of the 2 beds being in the form of a FOG (flat over garage). Most of the houses are 2 storey with two 3 storey dwellings proposed at the front (west) of the site facing onto Market Road.

The site is arranged so that a terrace of 4 dwellings are positioned along the western boundary fronting Market Road. The remaining 10 dwellings (including the FOG) are accessed from the Old Priory which is a small road running along the southern boundary of the site providing access to the existing dwellings to the east of the site. A shared surface road provides access into the site from the Old Priory road to the remaining 9 dwellings and FOG. Each of the dwellings proposed has a private rear amenity area and there are 25 car parking spaces proposed in the form of garages, car ports and parking bays.

Relevant Planning History

10/01544/FUL - Continue use of warehouse for temporary general industrial use (vehicle repair garage) until 14 February 2012. APPROVED.

Opposite site (Old Cattle Market)

09/01432/FUL - Redevelopment of cattle market by erection of 49 dwellings with associated carparking, new vehicular access, landscaping construction of flood flow route, stream widening and creation of footpath to playing field (resubmission re-positioned and enlarged flood route and stream widening). PERMITTED.

09/00928 - Redevelopment of cattle market by erection of 49 dwellings with associated car parking, landscaping, stream widening, creation of footpath to playing field and new vehicular access – WITHDRAWN

07/02352 – Redevelopment of cattle market by erection of 53 dwellings with associated car parking, landscaping and new vehicular access – REFUSED

07/00539 – Erection of 50 dwellings with associated parking, landscaping and new vehicular access – WITHDRAWN

Consultation Responses

Highway Authority

The Highways Officer was heavily involved in pre-application discussions under the Councils Development Enquiry Service and has verbally stated no objection, with written comments and conditions to follow in an addendum report.

Public Protection Service

No objection subject to conditions.

Environment Agency

Have verbally stated no objection and were involved in pre-application discussions. Written comments awaited and to be reported via an addendum report.

English Heritage

Written comments awaited and will be reported via addendum report. EH were involved in pre-application discussions and were supportive of the development, they have stated verbally support for the application

Representations

5 letters of representation received that state support for the principle of development, but raise the following concerns:

1. Access and parking is insufficient.
2. The site is being over-developed.

Analysis

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

As stated above, the application proposes to demolish the existing buildings at the site and erect 14 dwellings with associated access, parking, landscaping and drainage. The dwellings proposed are a mix of four 2 bed, seven 3 bed and three 4 bed houses, with one of the 2 beds being in the form of a FOG (flat over garage). Most of the houses are 2 storey with two 3 storey dwellings proposed at the front (west) of the site facing onto Market Road.

It is considered that the main issues in the determination of this application are the principle of the proposed development; the impact that it will have on the character and appearance of the area; impact upon nearby properties residential amenities; impact upon the adjacent Priory and impact upon the surrounding highway network. These issues will now be addressed in turn:

Principle of Development

The site is presently occupied by warehouse style buildings that have most recently been used for vehicle repairs, although the majority of buildings on the site are now vacant. It is thus considered to be brownfield land.

With regards to the current employment use, it is considered that the application does not conflict with policy CS05 (Development of Existing Sites) of the Adopted City of Plymouth Local Development Framework Core Strategy (2007). There is no identified shortfall of employment land in the area and the Sustainable Neighbourhoods Assessment for this area (Plympton St Maurice) concludes that local job opportunities are good. There are also clear environmental benefits in developing the site for housing. The employment use at the site is historical and over time has become surrounded by residential development, which has created tension between nearby housing development and the uses being undertaken at the site. These tensions were recognised when application 10/01544 was considered (see planning history section above). It was noted in the conclusion of the planning committee report for this application (for vehicle repairs) that *'the use is not one that is considered sustainable over the long term in an area that has become even more residential in recent times, e.g. the new houses being constructed across the road.* The application was therefore granted a temporary consent.

The site is not constrained by any restrictive planning policy and is not located within a Conservation Area. It is therefore considered that the redevelopment of this site for residential purposes is acceptable in principle and compatible with the surrounding development, which is mixed in character but has a residential core.

Character and Appearance

Policy CS43 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) refers to siting, layout, orientation, local context and character. New development proposals are required to take account of the existing context and the criteria referred to. The form and use of existing development in the area is diverse, there is a new housing development nearing completion to the west of the site, St Marys Church to the north and a mix of more recent and period housing and industrial uses to the east and south.

The majority of the site is hidden from many of the nearby areas. To the west the site is bounded by existing residential development, specifically numbers 7 – 19 Market Road and just across the Old Priory to the south is existing warehousing. To the north is the church yard and areas to the east are mainly private, providing access to minor industrial development and housing. The location is therefore not prominent and the majority of the site will not be visible from Market Road.

With regards to layout generally, the proposal is reflective of the existing built form in the area by providing terraced dwellings. Proposed units 1 – 4 are the most prominent of the proposed dwellings and are located along the western boundary of the site, fronting onto Market Road and adjacent to the existing terraced housing that is also oriented facing west. This ensures that the existing building line is continued along Market Road and provides further natural surveillance of the street. This is the only part of the site that faces onto a busy public space and the location of units 1 – 4 is considered to be a sensible solution to the development of this site, ensuring that the existing pattern of development along this side of Market Road is respected.

The rest of the proposed development, namely units 5 – 14, are located further within the site and accessed from the Old Priory to the south, creating a new shared surface street that terminates at the northern end of the site. Eight units, in the form of 2 semi detached houses and a terrace of six dwellings are positioned adjacent to the eastern boundary of the site and oriented facing west, therefore overlooking the new shared surface street and providing a continual frontage and established building line within the development. Each plot has a private rear garden abutting the rear (eastern) boundary of the site. Of the two remaining units of accommodation, one is provided in the form of a FOG, oriented facing east at the northern end of the site in order to create a traditional street form facing the proposed 8 units referred to above. The final unit is a detached property situated at the entrance to the site, alongside the proposed terrace but oriented facing south onto the Old Priory in order to give a street frontage to this road and to provide natural surveillance of the public space along the southern boundary of the site. Car ports and parking spaces are positioned opposite the proposed terrace of 8 units and alongside the proposed FOG in order to provide a sense of enclosure to the new shared surface street and ensure that car parking spaces are overlooked and integrated successfully within the development.

The layout of the site is considered to be a positive response to the limitations of the site, which is unorthodox in shape and constrained by the existing dwellings along the western boundary that face onto Market Road. However, the layout of the proposed development and orientation of the dwellings ensures that the established pattern of development along Market Road on the western side of the site is respected and that a new traditional and legible street pattern is created within the site, with all new dwellings facing the new shared surface street and thus providing natural surveillance of all areas at the site that are not private. The Council's Architectural Liaison Officer has commented that this will help to reduce the risk of crime at the site and it is positive that there are no areas within the development where there is confusion about whether land is private or communal. The proposed dwelling at the southern end of the site has been designed as a corner

dwelling with a dual frontage to ensure that natural surveillance of cornered areas is maintained.

The northern boundary has been kept free from development where possible, ensuring that views into the pleasant church grounds to the north are created from within the site. It is considered that due to the unorthodox shape of the site it is not possible to fit any further units onto the site without 'cramming', which would also make it difficult to provide the required levels of amenity space and parking. The density ratio at the site is 56 dph and this is well above the previous minimum density guidelines outlined in PPS3. Therefore the application is considered compliant with Policy CS15 (Housing Provision) of the Adopted City of Plymouth Local Development Framework Core Strategy and the Local Planning Authority is satisfied that there has been no attempt by the developer to avoid having to provide Affordable Housing at the site.

The whole site follows the same design form and the different dwelling types contain some very similar features that ensure that the scheme has balance and a considered design approach, through subtle repetition of features and materials. The proposed dwellings are residential and domestic in character, respecting the scale and style of both the existing dwellings on Market Road and those recently constructed on the former Cattle Market site, being in the main 2 storey with pitched roofs. Whilst generally being of traditional form to reflect the existing surrounding development, an element of contemporary design is reflected in the provision of more modern canopy shelters for the front doors and simple window designs that avoid the fussy detailing of past periods so that the development does not have too much of a pastiche feel to it.

The proposed dwellings are predominantly finished in render which is the dominant local material in this part of Plymouth, but generous use of stone helps to reference the existing period dwellings on Market Road and also the adjacent church, and this helps to present elevations that are interesting and varied. The materials palette is respectful of the surrounding development whilst helping to introduce some minor contemporary features such as the Juliet balconies on plots 6 and 7, and generally the proposal is in keeping with the character and identity of the context in which it sits.

The proposed development will not be particularly visible from the church grounds due to the existence of a stone wall on the northern boundary of the site and mature trees within the church grounds. Whilst the proposed dwellings will be a vast improvement with regards to visual amenity on the existing warehousing the side elevations of the dwellings that are located on the northern boundary of the site will be clad in stone to ensure that the dwellings blend into the context and do not dominate views to the south from the church yard.

Overall, it is considered that the proposed development provides a good quality housing scheme that is sensitive to the character of the surrounding area, respecting elements of the more traditional housing in the area whilst not being a slavish copy of it. The development is therefore considered to make a positive contribution to local visual amenity and is compliant with Policy CS02 (Design) and CS34 (Planning Application Consideration) of the City of Plymouth Local Development Framework Core Strategy (2007).

Residential Amenity

It is important that all new residential development should be designed to ensure that the degree of privacy enjoyed by existing nearby properties is not unacceptably reduced and that new problems of overlooking are not created. It is also imperative that the relationship between the new dwellings proposed is acceptable and that each property has an adequate level of privacy and natural light.

The closest dwellings to the site, and those only likely to be affected by the proposed development are no's 7 – 19 Market Road. This terrace of 7 dwellings fronts onto Market Road, with their rear gardens being adjacent to the western boundary of the site. Proposed units 1 – 4 are located adjacent to no. 7 Market Road, being positioned alongside it and also oriented to face west onto Market Road. In terms of scale they are similar to the existing development, being 2 storey with a pitched roof and are positioned slightly forward of the existing building line. The separation distance between existing and proposed development is 2 metres and this provides a pedestrian link into and out of the site. The orientation of the proposed dwellings to match the existing and the separation distance ensure that the impact on the existing dwellings from those proposed along the western boundary of the site will not be significant and that no loss of residential amenity will occur.

The dwellings proposed to the east of the site (plots 6 – 14) are located away from Market Road and behind the existing terrace of dwellings referred to above. They are oriented to face west and there is a minimum separation distance of 30 metres between the rear elevation of the existing terrace and front elevation of the proposed terrace. This is a significant distance and ensures that no over looking or loss of privacy to the existing terrace is created by the provision of the proposed development. The rear gardens of the existing development are at the closest point 17 metres from the front elevation of the proposed development and are separated by the proposed shared surface access road and car ports that will be adjacent to the rear boundary of the existing dwellings rear gardens. This distance of 17 metres and the provision of the car ports will ensure no loss of amenity to occupiers of the existing terrace when using their rear garden areas.

The layout of the site has been arranged so that the relationship between the proposed dwellings within the site is not unacceptable. In summary, it is considered that there will be no significant residential amenity conflict created between the existing dwellings and proposed development and the application is therefore considered compliant with Policies CS14 and CS34 of the City of Plymouth Local Development Framework Core Strategy (2007).

Impact upon Plympton Priory

The site is adjacent to Plympton Priory and the remains of a medieval monastery. The closest part of the proposed development to the Priory will be the rear gardens of plot numbers 6 – 14. The existing remains at the Plympton Priory site will not be affected by this proposal and will provide a pleasant and useful area of public green space directly adjacent to the sites eastern boundary. English Heritage was involved throughout pre-application discussions under the Councils Development Enquiry Service and the proposal has been designed (specifically the layout) in accordance with EH's advice so that it does not impact upon the Priory. In addition a watching brief condition should also be included in case further remains are found during the

construction process (although this is considered to be highly unlikely following archaeological investigations carried out at the site during the pre-application process). Detailed comments from EH and potential further conditions will be reported to the committee via an addendum report.

Highways Issues

The Highways Officer was heavily involved in pre- application discussions under the Council's Development Enquiry Service and has indicated verbally support for the application. Comments and conditions will be provided in an addendum report

Other Issues

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

In order to meet the requirement of Policy CS20 it is proposed to have Photovoltaic Panels installed on the roofs of the proposed dwellings. These will be almost flush with the roofline and will only have a minimal visual impact. Photovoltaic Panels generate electricity from light and their energy source is therefore sunlight, meaning that they do not require fuel to operate and produce no air pollution or hazardous waste. The use of Photovoltaic Panels is more than adequate to meet the 15% energy saving and the application is therefore compliant with Policy CS20.

Policy CS19 (Wildlife) requires that the application makes provision for protected species at the site and that it delivers a net biodiversity gain. The site is entirely hard surfaced and most of the buildings on it have up until recently been occupied. There is very little biodiversity at the site and therefore the provision of soft landscaping in the form of private gardens to some extent ensures a net biodiversity gain. However, in order to improve biodiversity at the site and encourage wildlife onto it a condition has been added to secure biodiversity improvements, in accordance with Policy CS19.

With regards to Lifetime Homes, 3 of the units proposed are being made available as Lifetime Homes (units 11, 12 and 13). These are shown on drawing number BAR-AHR-DQS011. This is in accordance with Policy CS15 and is proposed to be secured via planning condition.

Letters of Representation

The letters of representation received do not object to the principle of the development and recognise housing as a more neighbour friendly use than the current use. They refer to access and parking and over development. Whilst the Highways Officer's views have yet to be received in writing, he has verbally stated support for the scheme. The application proposes an acceptable access with a shared surface street arrangement which will slow traffic speeds and the number of parking spaces proposed is adequate for a development of this size (25 spaces for 14 units is in accordance with current parking standards). The dph (dwellings per hectare) ratio at the site is 56, which is not particularly high, and a full range of amenities (gardens, parking, cycle storage) is provided at the site. It is therefore

considered that the provision of 14 dwellings would not be over development at this site.

Section 106 Obligations

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

Local Infrastructure

Primary schools. The development provides for family accommodation which will generate a demand for school places. The Council's Children's Services have provided evidence that there is likely to be a deficiency of school places in the locality from 2012 given projected population growth. The development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £17, 838.

Libraries. Library Services advise that development in this area will generate a pressure on existing library facilities which are already in need of additional capital investment as a result of the cumulative impact of population growth. The development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £1, 560.

Local green space. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact on existing local green space, most specifically through the need for green space improvements. The estimated cost of mitigating this impact is £4, 490.

Childrens Play Space. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact on existing play facilities, most specifically through the need for play facility improvements. The estimated cost of mitigating this impact is £3, 213.

Playing Pitches. The development is in a location that is deficient in terms of access to playing pitches. There is therefore an impact on infrastructure requirement that arises as a result of the development, namely the provision of improved access to playing pitches. The estimated cost of mitigating this impact is £8, 146.

Strategic Infrastructure

Strategic green space. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the quality of environmental sites protected by legislation, particularly through increased recreational demands. The Council's has an obligation through the Habitats Regulations Assessment of the LDF Core Strategy and relevant Development Plan Documents to seek mitigation for such cumulative impacts. The estimated cost of mitigating this impact is £10, 015.

European Marine Site. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the

environmental quality of European Marine Site particularly through increased recreational demands. The Council's has an obligation through the Habitats Regulations Assessment of the LDF Core Strategy and relevant Development Plan Documents to seek mitigation for such cumulative impacts. The estimated cost of mitigating this impact is £237.

Strategic sports facilities. By reason of the increased population facilitated by the development and the increased demand for use of sports facilities, it will contribute to the cumulative impact of development on the city's sports infrastructure. The estimated cost of mitigating this impact is £6, 400.

Strategic transport. By reason of the increased population facilitated by the development and the increased demand for journeys, it will contribute to the cumulative impact of development on the city's strategic transport infrastructure. This will bring the likelihood of increased congestion and pollution unless there is adequate mitigation. The estimated cost of mitigating this impact is £18, 615

Strategic public realm. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the City Centre's public realm. This is because there will be a greater level use of the City Centre which itself generates extra pressure on the existing infrastructure. The estimated cost of mitigating this impact is £764.

The following Heads of Terms are proposed, each of which have been tested against Regulation 122 of the Community Infrastructure Levy Regulations 2010, to enable appropriate mitigation of the impacts identified above:

- a. Local schools tariff: £17, 838, to be allocated to the provision of additional school places within the south east locality.*
- b. Libraries tariff. £1, 560, to be allocated to the provision of improved library facilities in the area.*
- c. Playing pitches tariff. £8, 146, to be allocated to the provision of improved playing pitch facilities in the south sub-area, as identified in the Playing Pitch Strategy.*
- d. Local green space tariff. £4, 490 to be allocated to the improvement of local green space.*
- e. Local play space tariff. £3, 213 to be allocated to the improvement of local play facilities.*
- f. Strategic green space tariff. £10, 015 to be allocated to the provision of strategic green spaces that help to take pressure off the designated environmental sites, as identified in the Plymouth Green Infrastructure Delivery Plan.*

g. European Marine Site tariff. £237 to be allocated to appropriate management measures for the Tamar Estuaries as identified in the Tamar Estuaries Management Plan.

h. Strategic sports facilities tariff. £6, 400, to be allocated to the delivery of priority strategic sports facilities as identified in the Sports Facilities Strategy.

i. Strategic transport tariff. £18, 615, to be allocated to the delivery of priority strategic transport interventions as identified in the LTP3 Transport Implementation Plan.

j. Public realm tariff. £764, to be allocated to the delivery of priority City Centre public realm improvements as proposed in the City Centre & University Area Action Plan.

Therefore, to mitigate the impacts of the proposal, a total tariff contribution of £71, 278 is required.

Equalities & Diversities issues

The application proposes 14 new residential units that on completion should be offered for sale on the open market and therefore will be available to people from all backgrounds to purchase. Three of the units proposed will also be Lifetime Homes. No negative impact to any equality group is anticipated.

Conclusions

To summarise, this application will provide 14 new dwellings with associated car parking and landscaping also provided as part of the development package. The applicant has agreed to pay the financial contributions considered necessary to mitigate the impacts of the proposal under the Community Infrastructure Levy and Council's Market Recovery Scheme.

It is considered that the application proposes a good quality housing development with a layout that is sensitive to the existing pattern of development in the area and constraints of the site. The design of the dwellings is consistent with the recently constructed housing on the old cattle market site and also the existing period dwellings on Market Road.

The proposed development would not impact significantly upon nearby properties residential amenities due to the layout and orientation of the proposed dwellings and would not harm the surrounding highway network, providing adequate levels of off street car parking. No harm would be caused to the adjacent Priory or church. The application is therefore recommended for approval, subject to conditions and the satisfactory completion of a S106 legal agreement, with delegated authority sought to refuse the application if the Section 106 Agreement is not signed by the 28th May 2010.

Recommendation

In respect of the application dated **28/02/2011** and the submitted drawings 0400/102c, 0400/103a, 0400/104b, 0400/105b, 0400/107a, 0400/108c, 0400/109a, 0400/200-208a, BAR-AHR-DQS011, it is recommended to: **Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 28 May 2011**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 2 YEARS

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

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004, and due to concessions in Planning Obligation contributions/requirements under Plymouth's temporary Market Recovery measures.

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 0400/102c, 0400/103a, 0400/104b, 0400/105b, 0400/107a, 0400/108c, 0400/109a, 0400/200-208a, BAR-AHR-DQS011.

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 unit. 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.

SUSTAINABLE RESOURCE USE

(4) 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 a minimum of 15% of the carbon emissions for which the development is responsible will be off-set by on-site renewable energy production methods. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations.

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

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to off-set at least 15% of predicted carbon emissions for the period 2010-2016 in accordance with Policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and relevant Central Government guidance contained within PPS22.

ARCHAEOLOGICAL WORK

(5) No part of the development allowed by this permission shall be commenced until the applicant (or their agent or his successors in title) has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation (WSI) which has been submitted by the applicant and approved by the Local Planning Authority. The development shall be carried out at all times in strict accordance with the approved scheme and in accordance with other such details as may subsequently be agreed in writing by the Planning Authority.

Reason:

To ensure that a record of any archaeological remains at the site is made, in accordance with Policy CS03 (Historic Environment) of the Adopted Plymouth Local Development Framework Core Strategy 2007

SITE CHARACTERISATION

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

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

(ii) an assessment of the potential risks to:

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

- ecological systems,
- archeological sites and ancient monuments;

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

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

Reason:

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

SUBMISSION OF REMEDIATION SCHEME

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

Reason:

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

IMPLEMENTATION OF APPROVED REMEDIATION SCHEME

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

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

Reason:

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

REPORTING OF UNEXPECTED CONTAMINATION

(9) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 6, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 7, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 8.

Reason:

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

CODE OF PRACTICE

(10) Prior to the commencement of development approved by this planning permission the developer shall submit a Code of Practice for the site that outlines how they intend to prevent or control any nuisance arising from any work carried out. The Code of practice must comply with all 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. All sensitive properties surrounding the site boundary shall be notified in writing of the nature and duration of works to be undertaken, and the name and address of a responsible person, to whom an enquiry/complaint should be directed.

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.

LIFETIME HOMES

(11) The development shall be constructed strictly in accordance with drawing no.s BAR-AHR-DQS011 and 0400/205 & 206 which shows 3 units (plots 11, 12 and 13) within the development hereby approved to be constructed to Lifetime Homes standards. The layout of the floor plans hereby approved shall be permanently retained for so long as the development remains in existence, unless a further permission is granted for the layout of these units to change.

Reason:

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

EXTERNAL MATERIALS

(12) 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.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be the impact of the proposed development on visual amenity and the streetscene, nearby properties residential amenities, Plympton Priory and highway safety, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (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:

- CS28 - Local Transport Consideration
- CS32 - Designing out Crime
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS19 - Wildlife
- CS20 - Resource Use
- CS21 - Flood Risk
- CS05 - Development of Existing Sites
- CS03 - Historic Environment
- CS01 - Sustainable Linked Communities
- CS02 - Design
- CS15 - Housing Provision
- CS16 - Housing Sites

PLANNING APPLICATION REPORT



ITEM: 08

Application Number: 10/01860/FUL

Applicant: Urbis Developments Ltd

Description of Application: Conversion of existing house into two dwellings (including removal of existing two-storey side/rear extension and replacement with two-storey side extension and single-storey rear extension, and erection of 11 new dwellings with associated parking and landscaping (renewal of 07/01397/FUL)

Type of Application: Full Application

Site Address: 273 TAVISTOCK ROAD PLYMOUTH

Ward: Budshead

Valid Date of Application: 18/11/2010

8/13 Week Date: **17/02/2011**

Decision Category: Major Application

Case Officer : Robert McMillan

Recommendation: Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 18 May 2011

Click for Application Documents: www.plymouth.gov.uk



OFFICERS REPORT

Site Description

The site is on the northwest side of Tavistock Road 120 metres north of the Derriford roundabout. It has an area of 0.43 hectare with a frontage to Tavistock Road of 44 metres. There is housing to the north, west and south with the Mercedes Benz dealership to the east on the other side of Tavistock Road.

The site comprises a large imposing Edwardian villa which is double fronted and prominent from the south given its elevated position. There is a large garden to the south which is enclosed by trees, vegetation, hedgebanks and a wall on the four boundaries. The properties in Franklyns to the north west are at a higher level by at least a metre. The property on the southern boundary, 1 Franklyns Close is close to the boundary but shielded by a high Laurel hedge 4 – 5 metres high.

The access is opposite the junction of Plymbridge Lane with Tavistock Road, there is a bus stop to the north and light controlled pedestrian crossing to the south. There is a central reservation in Tavistock Road which tapers out about 20 metres to the north.

Proposal Description

It is proposed to provide 11 new dwellings on the site (in the form of two terraced rows) comprising eight 4 bedroom houses and three 5 bedroom houses and to convert the existing property into a pair of 3 bedroom houses dwellings (including removal of existing two storey side/rear extension and replacement with two storey side extension and single storey rear extension) with associated parking and landscaping. The materials are render, timber cladding, small brick panels and a slate roof.

Relevant Planning History

07/01397 - Conversion of existing house into two dwellings (including removal of existing two-storey side/rear extension and replacement with two-storey side extension and single-storey rear extension, and erection of 11 new dwellings with associated parking and landscaping – GRANTED , subject to a Section 106 agreement – Not implemented.

There were extensive pre-application negotiations prior to submission to achieve an acceptable scheme. This is the permission the applicant is seeking to renew.

06/01714/FUL - Redevelopment of site (following demolition of house) with 24 flats, in two three storey blocks, with associated access road and car parking areas. WITHDRAWN.

Consultation Responses

Local Highway Authority

No objections subject to the attachment of the previous conditions.

Public Protection Service

No objection subject to conditions relating to ground contamination and code of practice.

Housing Service

Three Lifetime Homes should be provided to comply with policy CS15.

Plymouth City Airport

No objections

South West Water (SWW)

No objection concerning infrastructure capacity. A public sewer crosses the site. The development encroaches within the 3 metre easement and the developer will need to contact SWW concerning the diversion of the sewer.

Representations

The Council received letter from one neighbouring resident raising the following points:

1. To protect his privacy it is essential that the high laurel hedge on the boundary is not compromised during construction and upon completion;
2. Requires some form of additional barrier;
3. He raised these matters with the earlier application with the applicant who stated the hedge would be retained and a timber fence 1.5 m high provided. The applicant also stated that it would transfer the hedge to the neighbour;
4. There should be a maintenance company to manage the common amenity land and boundaries;
5. The left out turn is inconvenient for southbound trips and may generate dangerous U turns. Perhaps a no U turn sign should be placed on the central reservation; and
6. The previous approved layout drawing was not on file,(but was added later and the neighbour later confirmed he had seen it.)

Analysis

This is an application to renew the previous permission for the development granted conditional permission subject to a section 106 agreement in November 2007. The main issues are: the principle of development given the change to the definition of previously developed land in PPS3 Housing; the impact on the character and appearance of the area and visual amenity including design issues; effect on residential amenity of surrounding properties; transport matters; and trees and nature conservation; and changes to methodology in mitigating the impacts of the development by the section 106 planning obligation.

The main Core Strategy policies are: CS01 Development of Sustainable Linked Communities, CS02 Design, 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. The guidance in the three Supplementary Planning Documents (SPDs) on Development Guidelines, Planning Obligations and Affordable Housing first review and Design also applies.

Introduction

The procedure to renew unimplemented planning permissions came into force in October 2009. The government states in “Greater flexibility for planning permissions 2009” that its intention is: “to make it easier for developers and Local Planning Authorities to keep planning permissions alive for longer during the economic downturn so that they can more quickly be implemented when economic conditions improve.” It is a temporary measure in response to the current economic circumstances and only one time extension per permission will be possible.

Additional information is required only where there has been a change in a statutory requirement, policy or material consideration since the previous grant of permission. In this case the main changes have been the change in PPS 3 Housing to the definition of previously developed land and the publication of the three SPDs in particular the Planning Obligations and Affordable Housing SPD First Review.

Principle of development

When the previous application was determined in 2007 the site was defined as previously developed land (PDL). The Government re-issued PPS3 Housing last year excluding private residential gardens from the definition of PDL in Annex B and deleting the national indicative minimum density of 30 dwellings per hectare (dph) from paragraph 47. These changes are a material consideration in determining applications.

In the absence of a specific development plan policy preventing the development of the gardens of dwellings it would be unreasonable to refuse permission simply because it is garden land without sound defensible reasons. It is important to state that national and local policies do not rule out development on garden land per se. Any such developments will be determined in accordance with the policies in the Adopted Core Strategy, and other published guidance, and will continue to be dealt with on their individual merits, for example, taking into account the details of the scheme and its effect on the character and appearance of the area.

In the period 2006-2010 only 2% of all dwellings (78 dwellings on 54 sites) completed in Plymouth have been on garden land, thus it has not been the major issue that it has been in other areas.

The site is 0.43 ha which is much larger than those in the immediate surroundings that average about 0.072ha, so it is six times larger.

The existing density of the surroundings is 14 dwellings per hectare (dph). The proposal is 30 dph which is greater but still comparatively low and acceptable in this location. Additionally the Council decided in 2007 that this form of development was acceptable. The change to the definition of PDL is not reason alone to recommend to refuse in particular for an application to renew a previously permitted scheme.

The Sustainable Neighbourhoods (including Key Site Allocations) Issues and Preferred Options DPD is relevant as the site is just outside the AAP area. The relevant findings are that there is a limited choice of house types as they are mainly owner-occupied at low density with little affordable housing. The proposal supports

the possible objectives of: the new housing helping to support local services; and providing a greater variety of housing in the form of terraced houses and two semi-detached houses at an acceptable higher density. Affordable housing is not provided because the number of dwellings is below the threshold of 15.

The proposal complies with policies CS01, CS15 and CS16 of the Core Strategy.

Character and Appearance and Visual Amenity

Policy CS34 refers to siting, layout, orientation, local context and character. The form of existing residential development in the area is mixed. Immediately adjacent to the site there are relatively large properties with generous curtilages, however only slightly further away and within 200 metres of the site there is a more varied mix of housing types. To the north of the site on Tavistock Road there is a recently completed block of 15 luxury apartments and a row of small cottage properties. To the east of the site a new high density three/four storey student housing scheme is under construction (10/01140). Beyond this is the development of 'key worker' accommodation for Derriford Hospital staff in another high density contemporary design.

The proposed development is in the form of 2 terraces of 3 storey properties, providing a mix of eight 4 bed and three 5 bed houses and includes retention of the existing Victorian Villa, which will be split into two 3 bed dwellings. This is a positive aspect of the scheme as, while it is not listed, it is an attractive imposing building in a prominent location when viewed from the south. The layout and massing of the proposed development ensures that the formality of the existing building is not compromised by the terrace, by locating the proposed terrace away from the existing building on a lower part of the site. The provision of 4 and 5 bed houses is in keeping with the type of residential development immediately adjacent to the site (with regards to size/floorspace) and it is considered that the proposed terraces help to add further diversity to the form of residential development in the area and the built environment without causing harm to its character.

Design

Policy CS02 is also relevant and seeks to ensure good design in order to protect the visual quality of the area. As stated above in this report, the applicant and agent have utilised the Council's pre-application advice system and this application is the result of lengthy discussions with officers. The dwellings proposed are contemporary in appearance and utilise a mixed palette of both modern and traditional materials. The dwellings are arranged as two terraced rows which are set away from the existing house and are positioned so that maximum use is made of the existing gardens, creating an inward looking development that helps to ensure that the site is naturally surveyed. The central area that the development creates will be a shared surface that provides a good balance between car parking and landscaping and creates a centre point for the development. The impact of the terrace on the street scene is minimal due to the established high boundary hedge between the site and Tavistock Road and wide verge and the fact that the terrace is stepped down from north to south, following the existing slope on the site. The main terrace elevation (front) contains pedestrian and vehicular access points and articulate the vertical divisions

between dwellings stepping down the site; a recessed brick, timber and glass entranceway break up the terraces into individual houses.

The rear elevations are characterised by an almost entirely glazed façade at ground floor level that utilises a flat green sedum roof in order to integrate into the garden setting, with rendered elevations above. Materials proposed are traditional such as render, brick and slate whilst also introducing timber and areas of glazing. The proposed extensions to the existing dwelling include demolition of very poor previous additions that appear to have been constructed as permitted development. The proposed extensions are contemporary in design and ensure that the character of the original building is retained. It is considered that the proposed development provides high quality contemporary housing that is sensitive to the character of the surrounding area, making a positive contribution to the visual amenities of the area and retaining many of the attractive landscape features of the site.

Residential Amenity

It is important that all new residential development should be designed to ensure that the degree of privacy enjoyed by nearby properties is not unacceptably reduced and that new problems of overlooking are not created. Castlehome, Waratah and Southcote in Franklyns are set well away from the boundary and at a higher level and will not be overlooked. Castlehome, and Waratah are 24 and 21 metres away from the blank gable end of plot 9 the dwelling closest to the boundary with those adjoining properties.

Number 1 Franklyns Close is 11 metres from the terrace but is not visible from the site due to the existing high boundary laurel hedge. The owner of this property is understandably concerned that his privacy will be protected. The drawings show that this hedge will be retained and condition 10 ensures this. There will also be a fence provided next to the hedge on the application site. With the previous application the applicant wrote to the neighbour stating that it would be happy to transfer the hedge to the adjoining property. This is a private civil matter between the applicant and adjoining owner and not material to this application. Due to the proposed layout arranged as 2 terraces, siting and enclosed nature of the site there are no direct problems of overlooking or over-dominance to adjoining properties or between the new houses.

Highways Issues

Vehicular and pedestrian access at the site is proposed to be kept in the current location, being the north-east corner. The access is proposed to be widened to 5.5 metres with a separate pedestrian pavement into the site. The surface of the access road is proposed to be tarmacadam but once into the site this changes to a permeable paving in order to give priority to pedestrians and enhance the quality of the shared areas within the site. A vehicle turning area is proposed at the end of the access road and each dwelling has an allocated parking space, with shared spaces that equate to 1.5 spaces per dwelling and 4 allocated visitor spaces.

The Transport and Highways Officer was involved in the pre-application negotiations that took place and is supportive of the application, recommending approval subject to conditions.

Landscaping Trees and Nature Conservation

The trees on the site are protected by a Tree Preservation Order. There are trees on the boundaries and within the site. Those on the boundary will be retained. There are other trees within the site and a group on the western part of the site will be managed and retained as a landscaped feature. The previously approved development included the removal of the trees set in from the south eastern boundary. Additional planting will occur as compensation particularly along the north western boundary to be secured through the landscaping condition.

Since the previous decision residents informed officers that badgers might be present. The applicant carried out an ecological survey and identified a sett in the south east corner of the site in the garden area of plot 13. It is an outlying sett used at most on an occasional basis. The applicant's ecologist is proposing to close the sett stating that retaining it within a small domestic garden is not desirable and is unlikely to be sustainable. If this happens this will under the appropriate licence from Natural England to comply with the Protection of Badgers Act 1992 and Wildlife and Countryside Act 1981. The treatment of the outlying sett will be resolved in accordance with the mitigation measures in condition 21. The applicant will need to submit and have approved nature conservation measures prior to work starting on the development. These will include: details of mitigation measures for protected species; details and measures to eradicate Japanese Knotweed; and measures to achieve biodiversity gain in order to comply with policy CS19.

Other matters

To comply with policies CS15 and CS20 the development will need to provide three Lifetime Homes and 15% on-site renewable energy production that is secured by appropriate conditions.

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

Impacts

The applicant has opted for the application to be subject to the Market Recovery Scheme and as it is a renewal application previously dealt with as a brownfield site in this case the 50% discount is reasonable and justified. The prioritisation exercise identified the major impacts of the development to be mitigated are: local schools infrastructure and the strategic infrastructure of green space, European Marine Site and transport. The justification is as follows:

Local infrastructure

Primary schools. The development provides for family accommodation which will generate a demand for school places. The Council's Children's Services have provided evidence that there is likely to be a deficiency of school places in the

locality from 2014 given projected population growth. The development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £24,506.

Strategic infrastructure

Strategic green space. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the quality of environmental sites protected by legislation, particularly through increased recreational demands. The Council has an obligation through the Habitats Regulations Assessment of the LDF Core Strategy and relevant Development Plan Documents to seek mitigation for such cumulative impacts. The estimated cost of mitigating this impact is £13,097.

European Marine Site. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the environmental quality of European Marine Site particularly through increased recreational demands. The Council has an obligation through the Habitats Regulations Assessment of the LDF Core Strategy and relevant Development Plan Documents to seek mitigation for such cumulative impacts. The estimated cost of mitigating this impact is £803.

Strategic transport. By reason of the increased population facilitated by the development and the increased demand for journeys, it will contribute to the cumulative impact of development on the city's strategic transport infrastructure. This will bring the likelihood of increased congestion and pollution unless there is adequate mitigation. The estimated cost of mitigating this impact is £41,945.

The management fee is £5,278.

The combined contribution is £85,629.

To benefit from the Market Recovery Scheme the permission will be conditioned for two years and there must be a substantial start on the development within two years from the date of the permission.

If a substantial start is not made in time the development would not benefit from the Market Recovery Scheme and the full impacts of the development on the local and strategic infrastructure would have to be mitigated. This would result in a contribution of £165,980.

Heads of terms

The following Heads of Terms are proposed, each of which have been tested against Regulation 122 of the Community Infrastructure Levy Regulations 2010, to enable appropriate mitigation of the impacts identified above:

Local schools tariff: £24,506, to be allocated to the provision of additional school places within the Central and North East locality.

Strategic green space tariff. £13,907, to be allocated to the provision of strategic green spaces that help to take pressure off the designated environmental sites, as identified in the Plymouth Green Infrastructure Delivery Plan.

European Marine Site tariff. £803, to be allocated to appropriate management measures for the Tamar Estuaries as identified in the Tamar Estuaries Management Plan.

Strategic transport tariff. £41,945, to be allocated to the delivery of priority strategic transport interventions as identified in the LTP3 Transport Implementation Plan Northern Corridor Whole Route Implementation Plan.

Planning Obligations Management Fee. £5,278, to be used to meet the Council's costs in administering and monitoring implementation of the Section 106 Agreement.

Negotiations

The applicant wishes to make the contributions in phases and is querying the definition of "substantial start" which is critical to the agreement. Officers were still negotiating these terms when the report was prepared and will update members on progress. Officers would hope that the applicant will agree to a compromise in order that the recommendation remains favourable. There is a risk that if agreement can not be reached the negative alternative in the recommendation could be applied.

Equalities & Diversities issues

The houses will be available for all equality groups and three of the properties will be Lifetime Homes suitable for people with disabilities and the elderly. There are no affordable homes as the development falls under the threshold of 15 dwellings.

Conclusions

The application is to renew the scheme permitted in 2007. The development is acceptable in visual, residential amenity, transport and trees and nature conservation terms. The main changes since 2007 to consider are the amendment to the definition of previously developed land in PPS3 and the Council's new approach to planning obligations in mitigating the impacts of development. The fact that part of the site is now considered green field is not reason alone to refuse permission for a well designed scheme that does not harm visual or residential amenity and is at a reasonable density. The section 106 obligation to mitigate the impacts of the development was negotiated on the basis of the SPD First Review and Market Recovery Scheme. The applicant was challenging the previously agreed heads of terms when the report was drafted. Officers hope that a successful outcome can be achieved. The proposal is acceptable, subject to this important proviso and officers will update members on these late section 106 negotiations at the meeting.

Recommendation

In respect of the application dated **18/11/2010** and the submitted drawings Design and Access Statement, Transport Statement, Tree Survey and Ecological Report., it is recommended to: **Grant Conditionally Subject to a S106 Obligation, with**

delegated authority to refuse in the event that the S106 Obligation is not completed by 18 May 2011

Conditions

TIME LIMIT

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

Reason:

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

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved drawings and documents: 0041/001, 0041/020/B, 0041/021/B, 0041/022/B, 0041/024, 0041/025, 0041/030/A, 0041/031/A, 0041/032/A, 0041/033/A, 0041/010/H, 0041/023/C and accompanying Design and Access Statement, Transport Statement, Tree Survey and Ecological Report.

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.

STREET DETAILS

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

Reason:

To provide a road and footpath pattern that secures a safe and convenient environment and to a satisfactory standard in accordance with policy CS28 of

ACCESS

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

Reason:

To ensure an adequate road access at an early stage in the development in the interests of public safety, convenience and amenity to comply with policy CS28 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

PEDESTRIAN ACCESS

(5) The building shall not be occupied until a means of access for use by pedestrians has been constructed in accordance with the approved plans.

Reason:

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

DETAILS OF NEW JUNCTION

(6) Development shall not begin until details of the junction between the proposed service road and the highway have been approved in writing by the Local Planning Authority; and the building shall not be occupied until that junction has been constructed in accordance with the approved details.

Reason:

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

CAR PARKING PROVISION

(7) The development shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for a maximum of 23 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear.

Reason:

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

PROVISION OF PARKING AREA

(8) 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 to comply with policy CS28 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

EXISTING TREE/HEDGEROWS TO BE RETAINED

(9) In this condition "retained tree or hedgerow" means an existing tree or hedgerow which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from

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

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

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

Reason:

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

RETENTION OF HEDGE ON SOUTH WEST BOUNDARY

(10) The existing hedge on the south west boundary with I Franklyns Close shall be retained to a height of between four to five metres above ground level permanently.

Reason:

To protect the privacy and residential amenity of the adjoining property to comply with policy CS34 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

DETAILS OF BOUNDARY TREATMENT

(11) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before 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 CS18 of the adopted City of Plymouth Local Development Framework Core Strategy (2007).

LANDSCAPE DESIGN PROPOSALS

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

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policy CS34 of the adopted City of Plymouth Local Development Framework Core Strategy (2007).

SOFT LANDSCAPE WORKS

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

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policy CS34 of the adopted City of Plymouth Local Development Framework Core Strategy (2007).

LANDSCAPE WORKS IMPLEMENTATION

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

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policy CS34 of the adopted City of Plymouth Local Development Framework Core Strategy (2007).

EXTERNAL MATERIALS

(15) 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 adopted City of Plymouth Local Development Framework Core Strategy (2007).

RESTRICTIONS ON PERMITTED DEVELOPMENT

(16) 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 - E shall be carried out unless, upon application, planning permission is granted for the development concerned.

Reason:

In order to protect the residential amenities of the area and to prevent overdevelopment of the site in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CODE OF PRACTICE

(17) 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.

GROUND CONTAMINATION

(18) Implementation of Approved Remediation Scheme

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

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

Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken. 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 to comply with policy CS22 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

LIFETIME HOMES

(19) Details shall be submitted to and approved in writing by the local planning authority identifying and demonstrating how three properties can be built to Lifetime Homes standards before work begins on the development hereby permitted. The Lifetime Homes shall be built in accordance with the approved details.

Reason:

To ensure that a minimum of 20% of the properties are built to Lifetime Homes standards to comply with policy CS15 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

RENEWABLE ENERGY

(20) No work shall begin on the development hereby permitted until a report on site renewable production has been submitted to and been approved in writing by the local planning authority. The report shall identify how a minimum of 15% of the carbon emissions for which the development is responsible are off-set by on-site renewable energy production methods. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. If such requirements are to be provided by means of a biomass boiler in full or part, details shall also be provided to demonstrate that the boiler will be used, which shall include a commitment to maintain the boiler and details of how a long term fuel supply can be secured and delivered. The proposed solutions should be considered in the light of the Derriford Sustainable Energy Strategy. The approved scheme shall then be provided in accordance with these details prior to the occupation of the dwellings and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

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

NATURE CONSERVATION

(21) Details of a nature conservation mitigation and enhancement strategy shall be submitted to and approved in writing by the local planning authority before work begins on the development hereby permitted. The details shall include: the methodology and mitigation measures required for protected species on site including badgers; details of the measures to eradicate Japanese Knotweed from the site; the measures to achieve a net biodiversity gain on the site; and timings when the measures shall be carried out. The mitigation and enhancement measures shall be implemented in accordance with the approved details.

Reason:

To ensure that the nature conservation interests on the site including the protected species are safeguarded to comply with policy CS19 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

RESTRICTION ON USE OF ROOFS OF GROUND FLOOR EXTENSIONS

(22) The roofs of the rear ground floor extensions of plots 3-13 shall not be used as balconies, decks or outdoor living areas without the prior written permission of the local planning authority.

Reason:

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

CODE OF PRACTICE
INFORMATIVE I

The management plan required by condition 17 shall be based upon the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web-pages, and shall include sections on the following:

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

INFORMATIVE 2

The applicant/developer is advised to contact South West Water regarding the diversion of the sewer that crosses the site before work begins on the development.

INFORMATIVE 3

The applicant is advised that this grant of planning permission does not override the applicant/developer's obligations under the Wildlife and Countryside Act 1981 and Protection of Badgers Act 1992 in relation to the protected species and the requirements to obtain licences from Natural England if protected species are affected.

Statement of Reasons for Approval and Relevant Policies

The main changes since 2007 to consider for this renewal application are the amendment to the definition of previously developed land in PPS3 and the Council's new approach to planning obligations in mitigating the impacts of development.. The fact that part of the site is now considered green field is not reason alone to refuse permission for a well designed scheme that does not harm visual or residential amenity and is at a reasonable density. The section 106 obligation to mitigate the impacts of the development was negotiated on the basis of the Planning Obligations and Affordable Housing SPD First Review and Market Recovery Scheme. The impacts on trees and nature conservation are dealt with adequately by design and appropriate conditions.

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
PPS9 - Biodiversity and geological conservation
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
CS01 - Sustainable Linked Communities
CS02 - Design
CS15 - Housing Provision

CS16 - Housing Sites
SO11 - Delivering a sustainable environment
SO2 - Delivering the City Vision
SO3 - Delivering Sustainable Linked Communities
SO4 - Delivering the Quality City Targets
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

PLANNING COMMITTEE

Decisions issued for the following period: 28 March 2011 to 15 April 2011

Note - This list includes:

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

Item No 1

Application Number: 09/01867/FUL **Applicant:** Sutton Harbour Property & Rege

Application Type: Full Application

Description of Development: Change of use of ground floor from shops (A1 use) to shops (A1 use) or Financial and Professional Services (A2 use) or Restaurant/Café (A3 use) and first and second floors to 6 residential apartments (C3 use) together with new ground floor windows and doors, new rooflights and associated works

Site Address 82 to 84 VAUXHALL STREET PLYMOUTH

Case Officer: Mark Evans

Decision Date: 07/04/2011

Decision: Grant Subject to S106 Obligation - Full

Item No 2

Application Number: 10/01374/OU **Applicant:** Crisplane Ltd

Application Type: Outline Application

Description of Development: Renewal of outline application to redevelop the site with the erection of 11 flats with associated car parking, cycle and bin store

Site Address STONEMASONS ARMS, 142 ALBERT ROAD PLYMOUTH

Case Officer: Karen Gallacher

Decision Date: 30/03/2011

Decision: Grant Subject to S106 Obligation - Outline

Item No 3

Application Number: 10/01608/FUL **Applicant:** University of Plymouth

Application Type: Full Application

Description of Development: Redevelopment of site by erection of new buildings of 4 to 9 storey in height, containing 517 student bedrooms (configured in 59 flats and 73 studio rooms) with ancillary rooms and facilities, also with commercial uses as ground floor frontages of Armada Way Notte Street (use classes A1,A3,B1 and D1)(Revised scheme from previous submission 10/01163/FUL

Site Address THE HOE CENTRE, NOTTE STREET PLYMOUTH

Case Officer: Mark Evans

Decision Date: 07/04/2011

Decision: Grant Subject to S106 Obligation - Full

Item No 4

Application Number: 10/01734/FUL **Applicant:** Midas Homes Ltd

Application Type: Full Application

Description of Development: Change of use of ground, first and second floor of five commercial units from business use (Class B1) to shops (class A1), business use (Class B1) and non residential institution use (class D1)

Site Address PHOENIX QUAY, D1 MILLBAY ROAD PLYMOUTH

Case Officer: Mark Evans

Decision Date: 28/03/2011

Decision: Application Withdrawn

Item No 5

Application Number: 10/01903/FUL **Applicant:** Matrix Plymouth SA

Application Type: Full Application

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: 01/04/2011

Decision: Grant Conditionally

Item No 6

Application Number: 10/02025/LBC **Applicant:** Mr and Mrs I Wotton
Application Type: Listed Building
Description of Development: Installation of replacement front doors, re-render front elevation including reinstatement of architectural features and internal alterations including replacement fireplace, restore/repair decorative ceiling plaster, repair wall plaster and installation of replacement partition
Site Address 14 CAROLINE PLACE PLYMOUTH
Case Officer: Janine Warne
Decision Date: 11/04/2011
Decision: Grant Conditionally

Item No 7

Application Number: 10/02035/FUL **Applicant:** The Co-operative Group
Application Type: Full Application
Description of Development: Installation of refrigeration plant on flat roof
Site Address 2 VICTORIA ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 28/03/2011
Decision: Grant Conditionally

Item No 8

Application Number: 10/02051/FUL **Applicant:** Aggregate Industries UK Limited
Application Type: Full Application
Description of Development: To operate a proposed concrete batching plant without complying with a planning condition limiting working hours (condition 3 imposed upon plan ref: 09/00737)
Site Address MOORCROFT QUARRY, ELBURTON ROAD PLYMOUTH
Case Officer: Alan Hartridge
Decision Date: 01/04/2011
Decision: Application Withdrawn

Item No **9**

Application Number: 10/02117/FUL **Applicant:** Lone Eagle Properties
Application Type: Full Application
Description of Development: Erection of an office extension to the existing building and provision of additional car parking (renewal of 07/00932)
Site Address 1 BREST ROAD DERRIFORD PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 12/04/2011
Decision: Grant Subject to S106 Obligation - Full

Item No **10**

Application Number: 10/02140/FUL **Applicant:** Transport Repair Garage Ltd
Application Type: Full Application
Description of Development: Part repair and part redevelopment of fire-damaged transport repair and car sales garage
Site Address 2 NEWNHAM ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 15/04/2011
Decision: Grant Conditionally

Item No **11**

Application Number: 10/02141/FUL **Applicant:** Midas Homes Limited
Application Type: Full Application
Description of Development: Variation of condition 13 of planning permission 09/01836 to require 20% of dwellings constructed to meet lifetime homes standards (previously 80%)
Site Address LAND AT KINTERBURY SQUARE BARNE BARTON PLYMOUTH
Case Officer: Carly Francis
Decision Date: 11/04/2011
Decision: Grant Conditionally

Item No 12

Application Number: 11/00013/FUL **Applicant:** Mr H Meddleton
Application Type: Full Application
Description of Development: Change of use from single dwellinghouse to two flats including associated rear staircase and rooflights
Site Address 3 GRANBY PLACE PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 04/04/2011
Decision: Refuse

Item No 13

Application Number: 11/00032/FUL **Applicant:** Mr Graham Barton
Application Type: Full Application
Description of Development: First-floor rear extension
Site Address 7 LAIRA PLACE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 07/04/2011
Decision: Grant Conditionally

Item No 14

Application Number: 11/00033/FUL **Applicant:** Mr Graham Barton
Application Type: Full Application
Description of Development: Change of use of ground floor store into bedroom and formation of roof terrace
Site Address 399 ST LEVAN ROAD PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 31/03/2011
Decision: Refuse

Item No 15

Application Number: 11/00035/FUL **Applicant:** The Co-Operative Pharmacy
Application Type: Full Application
Description of Development: Proposed portacabin for use as pharmacy (A1) including works to form new access and steps
Site Address TAMAR VIEW COMMUNITY CENTRE, MIERS CLOSE
PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 29/03/2011
Decision: Grant Conditionally

Item No 16

Application Number: 11/00047/FUL **Applicant:** Mrs Judith Anderson De Bulat
Application Type: Full Application
Description of Development: Change of use of premises to training centre (non-residential) for young people (use class D1 - non-residential institutions)
Site Address 2 SEYMOUR MEWS PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 06/04/2011
Decision: Grant Conditionally

Item No 17

Application Number: 11/00067/FUL **Applicant:** The Oddfellows
Application Type: Full Application
Description of Development: Change of use to dwellinghouse
Site Address 85 DEVONPORT ROAD PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 28/03/2011
Decision: Grant Conditionally

Item No 18

Application Number: 11/00082/FUL **Applicant:** Mr & Mrs W and D Morgan
Application Type: Full Application
Description of Development: Part two-storey, part single storey rear extension
Site Address 8 CHURCHILL WAY PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 07/04/2011
Decision: Grant Conditionally

Item No 19

Application Number: 11/00091/ADV **Applicant:** Mapeley Steps Ltd
Application Type: Advertisement
Description of Development: 1 no. non-illuminated banner for display temporarily for 6 months
Site Address CUSTOM HOUSE, 10 PARADE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 11/04/2011
Decision: Refuse

Item No 20

Application Number: 11/00092/LBC **Applicant:** Mapeley Signs Ltd
Application Type: Listed Building
Description of Development: One non-illuminated banner and one non-illuminated board for display temporarily for six months
Site Address CUSTOM HOUSE, 10 PARADE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 12/04/2011
Decision: Refuse

Item No 21

Application Number: 11/00095/FUL **Applicant:** The Lifetime Sipp co ltd
Application Type: Full Application
Description of Development: Change of use of undercroft parking to 1 business unit (A2) and 1 café/restaurant (A3) with an outside terrace at the front
Site Address DURLEY HOUSE,5 to 11 MILLBAY ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 29/03/2011
Decision: Grant Conditionally

Item No 22

Application Number: 11/00098/FUL **Applicant:** Mr Mark Mina
Application Type: Full Application
Description of Development: Two-storey side extension, and front entrance lobby (revision to previously approved scheme 10/01003/FUL)
Site Address 300 WESTFIELD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 28/03/2011
Decision: Refuse

Item No 23

Application Number: 11/00104/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Replacement windows
Site Address 1A-4F VAUXHALL STREET FLATS, VAUXHALL STREET
Case Officer: Adam Williams
Decision Date: 04/04/2011
Decision: Grant Conditionally

Item No 24

Application Number: 11/00110/FUL **Applicant:** Mr & Mrs Chapman
Application Type: Full Application
Description of Development: Single-storey side and rear extensions
Site Address 70 TO 72 PEVERELL PARK ROAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 11/04/2011
Decision: Grant Conditionally

Item No 25

Application Number: 11/00115/FUL **Applicant:** Dunstone Primary School
Application Type: Full Application
Description of Development: Erection of raised undercover play area, ramp, fencing, gates and footpath, for Seedlings Nursery
Site Address DUNSTONE PRIMARY SCHOOL, SHORTWOOD CRESCENT PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 28/03/2011
Decision: Grant Conditionally

Item No 26

Application Number: 11/00116/ADV **Applicant:** Dunstone Primary School
Application Type: Advertisement
Description of Development: Non-illuminated signage
Site Address DUNSTONE PRIMARY SCHOOL, SHORTWOOD CRESCENT PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 28/03/2011
Decision: Grant Conditionally

Item No 27

Application Number: 11/00121/LBC **Applicant:** Caroline Thomas
Application Type: Listed Building
Description of Development: Alterations in association with change of use to residential accommodation
Site Address 41 STILLMAN STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 07/04/2011
Decision: Refuse

Item No 28

Application Number: 11/00129/ADV **Applicant:** Space Makers
Application Type: Advertisement
Description of Development: Illuminated fascia sign
Site Address 12 ST MODWEN ROAD PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 29/03/2011
Decision: Grant Conditionally

Item No 29

Application Number: 11/00139/FUL **Applicant:** Yelverton Properties Ltd
Application Type: Full Application
Description of Development: New build development of five commercial units, associated landscape, signage and car parking arrangements. (Use classes A1, A2, A3 and A5)
Site Address TOWERFIELD DRIVE PLYMOUTH
Case Officer: Janine Warne
Decision Date: 12/04/2011
Decision: Grant Conditionally

Item No 30

Application Number: 11/00140/ADV **Applicant:** Peugeot Motor Company PLC
Application Type: Advertisement
Description of Development: 5 illuminated fascia signs(approved) and 1 free standing illuminated totem sign (refused)
Site Address VOSPERS MARSH MILLS PARK PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 28/03/2011
Decision: Advertisement Split Decision

Item No 31

Application Number: 11/00147/FUL **Applicant:** Tamar Education Trust
Application Type: Full Application
Description of Development: Erection of single-storey detached building to house a primary unit to the rear of the school, covered walkway and deposition of excavated soil on the NE corner of site to create level area
Site Address TAMAR VALLEY SCHOOL, FOULSTON AVENUE ST BUDEAUX PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 07/04/2011
Decision: Grant Conditionally

Item No 32

Application Number: 11/00148/EXD **Applicant:** Mrs S Sharp
Application Type: LDC Existing Develop
Description of Development: External staircase to the rear
Site Address 336 ST LEVAN ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 30/03/2011
Decision: Issue Certificate - Lawful Use

Item No 33

Application Number: 11/00162/FUL **Applicant:** Mr Stephen Waite
Application Type: Full Application
Description of Development: Single storey rear extension
Site Address 32 REDDINGTON ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 29/03/2011
Decision: Grant Conditionally

Item No 34

Application Number: 11/00165/FUL **Applicant:** Mrs Jennifer Bailey
Application Type: Full Application
Description of Development: First-floor side extension
Site Address 47 SHIRBURN ROAD PLYMOUTH
Case Officer: Mark Utting
Decision Date: 28/03/2011
Decision: Refuse

Item No 35

Application Number: 11/00166/FUL **Applicant:** Mr Mark 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: 30/03/2011
Decision: Grant Conditionally

Item No 36

Application Number: 11/00169/TPO **Applicant:** Miss Deborah Hubbard
Application Type: Tree Preservation
Description of Development: Oak - reduce by 2-3m
Site Address WESLEY COURT,1 MILLBAY ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 05/04/2011
Decision: Refuse

Item No 37

Application Number: 11/00170/LBC **Applicant:** Mr Tim Nokes
Application Type: Listed Building
Description of Development: Internal alterations to basement involving removal of internal wall to enlarge kitchen, block up internal doorway to kitchen, re-open old doorway to utility room, enlarge fireplace to install a cooking range and removal of two built-in cupboards
Site Address 5 COLLINGWOOD VILLAS, COLLINGWOOD ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 11/04/2011
Decision: Refuse

Item No 38

Application Number: 11/00173/FUL **Applicant:** Levenway Ltd
Application Type: Full Application
Description of Development: Change of use of first floor to retail (Use Class A1) from gym (Use Class D2)
Site Address 35 to 37 MAYFLOWER STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 28/03/2011
Decision: Grant Conditionally

Item No 39

Application Number: 11/00174/FUL **Applicant:** KFC (GB) Ltd
Application Type: Full Application
Description of Development: Alterations to shopfront
Site Address 33 MUTLEY PLAIN PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 30/03/2011
Decision: Grant Conditionally

Item No 40

Application Number: 11/00176/ADV **Applicant:** KFC (GB) Ltd
Application Type: Advertisement
Description of Development: Replacement fascia and projecting sign
Site Address 33 MUTLEY PLAIN PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 30/03/2011
Decision: Grant Conditionally

Item No 41

Application Number: 11/00180/FUL **Applicant:** Mrs L Jelliman
Application Type: Full Application
Description of Development: Two-storey side extension
Site Address 317 SALTASH ROAD KEYHAM PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 31/03/2011
Decision: Grant Conditionally

Item No 42

Application Number: 11/00181/FUL **Applicant:** Mr and Mrs Tim Mellor
Application Type: Full Application
Description of Development: First floor rear extension including alterations to front roof and replacement of front porch
Site Address 80 BEARSDOWN ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 31/03/2011
Decision: Refuse

Item No 43

Application Number: 11/00182/FUL **Applicant:** Mr and Mrs Dunstan
Application Type: Full Application
Description of Development: Part two-storey, part single-storey rear extension, single storey front extension and alterations (existing structures at front and side to be removed) revisions to previously approved scheme 10/01322/FUL
Site Address 102 CHURCH ROAD PLYMSTOCK PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 30/03/2011
Decision: Grant Conditionally

Item No 44

Application Number: 11/00185/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Single-storey rear extension
Site Address 521 BUDSHEAD ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 07/04/2011
Decision: Application Withdrawn

Item No 45

Application Number: 11/00188/LBC **Applicant:** Mr and Mrs Dunstan
Application Type: Listed Building
Description of Development: Part two-storey part single-storey rear extension, single storey front extension and alterations (existing structures at front and side to be removed). Revisions to previously approved scheme 10/01324/LBC
Site Address 102 CHURCH ROAD PLYMSTOCK PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 30/03/2011
Decision: Refuse

Item No 46

Application Number: 11/00189/FUL **Applicant:** Christopher Mintoft
Application Type: Full Application
Description of Development: Single-storey side and rear extensions (Existing garage to be removed)
Site Address 1 BASINGHALL CLOSE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 11/04/2011
Decision: Grant Conditionally

Item No 47

Application Number: 11/00190/FUL **Applicant:** Mr Ben Lines
Application Type: Full Application
Description of Development: Change of use from dwellinghouse to use as 3 flats including creation of new parking area and refuse store
Site Address 17 DEVONPORT ROAD PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 14/04/2011
Decision: Grant Conditionally

Item No 48

Application Number: 11/00193/FUL **Applicant:** Montrose Developments Ltd
Application Type: Full Application
Description of Development: Change of use from shop (A1) to hot food takeaway (A5) including details of extraction flue
Site Address 194 ALBERT ROAD PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 29/03/2011
Decision: Refuse

Item No 49

Application Number: 11/00194/FUL **Applicant:** Mr T Stacey
Application Type: Full Application
Description of Development: Construction of single storey rear extension, (Removal of existing conservatory)
Site Address 42 THIRLMERE GARDENS PLYMOUTH
Case Officer: Adam Williams
Decision Date: 28/03/2011
Decision: Grant Conditionally

Item No 50

Application Number: 11/00197/PR **Applicant:** Mr Peter Goss
Application Type: LDC Proposed Develop
Description of Development: Proposed hardstanding
Site Address 2 WARLEIGH CRESCENT PLYMOUTH
Case Officer: Adam Williams
Decision Date: 30/03/2011
Decision: Issue Certificate - Lawful Use

Item No 51

Application Number: 11/00200/FUL **Applicant:** Mr Paul Symons
Application Type: Full Application
Description of Development: Retrospective application for raised decking
Site Address 37 SPEEDWELL CRESCENT PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 31/03/2011
Decision: Grant Conditionally

Item No 52

Application Number: 11/00207/PR **Applicant:** My Hyne and Miss Smale
Application Type: LDC Proposed Develop
Description of Development: Alterations to roof to form gable end and formation of a rear dormer with installation of roof lights
Site Address 67 LOWER COMPTON ROAD PLYMOUTH
Case Officer: Mark Utting
Decision Date: 31/03/2011
Decision: Issue Certificate - Lawful Use

Item No 53

Application Number: 11/00209/FUL **Applicant:** Asquith Supplies
Application Type: Full Application
Description of Development: Erection of 2 detached industrial units for use within use classes B1 and B8 (renewal of 08/00113/FUL)
Site Address 21 HAXTER CLOSE PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 29/03/2011
Decision: Grant Conditionally

Item No 54

Application Number: 11/00210/FUL **Applicant:** Mr Derek Mayer
Application Type: Full Application
Description of Development: Continue use of garage and store as vehicle repair workshop
Site Address 185 HEALY PLACE PLYMOUTH
Case Officer: Chris Watson
Decision Date: 28/03/2011
Decision: Refuse

Item No 55

Application Number: 11/00212/FUL **Applicant:** Parsonage Developments Limit
Application Type: Full Application
Description of Development: Raise height of roof and internal alterations
Site Address UNIT 1 BUSH PARK PLYMOUTH
Case Officer: Janine Warne
Decision Date: 01/04/2011
Decision: Grant Conditionally

Item No 56

Application Number: 11/00215/FUL **Applicant:** Mr Barry Cooper
Application Type: Full Application
Description of Development: Change of use, conversion and alteration of dwellinghouse to form two self-contained flats, with new external staircase to rear of property, and cycle storage
Site Address 76 ST LEONARDS ROAD PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 12/04/2011
Decision: Grant Conditionally

Item No 57

Application Number: 11/00225/FUL **Applicant:** Mr Glen Vinnicombe
Application Type: Full Application
Description of Development: Single storey rear extension with alterations to the existing roof
Site Address 148 PEVERELL PARK ROAD PLYMOUTH
Case Officer: Mark Utting
Decision Date: 31/03/2011
Decision: Grant Conditionally

Item No 58

Application Number: 11/00230/PR **Applicant:** Mrs M Carter
Application Type: LDC Proposed Develop
Description of Development: Installation of 16 photovoltaic panels on rear roofslope
Site Address 4 NIGHTINGALE CLOSE ELBURTON PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 11/04/2011
Decision: Issue Certificate - Lawful Use

Item No 59

Application Number: 11/00232/FUL **Applicant:** Mrs B E Whapham
Application Type: Full Application
Description of Development: Construction of front and side extensions
Site Address 33 WIDEWELL ROAD ROBOROUGH PLYMOUTH
Case Officer: Adam Williams
Decision Date: 04/04/2011
Decision: Grant Conditionally

Item No 60

Application Number: 11/00235/FUL **Applicant:** Mr and Mrs S O'Sullivan
Application Type: Full Application
Description of Development: Single-storey rear extension
Site Address 111 DUDLEY ROAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 12/04/2011
Decision: Grant Conditionally

Item No 61

Application Number: 11/00237/FUL **Applicant:** Sanctuary Group
Application Type: Full Application
Description of Development: Continue use of surgery as contractor's offices (use class B1) for period of two years (renewal of temporary planning permission granted under application 09/00210)
Site Address WYCLIFFE SURGERY, ELLIOTT ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 12/04/2011
Decision: Grant Conditionally

Item No 62

Application Number: 11/00240/FUL **Applicant:** Mr Nick Davies
Application Type: Full Application
Description of Development: Part two-storey, part single-storey rear extension
Site Address 70 QUEENS ROAD ST BUDEAUX PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 12/04/2011
Decision: Grant Conditionally

Item No 63

Application Number: 11/00241/ADV **Applicant:** Swinton Group
Application Type: Advertisement
Description of Development: 1no internally illuminated fascia sign and 1no internally illuminated projecting sign
Site Address 21 to 23 VICTORIA ROAD PLYMOUTH
Case Officer: Mark Utting
Decision Date: 31/03/2011
Decision: Grant Conditionally

Item No 64

Application Number: 11/00242/FUL **Applicant:** Mr T Levycky
Application Type: Full Application
Description of Development: First floor rear extension, replacement front door and windows and internal alterations
Site Address 51 ADELAIDE STREET STONEHOUSE PLYMOUTH
Case Officer: Mark Utting
Decision Date: 12/04/2011
Decision: Grant Conditionally

Item No 65

Application Number: 11/00243/LBC **Applicant:** Mr T Levycky
Application Type: Listed Building
Description of Development: First floor rear extension, replacement front door and windows and internal alterations
Site Address 51 ADELAIDE STREET STONEHOUSE PLYMOUTH
Case Officer: Mark Utting
Decision Date: 12/04/2011
Decision: Grant Conditionally

Item No 66

Application Number: 11/00244/FUL **Applicant:** Mr Mark Tucker
Application Type: Full Application
Description of Development: Conversion of first and second floor offices to provide 20 student bedrooms in 4 residential units together with rear extension
Site Address 50 CORNWALL STREET CITY CENTRE PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 05/04/2011
Decision: Grant Conditionally

Item No 67

Application Number: 11/00247/FUL **Applicant:** Blacks Leisure Group
Application Type: Full Application
Description of Development: Alterations to shopfront
Site Address 71 NEW GEORGE STREET PLYMOUTH
Case Officer: Mark Utting
Decision Date: 31/03/2011
Decision: Grant Conditionally

Item No 68

Application Number: 11/00251/FUL **Applicant:** Opal Portfolio 3 Ltd
Application Type: Full Application
Description of Development: Replacement of all existing aluminium windows with colour coated aluminium double glazed units, closure of Notte Street entrance, alterations to Lockyer Street entrance and alterations to south elevation (ground floor) and courtyard
Site Address PHOENIX HOUSE, NOTTE STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 30/03/2011
Decision: Grant Conditionally

Item No 69

Application Number: 11/00252/LBC **Applicant:** The Loungers Ltd
Application Type: Listed Building
Description of Development: Extension to existing unit to provide bar area, store and WC
Site Address 4A ROYAL WILLIAM YARD
Case Officer: Kirsty Barrett
Decision Date: 11/04/2011
Decision: Grant Conditionally

Item No 70

Application Number: 11/00255/TPO **Applicant:** Mrs Patricia Taylor
Application Type: Tree Preservation
Description of Development: Maple - remove branches overhanging neighbour's garden to suitable growth points
Site Address 23 ST MAURICE VIEW PLYMOUTH
Case Officer: Jane Turner
Decision Date: 28/03/2011
Decision: Grant Conditionally

Item No 71

Application Number: 11/00263/FUL **Applicant:** H.M. Courts Service
Application Type: Full Application
Description of Development: Replacement of slate cladding on north, south, east and west elevations, installation of new CCTV cameras and repairs to art screen on west elevation
Site Address THE LAW COURTS, ARMADA WAY PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 12/04/2011
Decision: Grant Conditionally

Item No 72

Application Number: 11/00268/FUL **Applicant:** Mrs Heidi Kaye
Application Type: Full Application
Description of Development: Demolition of existing conservatory and construction of new conservatory to the side
Site Address 74 NORTH PROSPECT ROAD PLYMOUTH
Case Officer: Mark Utting
Decision Date: 31/03/2011
Decision: Grant Conditionally

Item No 73

Application Number: 11/00269/FUL **Applicant:** Mrs Claire Matthews
Application Type: Full Application
Description of Development: Formation of rooms in roofspace including front dormer, single-storey side extension (existing conservatory to be removed)
Site Address 6 SOUTH VIEW PARK PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 07/04/2011
Decision: Grant Conditionally

Item No 74

Application Number: 11/00284/FUL **Applicant:** Great City Attractions Global Lt
Application Type: Full Application
Description of Development: Erection of temporary 53 metre high observation wheel until 30 September 2011
Site Address HOE PARK, ARMADA WAY PLYMOUTH
Case Officer: Jon Fox
Decision Date: 30/03/2011
Decision: Grant Conditionally

Item No 75

Application Number: 11/00289/FUL **Applicant:** Mr S Richards
Application Type: Full Application
Description of Development: Two-storey side extension and single-storey side and rear extensions
Site Address 5 DEEBLE CLOSE PLYMPTON PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 12/04/2011
Decision: Grant Conditionally

Item No 76

Application Number: 11/00290/FUL **Applicant:** Mr A Wise

Application Type: Full Application

Description of Development: Two-storey rear extension

Site Address 20 ST BRIDGET AVENUE PLYMOUTH

Case Officer: Mark Utting

Decision Date: 01/04/2011

Decision: Grant Conditionally

Item No 77

Application Number: 11/00291/FUL **Applicant:** Mr and Mrs S Bates

Application Type: Full Application

Description of Development: Single storey side extension

Site Address 28 BOWDEN PARK ROAD PLYMOUTH

Case Officer: Mark Utting

Decision Date: 08/04/2011

Decision: Grant Conditionally

Item No 78

Application Number: 11/00292/FUL **Applicant:** Mill Ford School

Application Type: Full Application

Description of Development: Reconfigure existing car parking layout to create additional mini-bus parking: construction of new canopy to main school entrance

Site Address MILL FORD SCHOOL, ROCHFORD CRESCENT
PLYMOUTH

Case Officer: Olivia Wilson

Decision Date: 12/04/2011

Decision: Grant Conditionally

Item No 79

Application Number: 11/00294/FUL **Applicant:** Mr & Mrs John Deacon
Application Type: Full Application
Description of Development: Erection of conservatory and erection of outbuilding for use as incidental domestic store and workshop
Site Address 239 RIDGEWAY PLYMOUTH
Case Officer: Jon Fox
Decision Date: 13/04/2011
Decision: Grant Conditionally

Item No 80

Application Number: 11/00295/ADV **Applicant:** The Gym Group
Application Type: Advertisement
Description of Development: Advertisement consent for internally illuminated sign (9.3x1.2m), vinyl graphics applied to existing windows, internally illuminated sign above shared entrance, internally illuminated circular projecting sign (Approved) and two internally illuminated signs (1x1.8m) and two PVC banner signs (refused)
Site Address GALA CLUBS, DERRYS CROSS PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 31/03/2011
Decision: Advertisement Split Decision

Item No 81

Application Number: 11/00296/FUL **Applicant:** Sally Tayler
Application Type: Full Application
Description of Development: Single-storey rear extension (existing conservatory to be removed)
Site Address 67 HOWARD ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 12/04/2011
Decision: Grant Conditionally

Item No 82

Application Number: 11/00297/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Single-storey rear extensions (existing single-storey tenements to be removed)
Site Address 15, 22, 23, 26, 29 GEORGE AVENUE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 12/04/2011
Decision: Grant Conditionally

Item No 83

Application Number: 11/00298/ADV **Applicant:** The Restaurant Group Plc
Application Type: Advertisement
Description of Development: Internally illuminated fascia sign, hoarding signs, two menu display cases and internally illuminated 'Lizard' Sign
Site Address CHIQUITO, UNIT 3 16 BARBICAN APPROACH PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 12/04/2011
Decision: Grant Conditionally

Item No 84

Application Number: 11/00302/FUL **Applicant:** Mr & Mrs Hill
Application Type: Full Application
Description of Development: Front conservatory
Site Address 6 TRENTHAM CLOSE PLYMOUTH
Case Officer: Mark Utting
Decision Date: 31/03/2011
Decision: Refuse

Item No 85

Application Number: 11/00319/FUL **Applicant:** Mr A Hollick
Application Type: Full Application
Description of Development: Rear conservatory (existing conservatory to be removed)
Site Address 106 WOODFORD AVENUE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 12/04/2011
Decision: Grant Conditionally

Item No 86

Application Number: 11/00322/TPO **Applicant:** Ashley
Application Type: Tree Preservation
Description of Development:
Site Address 80 MILEHOUSE ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 14/04/2011
Decision: Grant Conditionally

Item No 87

Application Number: 11/00327/FUL **Applicant:** Mr Melvin Luckham-Down
Application Type: Full Application
Description of Development: Detached private motor garage
Site Address 75 RANDWICK PARK ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 12/04/2011
Decision: Grant Conditionally

Item No 88

Application Number: 11/00328/LBC **Applicant:** Mr Tim Nokes
Application Type: Listed Building
Description of Development: Replacement of 2 basement front windows and removal of masonry central column
Site Address 5 COLLINGWOOD VILLAS, COLLINGWOOD ROAD
PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 11/04/2011
Decision: Refuse

Item No 89

Application Number: 11/00329/LBC **Applicant:** Mr Tim Nokes
Application Type: Listed Building
Description of Development: Installation of lead cap flashing to ground floor front elevation
Site Address 5 COLLINGWOOD VILLAS, COLLINGWOOD ROAD
PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 14/04/2011
Decision: Grant Conditionally

Item No 90

Application Number: 11/00348/FUL **Applicant:** NHS
Application Type: Full Application
Description of Development: Installation of photovoltaic panels
Site Address ESTOVER HEALTH CENTRE, LEYPARK WALK
PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 14/04/2011
Decision: Grant Conditionally

Item No 91

Application Number: 11/00349/FUL **Applicant:** NHS
Application Type: Full Application
Description of Development: Installation of photovoltaic panels
Site Address CHILD WELFARE CLINIC, HORN CROSS ROAD
PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 13/04/2011
Decision: Grant Conditionally

Item No 92

Application Number: 11/00350/FUL **Applicant:** NHS
Application Type: Full Application
Description of Development: Installation of photovoltaic panels
Site Address SEVENTREES CLINIC, BARING STREET PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 13/04/2011
Decision: Grant Conditionally

Item No 93

Application Number: 11/00351/FUL **Applicant:** NHS
Application Type: Full Application
Description of Development: Installation of photovoltaic panels
Site Address MOUNT GOULD HOSPITAL, MOUNT GOULD ROAD
PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 13/04/2011
Decision: Grant Conditionally

Item No 94

Application Number: 11/00353/FUL **Applicant:** NHS
Application Type: Full Application
Description of Development: Installation of photovoltaic panels
Site Address CUMBERLAND CENTRE, DAMEREL CLOSE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 14/04/2011
Decision: Grant Conditionally

Item No 95

Application Number: 11/00354/FUL **Applicant:** NHS
Application Type: Full Application
Description of Development: Installation of photovoltaic panels
Site Address ERNESETTLE GREEN SURGERY,21 ERNESETTLE GREEN PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 14/04/2011
Decision: Grant Conditionally

Item No 96

Application Number: 11/00357/ADV **Applicant:** Tesco Stores Limited
Application Type: Advertisement
Description of Development: Internally illuminated fascia and projecting signs
Site Address 83-85 MUTLEY PLAIN PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 12/04/2011
Decision: Grant Conditionally

Item No 97

Application Number: 11/00358/FUL **Applicant:** Tesco Stores Limited
Application Type: Full Application
Description of Development: New shopfront and external alterations
Site Address 83-85 MUTLEY PLAIN PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 12/04/2011
Decision: Grant Conditionally

Item No 98

Application Number: 11/00360/FUL **Applicant:** Tesco Stores Limited
Application Type: Full Application
Description of Development: Installation of cash machine (ATM)
Site Address 83-85 MUTLEY PLAIN PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 12/04/2011
Decision: Grant Conditionally

Item No 99

Application Number: 11/00361/TPO **Applicant:** Sanctuary Housing
Application Type: Tree Preservation
Description of Development: Sycamore - pollard
Site Address 75 CHARD BARTON PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 14/04/2011
Decision: Grant Conditionally

Item No 100

Application Number: 11/00381/FUL **Applicant:** Mr & Mrs Wills
Application Type: Full Application
Description of Development: Two-storey rear extension
Site Address 15 HORSWELL CLOSE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 13/04/2011
Decision: Grant Conditionally

Item No 101

Application Number: 11/00393/FUL **Applicant:** Tesco Stores Limited
Application Type: Full Application
Description of Development: Installation of three air conditioning units, one condenser unit and associated works
Site Address 83-85 MUTLEY PLAIN PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 13/04/2011
Decision: Grant Conditionally

Item No 102

Application Number: 11/00394/TC **Applicant:** Mr Patrick Fortune
Application Type: Trees in Cons Area
Description of Development: Fell non-native tree
Site Address 5 ILBERT COTTAGES, DARK STREET LANE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 07/04/2011
Decision: Grant Conditionally

Item No 103

Application Number: 11/00427/TC **Applicant:** Valerie Needham
Application Type: Trees in Cons Area
Description of Development: EUCALYPTUS - Fell
Site Address 17 WHITEFORD ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 08/04/2011
Decision: Grant Conditionally

Item No 104

Application Number: 11/00505/LBC **Applicant:** The National Trust
Application Type: Listed Building
Description of Development: LIGHTING POSTS
Site Address SALTRAM HOUSE, SALTRAM, MERAFIELD ROAD
PLYMOUTH
Case Officer:
Decision Date: 12/04/2011
Decision: LBC not required

Item No 105

Application Number: 11/00555/LBC **Applicant:** Ashford Propoerties
Application Type: Listed Building
Description of Development: REPAINT FRONT ELEVATION
Site Address 2 ST ANDREW STREET PLYMOUTH
Case Officer:
Decision Date: 15/04/2011
Decision: LBC not required

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