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Planning Committee

Thursday 28 July 2011

PRESENT:

Councillor Lock, in the Chair.

Councillor Mrs Bowyer, Vice-Chair.

Councillors Mrs Aspinall (substitute for Councillor Vincent), Browne, Churchill, Delbridge, Mrs Foster, Mrs Nicholson, Stevens, Tuohy, Wheeler and Williams.

Apology for absence: Councillor Vincent

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

The meeting started at 1 pm and finished at 3.05 pm.

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

21. 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 Wheeler	25.2 – 5 Netton Close, Plymouth, 11/00915/FUL	Knows the applicant	Prejudicial
Councillor Churchill	25.15 – Proposed Variation to Section 106 Unilateral Undertaking to Amend Clause Relating to Measures to Mitigate the Impact of the Development	Knows one of the Directors	Prejudicial
Councillor Mrs. Nicholson	25.1 – 33 Edwards Drive, Plymouth, 11/00991/FUL	Knows one of the residents affected by the application	Personal
Councillor Mrs. Foster	25.1 – 33 Edwards Drive, Plymouth, 11/00991/FUL	Knows one of the residents affected by the application	Personal
Councillor Mrs. Aspinall	25.15 – Proposed Variation to Section	Governor at Salisbury Road	Personal

Name	Minute No. and Subject	Reason	Interest
	106 Unilateral Undertaking to Amend Clause Relating to Measures to Mitigate the Impact of the Development	Primary School	

22. **MINUTES**

Agreed the minutes of the meeting held on 30 June 2011, subject to the following amendments to the voting schedule –

- Councillors Vincent, Wheeler and Williams abstained from voting in respect of minutes 13 and 15
- the inclusion of voting details for minute 17.8 and the renumbering of subsequent items

23. **CHAIR'S URGENT BUSINESS**

There were no items of Chair's urgent business.

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

There were no questions from members of the public.

25. **PLANNING APPLICATIONS FOR CONSIDERATION**

The Committee considered the following applications, development proposals by local authorities, and statutory consultations submitted under the Town and Country Planning Act 1990, and the Planning (Listed Buildings and Conservation Areas) Act 1990.

Addendum reports were submitted in respect of minute numbers 25.1, 25.9, 25.10, 25.11, 25.12, 25.13 and 25.14.

25.1 33 EDWARDS DRIVE, PLYMOUTH 11/00991/FUL

(Mr P Blackmore)

Decision:

Application **REFUSED** on the grounds that by virtue of its design, scale and massing, the extension would have an unacceptable impact on the amenities of 35 Edwards Drive in terms of loss of light and outlook contrary to policies CS02 and CS34 of the Plymouth Local Development Core Strategy (2006-2021) and guidance found within Supplementary Planning Document 'Development Guidelines', namely the Council's 45 degree guide.

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

(At the invitation of the Chair, the Committee heard representations against

the application).
(Councillors Mrs. Foster and Mrs. Nicholson declared personal interests in respect of the above item).

25.2 5 NETTON CLOSE, PLYMOUTH 11/00915/FUL

(Mr L Netherton)

Decision:

Application **GRANTED** conditionally.

(Councillor Wheeler, having declared a prejudicial interest in respect of the above item, withdrew from the meeting whilst it was being considered).

25.3 1 RONSDALE CLOSE, PLYMOUTH 11/00914/FUL

(Mrs S Reeves)

Decision:

Application **GRANTED** conditionally.

25.4 54 HOWARD ROAD, PLYMOUTH 11/00918/FUL

(Mr N Royston)

Decision:

Application **REFUSED**.

**25.5 34 MOLESWORTH ROAD, PLYMPTON, PLYMOUTH
11/00919/FUL**

(Mr B Phillips)

Decision:

Application **GRANTED** conditionally.

25.6 10 EASTFIELD CRESCENT PLYMOUTH 11/00951/FUL

(Mr Nicholas Houslander)

Decision:

Application **GRANTED** conditionally.

25.7 30 HILL PARK CRESCENT PLYMOUTH 11/00829/FUL

(Amber New Homes)

Decision:

Application **GRANTED** conditionally.

**25.8 1 BREWHOUSE, ROYAL WILLIAM YARD, PLYMOUTH
11/00757/LBC**

(Draco Property Limited)

Decision:

Application **GRANTED** conditionally.

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

**25.9 LAND ADJACENT TO FOULSTON AVENUE, PLYMOUTH
11/00839/FUL**

(Devon & Cornwall Housing)

Decision:

Application **GRANTED** conditionally as per the addendum report and the

additional removal of conditions 3, 4 and 5, subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 21/08/11.

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

(Councillor Wheeler's proposal for distribution of the S106 Obligation to be prioritised locally, having been seconded by Councillor Stevens, was put to the vote and declared carried).

25.10 ELLIOTT HIRE, EATON BUSINESS PARK, PLYMBRIDGE ROAD, PLYMOUTH 11/01061/FUL

(The Una Group)

Decision:

Application **DEFERRED**.

25.11 LAND AT MILLBAY ROAD, PLYMOUTH 10/01882/OUT

(English Cities Fund)

Decision:

Application **GRANTED** conditionally, subject to a S106 Obligation (as amended by the addendum report), with delegated authority to refuse in the event that the S106 Obligation is not completed by 28/10/11.

(With the Committee's, permission this item was moved).

25.12 NORTH WEST QUADRANT, DERRIFORD ROAD, PLYMOUTH 09/01899/OUT

(Wharfside Regeneration (Devon) Ltd)

Decision:

Application **REFUSED**, subject to the amendment to refusal reason three set out within the addendum.

25.13 140 NORTH HILL, PLYMOUTH 11/00456/OUT

(Pillar Land Securities)

Decision:

Application **REFUSED**.

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

25.14 FRIARY RETAIL PARK, EXETER STREET, PLYMOUTH 11/00804/FUL

(AXA P&C)

Decision:

Application **DEFERRED** for further consideration, as per the addendum report.

25.15 PROPOSED VARIATION TO SECTION 106 UNILATERAL UNDERTAKING TO AMEND CLAUSE RELATING TO MEASURES TO MITIGATE THE IMPACT OF THE DEVELOPMENT

The Director for Development and Regeneration submitted a report

relating to planning permission 10/00180/FUL which was for the erection of 12 affordable/local needs or sheltered/supported residential flats at Woodland Terrace Lane, Lipson, Plymouth.

Agreed that, in accordance with policy CS33 of the Core Strategy of Plymouth's Local Development Framework, the Planning Obligations and Affordable Housing Supplementary Planning Document First Review and the Government's Community Infrastructure Levy Regulations, agreement is given to the variation of the existing Section 106 unilateral undertaking to amend clause 4.1.1 relating to mitigation measures so as to remove the payment of £37,324 in respect of strategic transport impacts and to add the payment of £8,168 in respect of improving capacity at a specified local primary school.

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

(Councillor Churchill, having declared a prejudicial interest in respect of the above item, withdrew from the meeting whilst it was being considered).

26. **PLANNING APPLICATION DECISIONS ISSUED**

The Committee received a report from the Assistant Director of Development (Planning Services) on decisions issued for the period 20 June to 18 July 2011, including –

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

The Lead Planning Officer advised Members that item no. 3, Land adjoining 21 East Park Avenue, Plymouth, had not yet been determined and had been included in the list in error.

27. **APPEAL DECISIONS**

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

28. **EXEMPT BUSINESS**

There were no items of exempt business.

SCHEDULE OF VOTING (Pages 1 - 4)

PLEASE NOTE

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

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PLANNING COMMITTEE – 28 July 2011**SCHEDULE OF VOTING**

Minute number and Application	Voting for	Voting against	Abstained	Absent due to interest declared	Absent
25.1 33 Edwards Drive, Plymouth 11/00991/FUL Officer Recommendation	Councillors Mrs. Bowyer, Browne and Lock	Councillors Delbridge, Mrs. Foster, Mrs. Nicholson, Stevens, Tuohy, Wheeler and Williams	Councillor Mrs. Aspinall		Councillor Churchill
25.1 33 Edwards Drive, Plymouth 11/00991/FUL Refusal Reasons	Councillors Delbridge, Mrs. Foster, Mrs. Nicholson, Stevens, Tuohy, Wheeler and Williams				
25.2 5 Netton Close, Plymouth 11/00915/FUL Officer Recommendation	Councillors Mrs. Aspinall, Mrs. Bowyer, Browne, Delbridge, Mrs. Foster, Lock, Mrs. Nicholson, Stevens, Tuohy and Williams			Councillor Wheeler	Councillor Churchill
25.3 1 Ronsdale Close, Plymouth 11/00914/FUL Officer Recommendation	Councillors Mrs. Aspinall, Mrs. Bowyer, Browne, Delbridge, Mrs. Foster, Lock, Mrs. Nicholson, Stevens, Tuohy, Wheeler and Williams				Councillor Churchill
25.4 54 Howard Road, Plymouth 11/00918/FUL Officer Recommendation	Councillors Mrs. Aspinall, Mrs. Bowyer, Browne, Delbridge, Mrs. Foster, Lock, Mrs. Nicholson, Stevens, Tuohy, Wheeler and Williams				Councillor Churchill

Minute number and Application	Voting for	Voting against	Abstained	Absent due to interest declared	Absent
25.5 34 Molesworth Road, Plympton, Plymouth 11/00919/FUL Officer Recommendation	Councillors Mrs. Aspinall, Mrs. Bowyer, Browne, Delbridge, Mrs. Foster, Lock, Mrs. Nicholson, Stevens, Tuohy, Wheeler and Williams				Councillor Churchill
25.6 10 Eastfield Crescent, Plymouth 11/00951/FUL Officer Recommendation	Councillors Mrs. Aspinall, Mrs. Bowyer, Browne, Delbridge, Mrs. Foster, Lock, Mrs. Nicholson, Stevens, Tuohy, Wheeler and Williams				Councillor Churchill
25.7 30 Hill Park Crescent, Plymouth 11/00829/FUL	Councillors Mrs. Aspinall, Mrs. Bowyer, Browne, Delbridge, Mrs. Foster, Lock, Mrs. Nicholson, Stevens, Tuohy, Wheeler and Williams				Councillor Churchill
25.8 1 Brevhouse, Royal William Yard, Plymouth 11/00757/LBC	Councillors Mrs. Aspinall, Mrs. Bowyer, Browne, Delbridge, Mrs. Foster, Lock, Mrs. Nicholson, Stevens, Tuohy, Wheeler and Williams				Councillor Churchill
25.9 Land adjacent to Foulston Avenue, Plymouth 11/00839/FUL S106 Obligation Amendment	Councillors Mrs. Aspinall, Mrs. Bowyer, Browne, Delbridge, Mrs. Foster, Lock, Mrs. Nicholson, Stevens, Tuohy, Wheeler and Williams				Councillor Churchill
25.9 Land adjacent to Foulston Avenue, Plymouth	Councillors Mrs. Aspinall, Mrs. Bowyer, Browne,				Councillor Churchill

Minute number and Application	Voting for	Voting against	Abstained	Absent due to interest declared	Absent
11/00839/FUL Officer's Recommendation	Delbridge, Mrs. Foster, Lock, Mrs. Nicholson, Stevens, Tuohy, Wheeler and Williams				
25.10 Elliott Hire, Eaton Business Park, Plymbridge Road, Plymouth 11/01061/FUL Officer's Amended Recommendation to Defer	Councillors Mrs. Aspinall, Mrs. Bowyer, Browne, Mrs. Foster, Lock, Mrs. Nicholson, Stevens, Tuohy, Wheeler and Williams				Councillors Churchill and Delbridge
25.11 Land at Millbay Road, Plymouth 10/01882/OUT To move to later on the agenda	Councillors Mrs. Aspinall, Mrs. Bowyer, Delbridge, Mrs. Foster, Lock, Mrs. Nicholson, Stevens, Tuohy, Wheeler and Williams				Councillors Browne and Churchill
25.11 Land at Millbay Road, Plymouth 10/01882/OUT Officer's Recommendation	Councillors Mrs. Aspinall, Mrs. Bowyer, Browne, Delbridge, Mrs. Foster, Lock, Mrs. Nicholson, Stevens, Tuohy, Wheeler and Williams		Councillor Churchill		
25.12 North West Quadrant, Derriford Road, Plymouth 09/01899/OUT Officer's Recommendation	Unanimous				
25.13 140 North Hill, Plymouth 11/00456/OUT Officer Recommendation	Unanimous				

Minute number and Application	Voting for	Voting against	Abstained	Absent due to interest declared	Absent
25.14 Friary Retail Park, Exeter Street, Plymouth I1/00804/FUL Officer's Amended Recommendation to Defer	Unanimous				
25.15 Proposed Variation to Section 106 Unilateral Undertaking to Amend Clause Relating to Measures to Mitigate the Impact of the Development	Councillors Mrs. Aspinall, Mrs. Bowyer, Browne, Delbridge, Mrs. Foster, Lock, Mrs. Nicholson, Stevens, Tuohy and Wheeler		Councillor Williams	Councillor Churchill	