

# Public Document Pack

## Planning Committee

Thursday 15 December 2011

### PRESENT:

Councillor Lock, in the Chair.  
Councillor Mrs Bowyer, Vice Chair.  
Councillors Browne, Churchill, Delbridge, Mrs Foster, Mrs Nicholson, Stevens, Tuohy, Vincent, Wheeler and Williams.

Also in attendance: Paul Westrope – Lead Planning Officer, Mark Lawrence – Lawyer, Ross Jago – Democratic Support Officer.

The meeting started at 1.00 pm and finished at 3.30 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.*

### 67. **DECLARATIONS OF INTEREST**

There were no declarations of interest in accordance with the code of conduct.

### 68. **MINUTES**

Members requested that the minutes of the meeting held on the 17 November 2011 were amended to reflect that a precedent had been set at the meeting held on the 20 October 2011 where an additional speaker was permitted to speak on a Public Path Extinguishment order.

The Democratic Support Officer sought clarification from the Monitoring Officer and advised the committee the additional speaker was allowed to speak under 11.2 of Probity in Planning, the code of good practice for Members and Officers in connection with the determination of Planning and associated applications. The section of the code states that in the case of Public Rights of Way applications a further participant is allowed to speak after the officer presentation and other speakers.

The Democratic Support Officer advised that a precedent had not been set and this was confirmed by the Lawyer.

Agreed the minutes of the meeting held on 17 November 2011.

### 69. **CHAIR'S URGENT BUSINESS**

Members raised concerns that the boards displaying plans had been moved from the council house landings. The Democratic Support Officer advised the committee that

the boards had been moved as part of the new seating arrangements to facilitate members of the public being able to move the boards.

The Chair told the committee that the new seating arrangements for members of the public were experimental, subject to change and offered to meet with members outside of the meeting to discuss any concerns they had.

A short adjournment was held to allow members of the committee to view the plans.

At the request of the committee the lawyer advised that the seating arrangements were an administrative issue and not a legal issue. The Lawyer advised that in his opinion it was good practice to notify the committee of changes.

Members of the committee raised concerns that there was no visible signage at the public entrance on Princess Street, the entrance was not compliant with the Disability Discrimination Act and there was no security available at the entrance.

The Democratic Support Officer advised the committee the arrangements were in line with those employed at full council.

#### 70. **QUESTIONS FROM MEMBERS OF THE PUBLIC**

There were no questions from members of the public.

#### 71. **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 71.2, 71.3 and 71.4.

##### **71.1 7 WOODLAND TERRACE, GREENBANK ROAD, PLYMOUTH. 11/01597/FUL**

(Mr and Mrs J Newall)

Decision:

Application **GRANTED** conditionally.

##### **71.2 LAND TO REAR OF 7-11, UNDERWOOD ROAD, PLYMOUTH. 11/01651/OUT**

(South-West Property Developments Ltd)

Decision:

Application **DEFERRED** for site visit.

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

(Councillor Delbridge's proposal to defer for a site visit, seconded by

Councillor Mrs Nicholson was put to the vote and declared carried)

**71.3 LAND AT TAVISTOCK ROAD, PLYMOUTH. 11/01559/FUL**

(Taylor Wimpey (Exeter) UK Ltd)

Decision:

Application **GRANTED** conditionally subject to a S106 obligation, with delegated authority to refuse in the event that the S106 obligation is not completed by 20 December 2011, subject to additional and varied conditions 19, 33, 21, 24 and 25 as laid out in the addendum report.

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

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

**71.4 INNER BASIN, MILLBAY DOCKS, MILLBAY ROAD, PLYMOUTH 11/01570/FUL**

(Sutton Harbour Services Ltd)

Decision:

**GRANTED** conditionally subject to a S106 obligation, with delegated authority to refuse in the event that the S106 obligation is not completed by 27 January 2012 and an additional Grampian condition (25) and informative (7) as laid out in the addendum report.

72. **PLANNING APPLICATION DECISIONS ISSUED**

The Committee received a report of the Assistant Director of Development (Planning Services) on decisions issued for the period 7 November to 5 December 2011, including –

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

The lead planning officer advised the committee of the following amendments to the report –

1. The applicant for Item 10 was to be amended to Plymouth City Council;
2. Item 61 was to be removed from the report because a decision had not been made in the period covered by the report

73. **APPEAL DECISIONS**

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

Following questions from the committee it was reported that the guidance on the 45 degree rule remained as guidance. Applications which marginally infringed on the rule could still be approved as the rule was not mandatory but a guide for applicants.

The committee requested that in future when the rule is marginally infringed upon officer's reports include a diagram to give further context to members on which to base decisions.

74. **EXEMPT BUSINESS**

There were no items of exempt business.

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

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

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

**PLANNING COMMITTEE – 15 December 2011****SCHEDULE OF VOTING**

<b>Minute number and Application</b>	<b>Voting for</b>	<b>Voting against</b>	<b>Abstained</b>	<b>Absent due to interest declared</b>	<b>Absent</b>
71.1 7 Woodland Terrace, Greenbank Road, Plymouth. 11/01597/FUL	Unanimous				
71.2 Land To Rear Of 7-11, Underwood Road, Plymouth. 11/01651/OUT  Amended motion to defer for site visit.	Councillors Vincent, Williams, Tuohy, Stevens, Foster, Nicholson and Delbridge.	Councillor Browne, Mrs Bowyer and Lock.	Councillor Wheeler and Churchill.		
71.3 Land At Tavistock Road, Plymouth. 11/01559/FUL	Councillors Vincent, Williams, Tuohy, Stevens, Foster, Nicholson, Delbridge, Wheeler, Churchill, Mrs Bowyer and Lock		Councillor Browne.		
71.4 Inner Basin, Millbay Docks, Millbay Road, Plymouth 11/01570/FUL	Unanimous				
Planning Application Decisions Issued					
Appeal Decisions					

This page is intentionally left blank