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COUNCIL OF THE YEAR



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Date: 15 December 2011

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PLANNING COMMITTEE

Date: Thursday 15 December 2011
Time: 1 pm
Venue: Council House, Armada Way, Plymouth

Members:

Councillor Lock, Chair

Councillor Mrs Bowyer, Vice Chair

Councillors Browne, Churchill, Delbridge, Mrs Foster, Mrs Nicholson, Stevens, Tuohy, Vincent, Wheeler and Williams.

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 of the meeting agrees, mobile phones should be switched off and speech, video and photographic equipment should not be used in meetings.

Barry Keel
Chief Executive

PLANNING COMMITTEE

AGENDA

PART I – PUBLIC MEETING

1. APOLOGIES

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

2. DECLARATIONS OF INTEREST

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

3. MINUTES

(Pages 1 - 8)

The Committee will be asked to confirm the minutes of the meeting held on 17 November 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 9 - 10)

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

6.1. 7 WOODLAND TERRACE, GREENBANK ROAD, PLYMOUTH. 11/01597/FUL (Pages 11 - 18)

Applicant:	Mr and Mrs J Newall
Ward:	Drake
Recommendation:	Grant Conditionally

6.2. LAND TO REAR OF 7-11, UNDERWOOD ROAD, PLYMOUTH. 11/01651/OUT (Pages 19 - 32)

Applicant: South-West Property Developments LTD
Ward: Plympton Erle
Recommendation: Minded to Grant/Defer for Advert Period/Delegated Authority.

6.3. LAND AT TAVISTOCK ROAD, PLYMOUTH. 11/01559/FUL (Pages 33 - 58)

Applicant: Taylor Wimpey (Exeter) UK Ltd
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 20th December 2011.

6.4. INNER BASIN, MILLBAY DOCKS, MILLBAY ROAD, PLYMOUTH 11/01570/FUL (Pages 59 - 76)

Applicant: Sutton Harbour Services Ltd
Ward: St Peter & 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 27th January 2011.

7. PLANNING APPLICATION DECISIONS ISSUED (Pages 77 - 122)

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 7 November 2011 to 5 December 2011, including –

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

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

8. APPEAL DECISIONS (Pages 123 - 124)

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

9. EXEMPT BUSINESS

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

PART II (PRIVATE MEETING)

AGENDA

MEMBERS OF THE PUBLIC TO NOTE

that under the law, the Panel 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 17 November 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: Ray Williams, Lead Officer, Mark Lawrence, Lawyer, and Katey Johns, Democratic Support Officer.

The meeting started at 1 pm and finished at 4.30 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.

59. DECLARATIONS OF INTEREST

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

Name	Minute No. and Subject	Reason	Interest
Councillor Tuohy	63.1 North Prospect Road, Plymouth 11/01384/REM	Tenant and Representative on Design Group for Developer	Prejudicial
Councillor Williams	63.1 North Prospect Road, Plymouth 11/01384/REM	Plymouth Community Homes Board Member	Personal
Councillor Stevens	63.2 67 Ebrington Street, Plymouth 11/01598/FUL	Knows the applicant	Personal
Councillor Lock	63.4 28 Ridge Road, Plymouth 11/01260//FUL	Publicly stated position on the application	Prejudicial

60. MINUTES

Agreed the minutes of the meeting held on 20 October 2011.

61. CHAIR'S URGENT BUSINESS

There were no items of Chair's urgent business.

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

There were no questions from members of the public.

63. **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 63.1, 63.3, 63.4 and 63.5.

63.1 NORTH PROSPECT ROAD, PLYMOUTH 11/01384/REM

(Barratt Homes Exeter)

Decision:

Application **GRANTED** conditionally, subject to inclusion of the additional conditions and informative set out in the addendum report and an additional informative relating to the replacement of the removed chestnut tree elsewhere on the development site.

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

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

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

63.2 67 EBRINGTON STREET, PLYMOUTH 11/01598/FUL

(Mr Mohamed El Mohamdi)

Decision:

Application **WITHDRAWN**.

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

63.3 SOUTHWAY COMMUNITY COLLEGE, ROCKFIELD AVENUE, PLYMOUTH 11/01586/FUL

(Everything Everywhere Ltd)

Decision:

The Area Planning Manager highlighted an error in the report concerning the item's referral to Committee. Members were advised that the matter had been referred by the ward member as a result of concerns raised by residents and not his own personal concerns as reported.

Application **GRANTED** conditionally, subject to the inclusion of an additional condition relating to noise as set out below –

NOISE

(5) Noise from the telecommunication equipment within the cabinets at the base of the mast shall not exceed 5dB above the background level at the façade of any neighbouring noise sensitive properties on Skerries Road. The measurements and assessment shall be made in accordance to BS 4142:1997. If the noise levels are identified as exceeding this level, then noise mitigation measures shall be implemented on site within a month of the noise level recording, in accordance with details which shall have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of the nearby residents in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

(Councillor Mrs. Bowyer's proposal to include an additional condition relating to noise, having been seconded by Councillor Delbridge, was put to the vote and declared carried).

63.4 28 RIDGE ROAD, PLYMOUTH I1/01260/FUL

(Mr A Reilly)

Decision:

Application **REFUSED** for the following reason –

IMPACT ON CHARACTER AND RESIDENTIAL AMENITY

(1) In the opinion of the Local Planning Authority, the use of the site for the parking of a 10 tonne lorry would result in regular and frequent comings and goings of the vehicle, that would be detrimental to the character of the area, and lead to conditions of noise and disturbance that would be harmful to the amenities and living conditions of neighbours of the site, as well as persons occupying the site. The use of the site for the parking of a 10 tonne lorry would also be harmful to the amenities and living conditions of neighbours, because of the vehicle's visual impact. The proposal is therefore contrary to policies CS17 and CS 34 of the Core strategy of Plymouth's Local Development Framework 2007 and the Development Guidelines Supplementary Planning Document 2009.

INFORMATIVE

The applicant is reminded that all conditions imposed on the planning permission granted under appeal reference APP/N1160/A/09/2118855 are still in force.

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

(The Vice-Chair took the Chair for this item).

(At the invitation of the Chair, the Committee heard representations against the application from Councillors Mrs Beer and Lock, ward members).

(At the invitation of the Chair, the Committee heard representations against the application from a third party objector).

(At the invitation of the Chair, the Committee heard representations in support of the application from the applicant's agent).

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

**63.5 THE TOWN HOUSE, 32 HARWELL STREET, PLYMOUTH.
11/01410/FUL**

(Town House (Plymouth) Ltd)

Decision:

Application **MINDED TO GRANT** conditionally, subject to a S106 Obligation, defer for further negotiation with developer and ward councilors (to include assessment of option of contribution toward community facilities, delegated to Assistant Director of Development (Planning Services) in consultation with Chair, Vice-Chair and Councillor Stevens.

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

(At the invitation of the Chair, the Committee heard representations in support of the application from the applicant's agent).

(Councillor Wheeler's proposal to enter into further negotiation with the developer over the Section 106 Obligation, having been seconded by Councillor Williams, was put to the vote and declared carried).

**63.6 FORMER PLYMOUTH SUPERBOWL, COT HILL, PLYMOUTH
11/01492/FUL**

(Morston Assets Ltd)

Decision:

Application **GRANTED** conditionally.

63.7 ROLAND LEVINSKY BUILDING, UNIVERSITY OF PLYMOUTH

The Assistant Director of Development (Planning Services) informed the Committee that the timeframe for spending part of the S106 money received in connection with this application relating to public transport works was due to expire in December 2011. The Assistant Director indicated that officers in the Highways and Transport Service had indicated that they were in discussions with the University of Plymouth over extending the time period for the use of these funds.

64. PLANNING APPLICATION DECISIONS ISSUED

The Committee received a report of the Assistant Director of Development (Planning Services) on decisions issued for the period 8 October to 6 November 2011, including –

- Committee decisions
- Delegated decisions, subject to conditions where so indicated

- Applications withdrawn
- Applications returned as invalid

65. **APPEAL DECISIONS**

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

66. **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.

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PLANNING COMMITTEE – 17 November 2011

SCHEDULE OF VOTING

Minute number and Application	Voting for	Voting against	Abstained	Absent due to interest declared	Absent
63.1 North Prospect Road, Plymouth 11/01384/REM	Unanimous			Councillor Tuohy	
63.2 67 Ebrington Street, Plymouth 11/01598/FUL	Application Withdrawn				
63.3 Southway Community College, Rockfield Avenue, Plymouth 11/01586/FUL Amendment Officer's Recommendation	Councillors Browne, Delbridge, Churchill, Mrs Nicholson, Tuohy, Williams, Stevens, Vincent and Wheeler Councillors Browne, Delbridge, Churchill, Mrs Nicholson, Tuohy and Lock. Councillor Lock exercised his right at Chair to a casting vote.	Councillors Mrs Foster, Williams, Stevens, Vincent, Wheeler and Mrs Bowyer	Councillor Mrs Foster		
63.4 28 Ridge Road, Plymouth 11/01260/FUL Amendment	Unanimous			Councillor Lock	
63.5 The Town House, 32 Harwell Street, Plymouth 11/01410/FUL Amended	Unanimous				
63.6 Former Plymouth Superbowl, Cot Hill, Plymouth 11/01492/FUL	Unanimous				Councillor Mrs Nicholson

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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: 11/01597/FUL

Applicant: Mr and Mrs J Newall

Description of Application: Change of use and conversion from single dwellinghouse to house in multiple occupation (10 rooms) for students, with parking and secure cycle storage

Type of Application: Full Application

Site Address: 7 WOODLAND TERRACE, GREENBANK ROAD
PLYMOUTH

Ward: Drake

Valid Date of Application: 30/09/2011

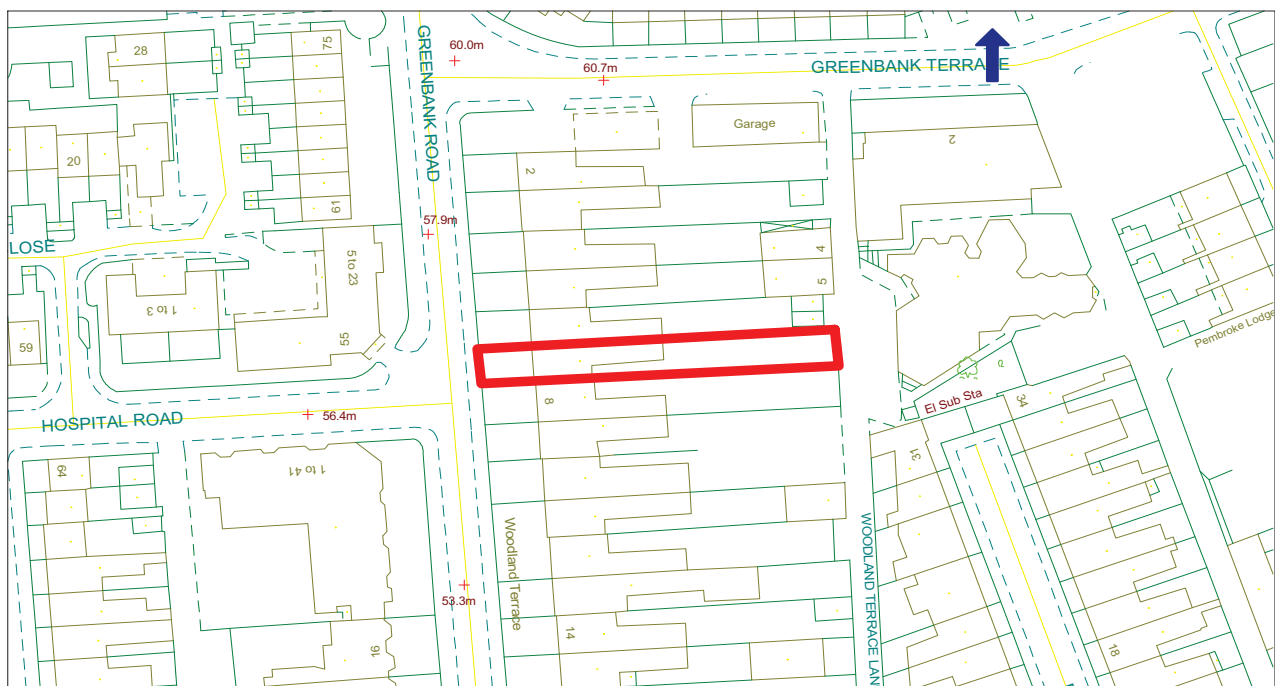
8/13 Week Date: **25/11/2011**

Decision Category: Member/PCC Employee

Case Officer : Simon Osborne

Recommendation: Grant Conditionally

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



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15 December 2011

Officer Report

This application is brought to committee because one of the applicants is employed by Plymouth City Council.

Site Description

7 Woodland Terrace (Greenbank Road) is a six-bedroom, mid-terraced, three-storey dwellinghouse with rooms in the roofspace (with two dormer windows) and a two-storey rear tenement. There are 2 parking spaces at the rear. The dwelling is served by Woodland Terrace Lane to the rear (east) and is bounded by adjoining properties to the north and south.

Proposal Description

The proposal is for change of use and conversion from a single dwellinghouse to a house in multiple occupation (HMO) (10 rooms) for students with 4 car parking spaces, secure cycle storage and refuse storage area, with rear patio and garden area. The property is proposed to be re-roofed, with provision of slightly-enlarged dormer windows.

The accommodation would comprise the following:

Ground floor: kitchen/dining/living room, utility room, secure store room and 2 bedrooms (both with en-suite shower rooms)

First floor: 4 bedrooms (2 with ensuite shower rooms), shared bathroom/toilet and shared toilet

Second floor: kitchen/dining room, 2 bedrooms (1 with ensuite shower room) and shared bathroom/toilet

Roofspace: 2 bedrooms (both with ensuite shower rooms)

Relevant Planning History

There is no relevant planning history for 7 Woodland Terrace.

Consultation Responses

Transport - No objections subject to conditions

Public Protection Service – Recommends refusal due to lack of contaminated land information

Representations

No letters of representation have been received regarding this application.

Analysis

This application turns upon CS15, CS22, CS28, and CS34 of the Core Strategy, and the Supplementary Planning Document ‘Development Guidelines’, as well as taking account (with appropriate weight attached) of the Draft National Planning Policy Framework. The planning issues are discussed below.

THE PRINCIPLE OF A HMO IN THIS LOCATION

Being close to the university, this is a student area. The dwellings in the area, including the subject property, are large and therefore less suitable for general family occupation. It is evident that some of the other properties in the street, including No.8 next door, have been converted to HMOs, flats, and student accommodation. It is therefore not considered that the conversion of the property to a 10 bed HMO would be detrimental to the character of this location.

It should be noted that the property falls within the area of the proposed Article 4 direction which, if confirmed, will require planning applications for changes of use from C3 (dwelling) to C4 HMOs (3-6 occupiers) from 14 September 2012. Whilst this is relevant when considering potential fall back positions, this application is for a 10-bedroom HMO which, with or without the Article 4 direction, requires planning permission. The proposal should therefore be considered on its own merits.

VISUAL IMPACT

The only external alterations would involve a small increase in the size of the existing front and rear dormers and alterations to doors and windows at ground floor level in the rear tenement. These minor alterations would not have a significant impact on the appearance of the property.

HIGHWAYS/PARKING

The Transport officer raises no objection in principle to the proposed change of use. The application property is considered to be conveniently located within easy reach of local amenities. There are currently two off-street car parking spaces, which would be increased to four by providing two more spaces in tandem, with access from the rear service lane. Cycle storage provision is indicated in the application, and cycle storage for a minimum of 5 cycles should be secured by condition.

The application property lies within the bounds of a permit parking scheme that is currently oversubscribed and, as a result of the intensification in the use of the property, shall be excluded from the issue of all types of parking permits and tickets.

STANDARD OF ACCOMMODATION

Most of the bedrooms in the proposed HMO would be reasonably large and all exceed Housing's minimum requirement of 6.5 sq.m. All the rooms would have a reasonable standard of natural lighting and outlook. It is considered that adequate communal areas, kitchens and washrooms would be provided. There is a large rear outdoor amenity area which includes the 4 proposed parking spaces. This would also be large enough to accommodate clothes drying facilities, cycle storage, and refuse storage. Further to this the property is centrally located near to the university, the city and parks, and has very good public transport links.

On the basis of the above observations, it is considered that the proposal offers a good standard of accommodation for students.

NEIGHBOURING AMENITIES

As this is a student area, it is not considered that any additional impacts associated with the proposal would be significant. It is also noted that no letters of objection have been received regarding this application. However, in order to help control any

impact that students might have on surrounding residential amenity, by means of noise (parties etc), it is recommended that a condition is added that the applicant must submit details of the management arrangements for the accommodation, prior to occupation.

The small external alterations would have a negligible impact on neighbouring properties.

Public Protection Service has raised concerns regarding noise transference between properties and rooms. It is recommended that an informative is added to advise the applicant of this issue.

A code of construction condition is also recommended.

CONTAMINATION/POLLUTION ISSUES

Public Protection Service considers that the proposed development is a use that would be vulnerable to contamination, particularly as it includes a soft landscaped garden area. Additionally, the proposed site is within the footprint area of a former hospital and very close to an old garage where fuel was stored underground. This may have caused contamination and, as such, proper human health risk assessment is required. In light of the above observations, they recommend refusal until the necessary contamination information has been submitted.

The advice of the Public Protection officer is noted; however the application is for the conversion of a large single dwellinghouse with a garden to another form of residential use. Unlike the proposed use, the existing dwelling may house children (or other at-risk groups) and is more likely to be subject to gardening activity that would disturb the ground. It is therefore not considered reasonable or appropriate in this case to refuse the application or insist on more information on contamination.

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

No contributions are required for this application.

Equalities & Diversities issues

None

Conclusions

It is considered that the proposal complies with the relevant policies and therefore the application is recommended for conditional approval.

Recommendation

In respect of the application dated **30/09/2011** and the submitted drawings Site Location Plan, 1145.04, 1145.10, 1145.11, 7 Photographs, 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.

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, 1145.04, 1145.10, 1145.11.

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) None of the rooms hereby permitted shall 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 Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CYCLE PROVISION - 5 CYCLES

(4) None of the rooms hereby permitted shall be occupied until space has been laid out within the site in accordance with the approved plan for 5 bicycles to be securely parked. Thereafter the cycle storage shall remain available for its intended purpose and shall not be used for any other purpose.

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.

BEDROOMS

(5) No more than 10 rooms at the property shall be used as bedrooms. Only the rooms labeled "bedroom" on the approved plan 1145.11 shall be used as bedrooms, unless the Local Planning Authority gives written approval to any variation of this requirement.

Reason:

The number of bedrooms is as proposed in the application and is considered to be the maximum that can reasonably be accommodated at the site. The proposed layout, together with the use of the remaining rooms for communal facilities, has been assessed and considered acceptable in planning terms and any other arrangement would need to be assessed on its merits. This condition is in accordance with policy CS15 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

STUDENT ACCOMODATION

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

Reason:

The accommodation is considered to be suitable for students in accordance with Policies CS15 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, but its occupation by any other persons would need to be the subject of a further application for consideration on its merits.

MANAGEMENT DETAILS

(7) None of the rooms hereby permitted shall be occupied until details of the arrangements by which the accommodation is to be managed have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the property shall continue to be managed permanently in accordance with the approved management arrangements, unless the Local Planning Authority gives written approval to any variation of the arrangements.

Reason:

To assist in protecting the residential amenities of the area, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CODE OF CONSTRUCTION

(8) During works implementing 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.

Reason:

The proposed site is in immediate vicinity to existing residential properties, whose occupants are likely to be disturbed by noise during alteration works, and this condition seeks to avoid conflict with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE: NOISE AND DISTURBANCE

(1) The Council's Public Protection Service advises that living rooms and bedrooms should meet the good room criteria as set out in BS 8233:1999. The Environmental Protection Act 1990 deals with statutory noise nuisance. The proposed use of this development as a student property can reasonably be considered to present further issues in terms of noise due to the intended use. Consideration of sound insulation should be considered to partition walls, floors and ceilings to reduce the potential impact of noise on other occupants as well as on neighbouring residential dwellings. Further enhancement of the property to install supplementary sound insulation will be more difficult and costly post development. Therefore it is recommended that sound insulation is considered prior to development.

INFORMATIVE: EXCLUSION FROM RESIDENTS PARKING SCHEME

(2) The applicant is advised that the application property lies within the boundaries of a Permit Parking Zone that is currently oversubscribed and shall be excluded from the issue of car parking permits including business permits and visitor tickets.

INFORMATIVE: MANAGEMENT PLAN

(3) The applicant is hereby advised that the management details to be submitted and agreed under condition 7 should comprise the following elements:

- a. 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.
- b. 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.
- c. 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.
- d. 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 three working days and shall take such steps as are necessary to ensure that the timescale is adhered to.

INFORMATIVE: CODE OF CONSTRUCTION

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

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the principle of the proposed development, impact on surrounding residential amenity, highways/parking, standard of accommodation, and contamination/pollution, 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:

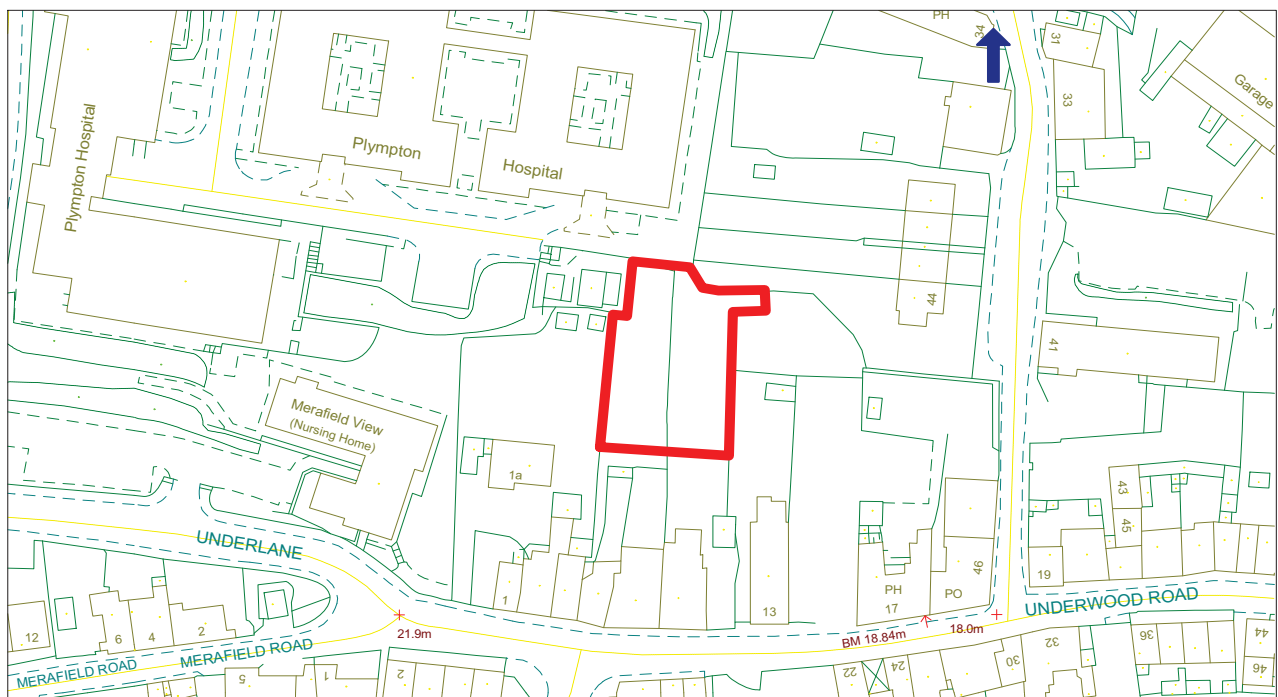
- CS28 - Local Transport Consideration
- CS34 - Planning Application Consideration
- CS22 - Pollution
- CS02 - Design
- CS15 - Housing Provision
- SPDI - Development Guidelines
- NPPF - Draft National Planning Policy Framework 2011

PLANNING APPLICATION REPORT



ITEM: 02

Application Number:	11/01651/OUT
Applicant:	South-West Property Developments Ltd
Description of Application:	Outline application to develop land by erection of two 4-bedroom 100sqm floor area detached dwellinghouses
Type of Application:	Outline Application
Site Address:	LAND TO REAR OF 7-11 UNDERWOOD ROAD PLYMOUTH
Ward:	Plympton Erle
Valid Date of Application:	28/10/2011
8/13 Week Date:	23/12/2011
Decision Category:	Member Referral
Case Officer :	Jon Fox
Recommendation:	Minded to Grant/Defer for Advert Period/Delegated Authority
Click for Application Documents:	www.plymouth.gov.uk



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15 December 2011

Officer Report

This application is being considered by Planning Committee as a result of a Member referral by Councillor Terri Beer. This Ward councillor is concerned that this is development on garden space, is over-development of the land, there is not sufficient vehicular access to the site and it will spoil the character of the village of Underwood.

Site Description

The site comprises garden land to the rear of 7-11 Underwood Road. The land slopes downwards from the front of the site (south to north). The site is bounded to the west by the house and garden at 1a Underwood Road; to the north by Plympton Hospital and the garden of 44 Market Road (both at a considerably lower level than the site) and to the east by 13 Underwood Road and by land outside the application site that is owned by the applicants. Access is via a drive adjacent to 11 Underwood Road, which passes the entrance to accommodation in that property.

Proposal Description

Outline application to develop land by erection of two 4-bedroom 100sqm floor area detached dwellinghouses. The dimensions of the houses are 8.6 to 8.9 metres wide; 7.6 to 7.9 metres deep and 7.3 to 7.7 metres from ground floor level to ridge height (the site slopes from south to north and as a result the ground floor of the buildings could be up to approximately 400mm above actual ground level). The ridge heights are also stated in a range that relates to a known datum level.

Relevant Planning History

There was no pre-application advice sought in respect of the current proposals.

10/00711/OUT - Outline application to develop land by erection of three 4-bedroomed 100sqm floor area detached dwellinghouses on land rear of 7-11 Underwood Road (including an area forming the eastern part of the site which is excluded from the current planning application). This application was refused for the following reasons (précis follows):

- (1) The proximity of the proposed access road to Nos. 11 and 13 Underwood Road and the associated vehicle movements to the side of these buildings and associated rear gardens will lead to levels of noise and disturbance that will be demonstrably harmful to the amenities of the occupiers of those properties.
- (2) Due to their scale and proximity, the buildings would be overbearing and dominant when viewed from the rear gardens and houses that surround the site, particularly 1a Underwood Road and 44 Market Road, and will also result in a serious loss of privacy for the occupiers 1A Underwood Road.
- (3) The close proximity of the proposed dwellings to the boundary of 44 Market Road will result in an unreasonable loss of sunlight and daylight to the rear gardens of that property.

- (4) The amount of development is inappropriate for a site that has no frontage onto the main road. In this respect, the size of the plot, and the nature of the accessway that serves it, is not considered capable of generating its own street frontage and the density of development would be at odds with the relatively spacious layout and depth of plots on surrounding properties. As such, the proposals are considered to be harmful to the character and appearance of the area.

A **planning appeal** was lodged in respect of the Local Planning Authority's decision on 10/007111/OUT; this appeal was dismissed. With regard to reason 1, the Inspector found that the occupiers of the neighbouring properties would not be unreasonably affected by the proposed development.

With regard to reasons 2 and 3, the Inspector found that the visual impact on 1a Underwood Road would not be harmful because the proposed houses would stand at a lower level and would be off-set from that property. The inspector considered that 1a Underwood Road would experience a significant loss of privacy from the upper floors of the proposed houses, but that clear-glazed windows serving habitable rooms could be positioned where they would have little or no effect on privacy. With regard to the proposed house labelled Unit 3, which was proposed to be located in the eastern part of the application site, adjacent to the garden of 44 Market Road, the Inspector considered that the level of that property and its relationship with Unit 3 would adversely impact the outlook from the garden and would be overbearing when seen from the house. The Inspector also found that the proposed house in the north-west corner of the site would have little impact on sunlight and daylight to the long, narrow strip of garden at 44 Market Road, but that any house in the north east corner would result in a significant reduction in sunlight and daylight. Therefore, it can be seen that, from the appeal Inspector's point of view, the main and unacceptable impact is on the amenities of 44 Market Road.

With regard to reason 4, the Inspector considered that the proposed layout and density would not be out of keeping with those in the surrounding area, and that with regard to the lack of a street frontage, there are other dwellings that do not have a street frontage and that the proposed group of houses would not be out of character.

With regard to private residential gardens no longer being classed as previously developed land, the Inspector states: "Planning Policy Statement 3: Housing has been amended so that its definition of previously-developed land now excludes private residential gardens. However, Core Strategy policies CS02 and CS34 do not distinguish between previously-developed and other land and have been used by the Local Planning Authority to refuse applications where garden development has seriously affected the character of the area. In relation to the appeal proposal, therefore, this change to PPS3 is not of particular significance."

09/00532/OUT (land rear of 7-11 Underwood Road) - Outline application for construction of eight, two-bedroom flats and associated car parking and vehicle turning areas. The flats were indicatively arranged in 4 blocks of two flats each. This application was refused for the following reasons (précis follows):

(1) The proximity of the proposed access road to Nos. 11 and 13 Underwood Road and the associated vehicle movements to the side of these buildings and associated rear gardens will lead to levels of noise and disturbance that will be demonstrably harmful to the amenities of the occupiers of those properties.

(2) Due to their scale and proximity, the buildings would be overbearing and dominant when viewed from the rear gardens and houses that surround the site, particularly 1a Underwood Road and 44 Market Road, and due to their height will also result in a serious loss of privacy for the occupiers of those properties and 46 Market Road.

(3) The close proximity of the proposed dwellings to the boundaries of neighbouring properties at 1a Underwood Road and 44 Market Road will result in an unreasonable loss of sunlight and daylight to the rear gardens of those properties.

(4) The density of the development, the intensive use of the site, and the close proximity of the proposed access road and dwellings to neighbouring properties will lead to unreasonable levels of noise, disturbance and light pollution for the occupiers of 1a and 13 Underwood Road and 44 Market Road.

(5) The amount of development is inappropriate for a site that has no frontage onto the main road. In this respect, the size of the plot, and the nature of the sub-standard accessway that serves it, is not considered capable of generating its own street frontage and the density of development would be at odds with the relatively spacious layout and depth of plots on surrounding properties.

(6) The proposed development is likely to result in an unacceptable increase in the number of vehicular movements taking place at and in the vicinity of the application site, giving rise to unacceptable conditions.

(7) The proposed access arrangement is unsuitable for its intended use and is therefore likely to give rise to issues of personal and highway safety. Vehicular movements arising from the development would give rise to unacceptable conditions.

(8) No adequate provision is proposed to be made for the parking of cars of persons residing at or visiting the development. Vehicles used by such persons would therefore have to stand on the public highway, giving rise to unacceptable conditions.

(9) The proposed development is unsatisfactory and unacceptable in that it will fail to meet accepted standards for: turning and parking of vehicles attending at the site; vehicular and pedestrian circulation within the development; pedestrian links to the wider footway network; safe access to and from the site; and street lighting and drainage and gradient of the street.

05/01696/OUT (13 Underwood Road) - Outline application to develop rear garden by erection of dwelling, with details of means of access (as existing), with demolition of rear tenement of existing dwelling and formation of parking area. This application was refused.

Consultation Responses

Transport

From a transport and highway perspective, development that would give rise to any additional vehicle trips along Underwood Road would not be encouraged, although it is considered that this small scale development would use an existing vehicle access, where the principle of vehicular access has already been established, and where any subsequent increase in associated vehicle trips would be quite small.

Although vehicle speeds along Underwood Road are generally very low, car parking also occurs along areas of the street and in the vicinity of the entrance of the application property, which may present an obstacle to forward and inter-visibility. In the recent past some alterations have been carried out within the highway with the provision of a build-out outside number 9 to improve safety by providing a safe crossing point for pedestrians. The position of the build-out in the street is close by and to the west of the entrance to the application site, and this assists with and affords improved forward and inter-visibility at the driveway entrance/exit by pushing vehicles approaching from the west toward the centre-line of the road. With a view to discouraging haphazard car parking close to the driveway entrance and build-out in order to preserve visibility, consideration should be given to appropriate road markings being painted on the highway in Underwood Road to provide a solid white line in the carriageway channel across the driveway entrance, and or extending the cross hatching adjacent to the pedestrian build-out toward the site entrance; this requirement that could be implemented relatively simply with the cost being bourn by the developer, and should be secured by a Grampian condition as part of any grant of planning permission.

Transport therefore has no objections subject to conditions relating to details of new junction, driveway gradient, car parking provision and cycle provision. An informative note is recommended regarding a footway crossing.

Public Protection Service

No objections, subject to conditions relating to land quality and the submission of a code of practice.

Representations

Letters have been received from the occupier of 44 Market Road, which raise the following objections:

1. The planning application shows construction on part of the land belonging to 44 Market Road. Full use is being made of their land.
2. Two trees that fall within No.44's boundary were unlawfully cut down without consent.
3. This contradicts the applicant's statement that it is intended to retain where possible, native species trees and shrubs.
4. This development is not for affordable housing.
5. The applicant states the gardens as redundant; maybe they are but only because he has made them redundant, removing the plant life ,wildlife, shrubs, trees, sheds ,ponds and everything which made them into gardens.

6. Regarding the wall to rear of the property that backs onto Plympton Hospital, the building plans show no provision for strengthening and ensuring the 25 foot wall with a big drop is structurally stable to support the developments above it; a real risk of a land slide and the new houses ending up on Plympton Hospital could happen if that is over looked, the plans are very much flawed.

A neighbour notification letter was not sent to Plympton Hospital until 25 November and therefore this extends the publicity response period to 16 December.

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 is considered having regard to local and national policies and guidance, as well as taking account (with appropriate weight attached) of the Draft National Planning Policy Framework.

The main issues in this case relate to the backland nature of the site and the impact of the proposed development on surrounding residential amenity in terms of dominance, visual intrusion, privacy and noise and disturbance; the amount of development and the impact on the character and appearance of the area, and the impact on traffic congestion and highway issues relating to the use of the proposed driveway and access point onto Underwood Road. With regard to the above issues, the main focus is on whether the proposals overcome the reasons for refusing the previous application 10/00711/OUT without raising any other problems from a planning point of view. In this respect the indicative layout plans are the same as previously proposed minus the dwelling at Unit 3, which was the particular dwelling that the Planning Inspector found objectionable.

With regard to transport matters, the Inspector found that nearby streets are well used for parking and visibility at the junction is limited, especially by parked vehicles. However, the Inspector considered that each house would have two parking spaces and that it would be of assistance if the road marking across the access were reinstated to deter parking close to the access. The current scheme is for one less dwelling and therefore the impact on the highway network will be less than in the case of the previous proposal.

With regard to the noise and disturbance arising from the use of the proposed accessway (reason 1 of the previous Local Planning Authority decision), it is not considered appropriate to maintain this objection in light of the Inspector's decision and the fact that the current proposals are for two dwellings, not three.

Although the number of dwellings backing onto 1a Underwood Road is unchanged (reason 2), the impact of the proposals on the outlook from that property is not considered to be a sustainable reason for objecting, having regard to the Inspector's decision. The Local Planning Authority could maintain an objection on these grounds, but such a position is likely to be weak, bearing in mind the reduced scheme and the lack of other objections, including the lack of an objection from the neighbours themselves.

With regard to privacy issues (reason 2), the design of the dwellings could incorporate either standard clear-glazed windows, in locations that do not unreasonably overlook neighbours, and/or angled windows that reduce overlooking.

The removal of Unit 3 from the scheme largely removes any concerns regarding the impact of the proposals on the daylight/sunlight and outlook enjoyed by the occupiers of 44 Market Road. However, given the relatively low level of the long garden at that property, and the scale and proximity of the nearest proposed house (albeit on an indicative plan at this outline application stage), it is considered beneficial to move the proposed house at Unit 2 further up the site from the position shown on the indicative plans, i.e. move away from the garden at 44 Market Road so that the visual impact on that property is reduced. It is considered that this would further reduce any overbearing and dominance when viewed from No.44's garden (reason 2) and this suggested change to the position has therefore been made known to the applicant's agent.

With regard the lack of a street frontage and the impact on the character of the area (reason 4), it is considered that having regard to the Inspector's decision and the reduced scheme, i.e. more garden land preserved in lieu of Unit 3, it would not be sustainable to maintain an objection on these grounds.

With regard to the neighbour's objections, the land ownership issue has been resolved following the submission of amended plans. The felling of the two trees referred to as being within the neighbour's property is a civil matter and does not now raise a planning issue (the trees were not protected). The development is not for affordable housing as defined within policy CS15 of the Core Strategy and the loss of the former gardens is an issue that is considered here and was considered in respect of the previous application on the site. With regard to the stress that would be put on the wall backing onto Plympton Hospital, it is recommended that an informative note be used to draw the applicant's attention to the private property rights of neighbours.

The proposals are not considered to raise any other issues.

Section 106 Obligations

The proposals do not have impacts that require mitigation under Section 106 of the Planning Act.

Equalities & Diversities issues

The proposals do not raise any equalities or diversity issues.

Conclusions

The proposed development is different to the previously refused scheme because, taking due account of the Inspector's decision, the dwelling at Unit 3 is not being proposed in the current application. On balance, it is considered that two dwellings of the dimensions proposed can be accommodated on the site without being demonstrably harmful to residential amenity or the character of the area.

It is therefore recommended that Members be minded to grant outline permission subject to standard outline planning conditions and those recommended by consultees. It is also necessary to restrict permitted development rights in order to protect the amenities of neighbours. It is recommended that delegated authority be given to the Assistant Director for Development (Planning Services) to determine the application once the publicity response period has expired.

Recommendation

In respect of the application dated **28/10/2011** and the submitted drawings 1:1250 scale location plan on drawing UR-A3/01D (not including the indicative location of proposed housing on this plan), UR-A3/02C, UR-A3/03C, phase I environmental desktop study report, and accompanying design and access statement, it is recommended to: **Minded to Grant/Defer for Advert Period/Delegated Authority**

Conditions

APPROVAL OF RESERVED MATTERS

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

Reason:

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

SUBMISSION OF RESERVED MATTERS

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

Reason:

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

TIME LIMIT FOR SUBMISSION OF RESERVED MATTERS

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

Reason:

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

TIME LIMIT FOR COMMENCEMENT OF DEVELOPMENT

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

Reason:

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

APPROVED PLANS

(5) This permission relates to the following approved plans: 1:1250 scale location plan on drawing UR-A3/01D (not including the indicative location of proposed housing on this plan).

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.

CODE OF PRACTICE

(6) 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 Policies CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework April 2007.

LAND QUALITY

(7) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 8 to 10 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 11 has been complied with in relation to that contamination.

Reason:

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

accordance with policy CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

SITE CHARACTERISATION

(8) 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 II'.

Reason:

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

SUBMISSION OF REMEDIATION SCHEME

(9) 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 Core Strategy of Plymouth's Local Development Framework 2007.

IMPLEMENTATION OF APPROVED REMEDIATION SCHEME

(10) 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, in accordance with policy CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

REPORTING OF UNEXPECTED CONTAMINATION

(11) 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 8, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 9, 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 10.

Reason:

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

DETAILS OF NEW JUNCTION

(12) 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, in accordance with policy CS28 of the Core Strategy of Plymouth's Local Development Framework April 2007 and Development Guidelines Supplementary Planning Document 2009.

DRIVEWAY GRADIENT

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

Reason:

To ensure that safe and usable off street parking facilities are provided, in accordance with policy CS28 of the Core Strategy of Plymouth's Local Development Framework April 2007 and Development Guidelines Supplementary Planning Document 2009.

CAR PARKING PROVISION

(14) The development shall not be occupied until space has been laid out within the site in accordance with the details to be submitted to and approved in writing by the Local Planning Authority for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The said parking and turning facilities shall thereafter be retained.

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 and Development Guidelines Supplementary Planning Document 2009.

CYCLE PROVISION

(15) No dwelling 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 bicycles to be stored at each of the dwelling houses hereby approved.

Reason:

In order to promote cycling as an alternative to the use of private cars, in accordance with policy CS28 of the Core Strategy of Plymouth's Local Development Framework April 2007 and Development Guidelines Supplementary Planning Document 2009.

VEHICLE CROSSING AND ROAD MARKING

(16) Prior to any occupation of the dwellinghouses hereby permitted the developer shall carry out alterations to the vehicle footway crossing, along with white line marking of the carriageway in Underwood Road in accordance with details previously submitted to and agreed in writing with the Local Planning Authority.

Reason:

In the interest of highway safety and convenience, in accordance with policy CS28 of the Core Strategy of Plymouth's Local Development Framework April 2007 and Development Guidelines Supplementary Planning Document 2009.

RESTRICTIONS ON PERMITTED DEVELOPMENT

(17) 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 (the enlargement, improvement or other alteration of a dwellinghouse), B (the enlargement of a dwellinghouse consisting of an addition or alteration to its roof), C (Any other alteration to the roof of a dwellinghouse) and E (the provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool, or container used for domestic heating purposes) of Part I of the Schedule to that Order shall be carried out unless, upon application, planning permission is granted for the development concerned.

Reason:

In order to preserve the amenities of neighbours in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

NO FURTHER WINDOWS OR DOORS

(18) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order or the 1995 Order with or without modification), no further windows, doors or other openings, other than those permitted at the reserved matters stage, shall be constructed in the dwellinghouses hereby permitted.

Reason:

In order to protect the privacy enjoyed by the occupiers of the adjacent dwelling in accordance with Policy CS34 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 can be adopted either in part or as a whole to satisfy this condition. It can be downloaded for submission via:

<http://www.plymouth.gov.uk/homepage/environmentandplanning/pollution/noise/construction.htm>

It is also available on request from the Environmental Protection and Monitoring Team: 01752 304147.

INFORMATIVE - KERB LOWERING

(2) Before the access hereby permitted is first 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.

INFORMATIVE - PARTY WALL ACT

(3) The applicants are advised that this grant of planning permission does not override private property rights or their obligations under the Party Wall etc. Act 1996.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the backland nature of the site and the impact of the proposed development on surrounding residential amenity in terms of dominance, visual intrusion, privacy and noise and disturbance; the amount of development and the impact on the character and appearance of the area, the impact on traffic congestion and highway issues relating to the use of the proposed driveway and access point onto Underwood Road, and contamination aspects, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

PPS23 - Planning & Pollution Control

CS28 - Local Transport Consideration

CS34 - Planning Application Consideration

CS22 - Pollution

CS15 - Housing Provision

SPDI - Development Guidelines

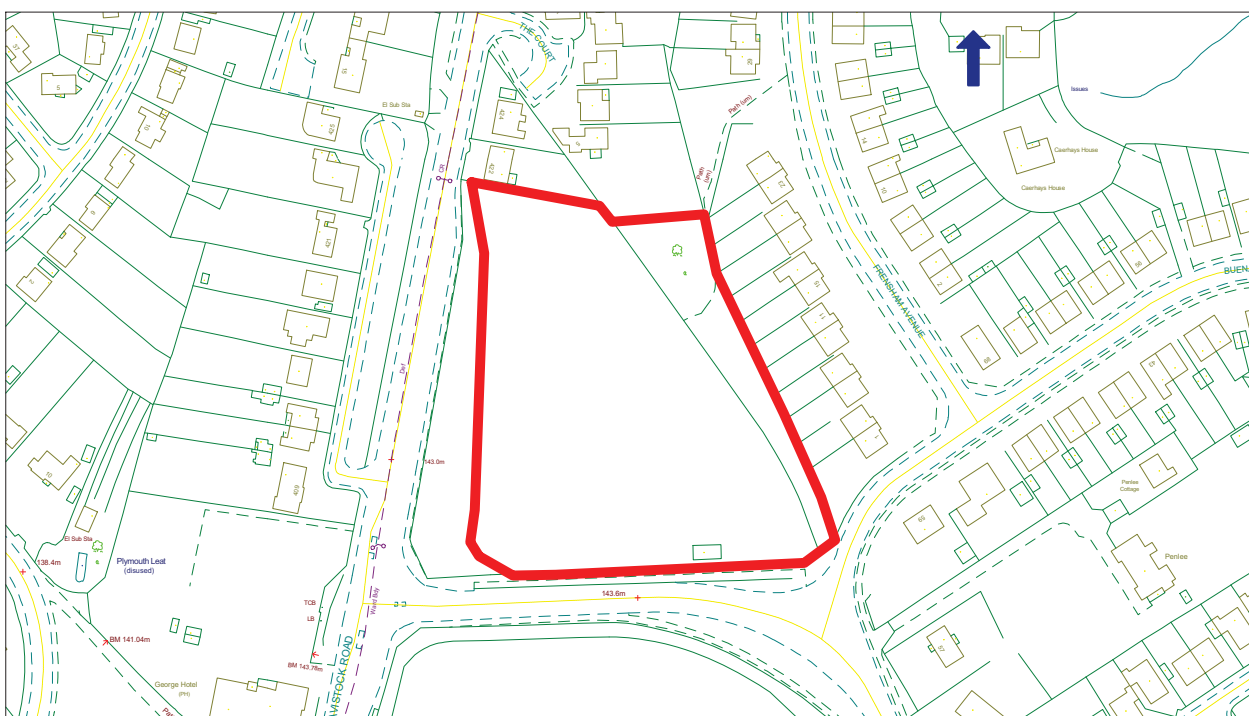
NPPF - Draft National Planning Policy Framework 2011

PLANNING APPLICATION REPORT



ITEM: 03

Application Number:	11/01559/FUL
Applicant:	Taylor Wimpey (Exeter) UK LTd
Description of Application:	Erection of 58 dwellings comprising 44 houses and 14 flats, access road, parking and landscaping
Type of Application:	Full Application
Site Address:	LAND AT TAVISTOCK ROAD PLYMOUTH
Ward:	Moor View
Valid Date of Application:	21/09/2011
8/13 Week Date:	21/12/2011
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 20 th December 2011
Click for Application Documents:	www.plymouth.gov.uk



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15 December 2011

Officer Report

Site Description

The site is the paddock (former polo field) on the corner of Tavistock Road, Plymbridge Road and Buena Vista Drive. Housing lies to the west, north and east with The George Park and Ride to the south and the Toby Carvery (formerly The George) and Travel Lodge to the south west.

The area is 1.28 hectares with frontages to Tavistock Road, Plymbridge Road cycle way/footway and Buena Vista Drive of 136m, 112m and 12m respectively. The site is in two parts: the main area comprising 1.1 hectares is open grassland and the eastern 0.18 hectare is a woodland area adjoining the rear gardens of properties in Frensham Avenue. This part is protected by Tree Preservation Order No 247. There are two lines of large mature trees running along two hedgebanks on the eastern and western edges of the woodland. The northern boundary comprises a blockwork wall, trees and vegetation, the eastern boundary with the properties in Frensham Avenue is one of the treed hedgebanks, the southern and western boundaries comprise post and rail fences with hedges and vegetation. The land slopes gently from the south west to the north east. There is a small single storey building on the southern boundary. There are two mobile phone masts next to the site along Tavistock Road.

There are utility company easements for a sewer, water main and gas main that cross the site.

Proposal Description

The proposal is for 58 dwellings comprising 44 houses and 14 flats. The majority of the houses are two storey with six at three storeys and five with dormer windows. The block of flats on the corner of Tavistock Road and Plymbridge Road is four storeys and the other block between the access road and woodland is three storeys. There would be 17 affordable homes and 12 built to Lifetime Homes standards.

The access would be off the mini-roundabout at Plymbridge Road and Buena Vista Drive following the route of the bus lane. It would swing northwards into the site 45m west of the mini-roundabout and then turn to the west ending in a turning head by the mobile phone mast thereby creating a new street. There would be frontage development to Tavistock Road and Plymbridge Road. There would be two large parking courtyards on the western part of the site. The materials are likely to be render, slate hanging, natural stone, and grey slate/reconstituted slates and concrete tiles.

Relevant Planning History

11/00940 – FULL - Erection of 60 dwellings including 16 apartments and 44 houses, new access, ancillary roads, car parking and landscaping - WITHDRAWN

There have been recent prior notification approvals for the two mobile phone masts on Tavistock Road adjoining the site.

Consultation Responses

Environment Agency

No objection subject to conditions on surface water drainage.

Highways Agency

No objection.

Plymouth City Airport

No objections.

Local Highway Authority

The layout is an improvement on the earlier scheme but there are still concerns. It is neither a Home Zone nor a traditional street. Cars are likely to park on the street forcing pedestrians into the street as at plots 45/45A which could be a safety hazard. As there are front gardens the road can not be adopted from building line to building line. This indicates it is a traditional street lacking footways. As such the Local Highway Authority could not adopt it. The lack of footways will be an inconvenience to pedestrians. If cars park on the road it will restrict the using of the turning area for HGVs including refuse lorries. There appears to be a lack of service margins. The bus lane on Plymbridge Road is unlikely to be used by bus services so the bus shelter should be relocated to another location in the locality. The existing Traffic Regulation Order will have to be amended to the section of bus lane to allow for the access into the site.

The parking standard of 1.25 spaces per unit is acceptable at a sustainable location close to The George Park and Ride site. Unit 22 appears not to have an allocated space. Some of the spaces are located some distance from their host properties. This could lead to on-street parking.

The duration of the travel passes in the travel plan should be extended from 3 months to 6 months and include the Park and Ride services.

Public Protection Services

There are possible sources of contamination in the vicinity of the proposed development with the possibility of fuel tanks at Turners on Tavistock Road and a former quarry north east of the airport. The effects have not been covered adequately in the report and must be dealt with by condition. Given the noise environment there will be the need for ventilation. There are no objections subject to conditions relating to ground contamination, noise and code of practice.

Housing Strategy

Concerns have been raised as the application does not comply fully with policy CS15 and the Planning Obligations and Affordable Housing SPD First Review. Housing Strategy welcome the proposed provision of 30% affordable housing, but the mix does not represent the overall range of size of properties with too few of the 3 bedroom houses. The units are not spread right across the site. The application does not state how the 60% rented and 40% intermediate housing would be met. These matters need to be resolved and this is catered for in the section 106 agreement to ensure the Affordable Homes content complies with Core Strategy policy CS15.1.

Police Architectural Liaison Officer

No objections subject to a condition on ensuring the provision of lockable gates to the parking courts and minor revisions to the drawings with the provision of additional lockable gates.

Representations

Following the first consultation exercise there are five letters of representation raising the following points:

1. The three and four storey buildings are out of character with this area of mainly two storey development;
2. The three and four storey buildings will cause overlooking, loss of outlook and loss of light, specially morning sunlight;
3. The trees behind Frensham Avenue must remain;
4. Harm to wildlife;
5. Wildlife including bats should be protected;
6. Do not want the road to the rear of Frensham Avenue;
7. The proposed pathway will cause privacy issues to 1 – 25 Frensham Avenue (there may be a misunderstanding as the footpath in the woodland in the previous scheme is omitted in the current application);
8. Insufficient parking;
9. Hazards on the highways;
10. The access will take traffic into Glenholt and around the Park and Ride;
11. Residents will use the bus lane illegally;
12. Residents may use the Tavistock Road cycle lane as a short cut;
13. Possible flooding to the properties on the other side of Tavistock Road if there is inadequate surface water drainage;
14. The development must not prejudice the operation of the airport;
15. Residents in the flats may hang out their washing on the balconies as happens at the Boundary Garage site: covenants should be imposed to prevent this; and
16. The cross sections drawing names Tavistock Road wrongly.

Officers carried out a further consultation on November 2011 on the amended drawings. Any additional comments will be reported to members in the addendum report.

Analysis

Introduction

The main issues with this application are: the principle of the development; density; design matters; affordable housing; transport; impact on the protected woodland; nature conservation and renewable energy; and section 106 obligations and measures to mitigate the impacts of the development.

Relevant national policy guidance in Planning Policy Statements (PPS) and Guidance Notes (PPG) include: PPS1 Delivering Sustainable Development; PPS3 Housing; PPS9 Biodiversity and Geological Conservation; and PPG13 Transport. The recent draft National Planning Policy Framework (NPPF) is also capable of being treated as a material consideration

Regional Planning Guidance for the South West (RPG10) is still part of the development plan. The relevant strategic policies are: Policy SS 2: Regional Development Strategy, Policy SS 3: Sub- Regional Structure and Policy SS 17: Plymouth. The draft Regional Spatial Strategy for the South West is a material consideration until and unless it is abolished. The key strategic policies are Policy CSS – The Core Spatial Strategy and Development Policy A.

The main Core Strategy policies relevant to the application 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 and Area Vision 9 Derriford/Seaton. The guidance in the adopted Development Guidelines and Design Supplementary Planning Documents (SPD) and the adopted Planning Obligations and Affordable Housing SPD First Review apply. The Derriford and Seaton Area Action Plan Pre-Submission Version 2011 (DSAAP), although not yet adopted, is still a material consideration. This has relevant draft policies and proposals in particular: Policy DS01 Improving the Urban Form, Policy DS02: Improving Communications and Proposal DS16 Buena Vista Drive.

Background and pre-application negotiations

The applicant has been involved with the site for a number of years and with this proposal made a formal pre-application submission using the Development Enquiry Service in August 2010. Officers had previously prepared a Site Planning Statement setting out the planning and design criteria for the site. The applicant had two meetings with officers in September 2010 and January 2011. There were unresolved issues relating to density, design, scale, layout, appearance, landscaping and renewable energy matters and section 106 issues of measures to mitigate the infrastructure impacts of the development. There was a gap of five months before the applicant made the first application for 60 dwellings reference 11/00940 in June. In that period the applicant carried out a community consultation exercise.

Officers had a number of concerns with the application relating to density, design, parking, mitigation of community impacts, trees and renewable energy. The applicant sought to overcome these before the planning committee meeting on 22 September 2011 but was unable to do so and the applicant withdrew the application. Officers invited the applicant to continue negotiating before resubmitting but they chose to resubmit immediately. Negotiations have continued and several of the officers' original concerns have been overcome: these negotiations are continuing in order to achieve an acceptable development.

Principle of development

The site is a greenfield site but has long been identified by the Council as a housing site. PPS3 states that local planning authorities should identify a five year supply of housing on sites that are deliverable, available, suitable and achievable drawing on information in the Strategic Housing Land Availability Assessment (SHLAA). This site is identified in the SHLAA 2009 and is included in the Annual Monitoring Statement that identifies a five year housing supply in Plymouth from 2011/12 to 2015/16. Core

Strategy policy CS16 states that one of the priority locations for new housing is the Derriford/northern corridor for about 3,500 new dwellings by 2021.

In the Derriford and Seaton Area Action Plan Pre-Submission Version 2011 it is identified as Proposal DS16: Buena Vista Drive as a housing site for 50 dwellings of which at least 15 will be affordable housing units. Following the AAP public consultation exercise there was only one comment on this proposal. It did not object to the principle but simply stated it was wrong to consider it as part of the Derriford and Seaton AAP when in reality it is in Glenholt. The site is a sustainable location on bus routes and next to The George Park and Ride within walking distances of two primary schools and a local parade of shops with Southway local centre and Roborough district centre reasonably close.

The Sustainable Neighbourhood Assessment identifies a need to increase the catchment population for the Woolwell Road neighbourhood centre and St Anne's Road local centre. It also shows a need for a greater range of house types and tenure for more terraced houses, flats and rented properties.

The principle of the application would meet these policy requirements and comply with policy CS01.1 in meeting the needs of the neighbourhood in helping to support a sustainable linked community.

Density

Density calculations can be a crude measurement in determining the quality of schemes but do provide a broad benchmark in their assessment. The density of development surrounding the site is low and varies from 9.7 dwellings per hectare (dph) to 22.2 dph. This compares with the application of 45.3 dph. The figure is inflated because 14 of the units are flats. Density alone cannot be a reasonable reason for refusal unless it gives rise to manifest shortcomings. This was the case with the previous application with examples of overlooking, over-dominance and poorly sited "flats over garages" (FOGs). These problems have been overcome with this revised application.

PPS3 states that Local Planning Authorities (LPAs) should develop housing density policies. Paragraph 46 sets out the relevant criteria including: capacity of infrastructure services and facilities; using land efficiently; accessibility; the characteristics of the area including the current and proposed mix of uses; and achieving high quality, well designed housing having regard to the considerations in paragraph 16. The previous broad brush reference to a density of 30 – 50 dwellings per hectare (dph) in an earlier version of PPS3 has been removed. But it states that: "The density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout can lead to a more efficient use of land without compromising the quality of the local area." The draft NPPF states that LPAs should set out their own approach to housing density to reflect local circumstances. Strategic Objective 10.2 aims to promote the highest density compatible with the creation of an attractive living environment. Core Strategy policy CS01.2 states that development must be delivered at the appropriate type form, scale, mix and density in relation to its location relative to the neighbourhood's centre.

The presence of protected woodland, sewer, utility and mobile phone mast easements make this a difficult site to develop. These constraints further affect the density at which the site can be developed. Given the sustainable location of the site and the lack of demonstrable harm associated with the amount of development proposed the higher density is acceptable and in compliance with Strategic Objective 10.2 and Core Strategy policy CS01.2.

Design issues

PPSI states that good design is indivisible from good planning and that 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. This approach is repeated in PPS3 in paragraphs 12-13 and 48-49. The draft NPPF endorses this approach and attaches great importance to the design of the built environment. Core Strategy policy CS02 promotes well designed developments to promote the image of the city through enhanced city and local gateway locations and key approach corridors. Area Vision 9 identifies the locality as a city gateway location to provide a high quality northern gateway into the city with a strong sense of place. It is essential that the development of the site is at a standard of design appropriate to its location and this is what officers have been trying to achieve in extensive and ongoing negotiations.

Layout

The layout comprises street frontages to Tavistock Road and Plymbridge Lane behind the hedgebank and trees between the bus lane and cycle/footpath. The access is taken off the Buena Vista Roundabout following the alignment of the bus lane and breaks through the hedgebank into the paddock looping round to join Tavistock Road in a turning head that is shaped to accommodate the mobile phone mast easement with a cycle/footpath link to Tavistock Road. There is frontage development on this street apart from where it comes close to the protected trees. The mobile phone mast easements have affected the design especially in the north western part of the site. There are two large parking courts in the western part of the site with gardens backing onto them. Officers would have preferred these to have been smaller but they are necessary as many of the properties are unable to gain direct vehicular access.

The entrance to the site has been improved with landscaping framing the street and dual aspect houses that front both Plymbridge Road and the access road. Officers have sought relocation of the “bin collection point” to a less prominent location but if it has to remain it must be screened. Plot I has been moved further away from the protected trees.

A broad management plan for the site including the area of woodland has been provided. This will form the basis for a detailed plan to include the arrangements for the responsible body to manage the land to be covered by condition.

The layout is acceptable to comply with Core Strategy policy CS02, CS34 and part 4 of the Design SPD.

Street elevations

The street elevations with the previous scheme were poor and contained several house types of different heights that lacked cohesiveness. The amendments have improved the elevation to Tavistock Road by the use of gables, more regular fenestration and the use of slate hanging to provide greater continuity. Plots 37 and 53 – 54 at the northern end have shorter depths and hence lower ridge heights that have a different character and officers have been seeking a more cohesive approach particularly with the junction between plots 36 and 37.

With the new access road street elevation, some cohesion is provided with the use of gables and slate hanging. The developer is using several house types of different heights. Officers would have preferred greater consistency and a more regular ridge height to improve the street scene but the appearance would not cause sufficient harm to justify recommending refusing permission.

The four storey building on the corner of Tavistock Road and Plymbridge Road has a pedestrian design which has been enhanced by the use of materials to enhance accentuate the stairwell tower and bay windows in slate hanging and a ground floor clad in natural stone.

Appearance

The use of appropriate materials can improve the appearance of the development and add to local distinctiveness. The applicant used a good mix of materials at their sites in Southway particularly with the use of a local slatestone and natural slate. Officers have been insisting on similar materials including slate hanging which is more imperative at this prominent location on a key approach corridor.

Summary

Officers have worked hard to achieve an acceptable standard of design. While the fullest design potential of this prominent site has not been achieved the quality of the layout, height, massing, design and appearance will be satisfactory to comply with Core Strategy policies CS01, CS02, CS34 and the Design SPD.

Affordable housing

The provision of 17 affordable housing units in principle is a benefit of the scheme providing accommodation for people on lower incomes in an area where there is a shortage to help support a sustainable linked community.

Housing Strategy has concerns that there is clustering of the affordable units in one main area of the site and based on the initial information submitted with the application there is not a representative mix of units. There is an over supply of 2 bedroom apartments and too few 3 bedroom houses. Officers informed the applicant of these concerns some time ago with the previous application. It is unfortunate that the applicant has not changed the drawings to date. These concerns should be resolved simply and have been covered in the draft section 106 agreement to ensure that the proposal complies with Core Strategy policy CS15.1.

Transport issues

The development is likely to lead to about 25 trips in the morning peak and 26 in the afternoon peak but these will be onto the heavily congested Northern Corridor.

This justifies the contribution in the section 106 agreement for improvements to the strategic highway network.

The point of access is suitable and the principle of the layout is acceptable but there are detailed points that still need to be agreed. It is an improvement on the earlier scheme but is neither a Home Zone nor a traditional street. Cars are likely to park on the street forcing pedestrians into the street which could be a safety hazard. As there are front gardens the road can not be adopted from building line to building line. This indicates it is a traditional street lacking footways. As such the Local Highway Authority could not adopt it. The lack of footways will be an inconvenience to pedestrians. If cars park on the road it will restrict the using of the turning area for refuse vehicles and lorries. The applicant is liaising with officers to achieve a layout that is acceptable. This should be achievable and officers will update members at the committee meeting.

The parking standard of 1.25 spaces per unit is acceptable at a sustainable location close to The George Park and Ride site. All units need to be allocated a space and within a reasonable distance from the property it serves.

The bus lane on Plymbridge Road is unlikely to be used by bus services so the bus shelter should be relocated to another location in the locality. The existing Traffic Regulation Order will have to be amended to the section of bus lane to allow for the access into the site.

Subject to the applicant making the necessary changes to the drawings, the access, layout and parking arrangements would comply with Core Strategy policies CS28 and CS34 and the Development Guidelines SDP.

Trees and Nature conservation

The tree survey has not identified the trees that are important as individual specimens and could be crowded by trees of lesser quality. It would have helped the process if officers could have agreed a tree work schedule with the applicant. This could have influenced the design of the development. The protected trees are safeguarded and if any need to be felled following additional monitoring as part of the management plan, those of amenity value would be replaced. The applicant later submitted a management plan to provide “guidelines for an initial ten year management period with recommendations for ongoing management in the longer term”. The Operational Plan includes yearly management projects that include the mature trees and woodland area. This will provide the basis for a detailed management plan that importantly will provide the details of who or what body would be responsible for doing the work in the plan and this is covered by condition.

The ecological impact assessment recommends mitigation and enhancement measures in relation to habitats and species. A condition is attached to secure them. The applicant accepts it needs to mitigate the loss of biodiversity and this is dealt with in the Section 106 Obligations part below. The tree protection and proposed nature conservation mitigation measures covered in the conditions and section 106 agreement ensure that the development complies with Core Strategy policies CS18 and CS19 and the Design SPD.

Renewable energy

The energy report states that the on-site renewable energy production would be provided by solar panels on the houses and photovoltaic panels on the flats to meet at least 15% of carbon emissions to comply with Core Strategy policy CS20.

Other issues

Local residents are concerned about the height of the three and four storey blocks of flats. The block for plots 8-13 is to the rear of 1-9 Frensham Avenue. It is 7.8 metres to eaves and 11 metres to ridge. The height is accentuated as the ground level is higher than the existing dwellings. The distances from the backs of the adjoining houses to the block of flats range from 38m – 42m. There is an intervening area of woodland comprising two rows of protected tall mature trees. This will provide effective screening particularly in the period April – October when the trees are in leaf. Given these facts officers believe that there would not be undue harm to residential amenity from overlooking or over-dominance to warrant a refusal for this reason.

The block on Tavistock Road and Plymbridge Road is four storeys with a ridge height of 10.5m with the stairwell rising to 13m. Paragraph 6.22 of the Derriford and Seaton AAP states that a landmark building of 3-4 storeys would be encouraged. There were no objections to the AAP on this issue. This block is 65m from the dwellings on the other side of Tavistock Road across the busy street. This is sufficient separation so as not to cause harm to residential amenity from loss of privacy, over-dominance or undue loss of outlook.

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

Section 106 Obligations

There have been extensive negotiations during the consideration of the two applications. Originally the applicant offered contributions well below the levels necessary to mitigate the full impacts of the development. Officers were prepared to negotiate and invited the applicant to use the Market Recovery Scheme subject to a viability appraisal. This could have led a reduced level of mitigation measures on grounds of viability. The applicant did not choose to do this and subsequently agreed to meet the full mitigation measures. This provides for a total contribution of £472,766 for mitigation of the development's impacts on infrastructure.

Impacts

Each planning obligation sought has been tested to ensure that it complies with the three tests set out in Regulation 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 a deficiency of school places in the locality given projected population growth. The development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £103,306.

2. 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 £45,835.

3. 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 £25,268.

4. 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 through the need for play facility improvements. The estimated cost of mitigating this impact is £18,083.

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 £56,356.

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 £1,334.

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 £36,010.

8. 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 £172,279.

9. 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 £4,295.

10. The applicant's ecologist has acknowledged that the scheme would not provide net biodiversity gain on the site. To mitigate for this shortcoming and conflict with Core Strategy policy CS19 an additional contribution of £10,000 is sought to be spent on providing off-site biodiversity enhancements as part of the Derriford Community Park proposal.

The total estimated current cost of mitigating these impacts would be £472,766 if this is to be delivered through financial contributions. There is also the requirement for 18 Affordable Housing units.

In addition the management fee is £9,592 to meet the Council's costs relating to monitoring and implementation of the obligations.

Other factors

Officers drew the applicant's attention to having the application considered under the Market Recovery Scheme, should viability be a constraint on the development. The applicant has chosen not to do so.

Recommended heads of terms

The Heads of Terms have not yet been agreed with the applicant. The section sets out the Council's initial position. Officers are willing to continue negotiating with the applicant on a revised proposal.

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: £103,306, to be allocated to the provision of additional school places within the vicinity of the application site.
- b. Playing pitches tariff. £45,835, to be allocated to the provision of improved playing pitch facilities in the Central and North Eastern sub-area, as identified in the Playing Pitch Strategy.
- c. Local green space tariff. £25,286, to be allocated to the improvement of local green space.
- d. Local play space tariff. £18,083, to be allocated to the improvement of local play facilities.

e. Strategic green space tariff. £56,356 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.

f. European Marine Site tariff. £1,334, to be allocated to appropriate management measures for the Tamar Estuaries as identified in the Tamar Estuaries Management Plan.

g. Strategic sports facilities tariff. £36,010, to be allocated to the delivery of priority strategic sports facilities as identified in the Sports Facilities Strategy.

h. Strategic transport tariff. £172,279, 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.

i. Public realm tariff. £4,295, to be allocated to the delivery of priority City Centre public realm improvements as proposed in the City Centre & University Area Action Plan.

j. The provision of 17 Affordable Housing units.

k. Nature conservation. To mitigate the development's failure to provide a net gain in biodiversity an additional contribution of £10,000 is sought to be spent on biodiversity enhancements as part of the Derriford Community Park proposal.

The Planning Obligations Management Fee is approximately £9,592 to be used to meet the Council's costs in administering and monitoring implementation of the Section 106 Agreement.

The applicant's provision of 17 affordable housing units is welcome. The type, size and location will be agreed as part of the section 106 agreement. The other agreed mitigation measures equate to just under £473,000.

Equalities & Diversities issues

The application provides a range of house types and will be available to all equality groups including 17 affordable units suitable for young families and people on lower incomes. 12 properties will comply with Lifetime Homes standards suitable for people with disabilities and the elderly and frail. The application does not have any adverse impacts on any equality groups.

Conclusions

The proposal supports the city's ambitious growth agenda in providing 58 dwellings in the Northern Corridor priority area for new housing. It would provide much needed homes of different sizes including 17 affordable dwellings and 12 Lifetime Homes. This would increase the catchments for the local centres and help in part in creating sustainable linked communities in Glenholt and Widewell to comply with Core Strategy policies CS01, CS15 and CS16.

The applicant has also agreed to meet the full measures to mitigate the impacts of the development on the local and strategic infrastructure. These include the

substantial contributions of nearly £473,000 to comply with Core Strategy policy CS33.

There are difficulties developing the land given the site's constraints which in part have led to a lengthy negotiation period over several years to achieve an acceptable standard of development. The first submission did not do this and was withdrawn prior to determination. The applicant has continued to work with officers to address several areas of concern. The principles of the design, layout and appearance have been agreed. Further technical detailed points were still being considered while the report was drafted. Officers are confident that these will be addressed to ensure the development complies with Core Strategy policies CS01, CS02 and CS34. The trees will be protected and there will be adequate nature conservation mitigation measures to accord with Core Strategy policies CS18 and CS19. On-site renewable energy production will be provided in compliance with Core Strategy policy CS20.

For these reasons the application is recommended for approval. However, if the Section 106 agreement is not completed by 20 December, delegated authority to refuse is recommended because the application would not mitigate the infrastructure impacts of the development.

Recommendation

In respect of the application dated **21/09/2011** and the submitted drawings 125.101T, 1025.102H, 1025.103E, 1025.104D, 1025.105A, 1025.106, 1025.107, 1025.PL house type drawings, 1025.PL.591, 1025.PL.F2B3, planning statement, transport statement, flood risk assessment, geophysical survey, site investigation report, ecological impact assessment Sept 2011, management and habitat enhancement plan, arboricultural constraints report, noise assessment, air quality assessment, energy report Oct 2011, statement of community involvement, lifetime homes assessment, and accompanying design and access statement, 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 20th December 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: 125.101T, 1025.102H, 1025.103E, 1025.104D, 1025.105A, 1025.106, 1025.107, 1025.PL House type drawings, 1025.PL.591, 1025.PL.F2B3.

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.

SURFACE WATER DRAINAGE

(3) No development approved by this permission shall be commenced until details of a scheme for the provision of surface water management has been submitted to and approved in writing by the Local Planning Authority. The details shall include:
details of the drainage during the construction phase;
details of the final drainage scheme;
provision for exceedance pathways and overland flow routes;
a timetable of construction;
a construction quality control procedure;
a plan for the future maintenance and management of the system and overland flow routes.

Prior to occupation of the site it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in accordance with the details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason:

To prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal during and after development, in accordance with policies CS21, CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

GROUND CONTAMINATION

(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 sections 1 to 3 of this condition 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 section 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 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 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 2009 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 section 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section 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 section 3.

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 policies CS34 and CS22 of the

Adopted Plymouth Core Strategy Development Plan Document.

CODE OF PRACTICE

(5) 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.

SOUND INSULATION

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

Reason

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

SOUND INSULATION VERIFICATION

(7) Details of the sound insulation verification methodology including the identification of the appropriate test properties and subsequent sound insulation verification results for each phase or part of a phase of residential development shall be submitted to and approved in writing by the local planning authority before any dwelling or building is occupied in that phase or part of that phase of development.

Reason:

To ensure that the proposed dwellings hereby permitted achieve the standards of noise attenuation set out in above condition so the properties achieve a satisfactory living standard and do not experience unacceptable levels of noise disturbance to comply with policies CS22 and CS34 of the adopted City of Plymouth Core Strategy Development Plan Document 2007.

LANDSCAPE DESIGN PROPOSALS

(8) No development shall take place until full details of both hard and soft landscape works and a programme for their implementation for the whole site including the woodland area have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services

above and below ground (e.g. drainage, power, communications cables, pipelines etc., indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant].

Reason:

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

SOFT LANDSCAPE WORKS

(9) Soft landscape works shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; the implementation programme].

Reason:

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

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.

LANDSCAPE MANAGEMENT PLAN

(11) A landscape management plan, including long term objectives, management responsibilities and maintenance schedules for all landscape areas including the woodland area based on the Management and Enhancement Plan dated 4 November 2011 other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

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.

STOCKPILING/PROTECTION OF EXISTING TOPSOIL

(12) Existing topsoil stripped for re-use must be correctly store in stockpiles that do not exceed 2 metres in height and protected by chestnut palings at least 1.2 metres high to BS 1722 Part 4 securely mounted on 1.2 metre minimum height timber posts driven firmly into the ground.

Reason:

To ensure that the structure of the topsoil is not destroyed through compaction; that it does not become contaminated; and is therefore fit for re-use as a successful growing medium for plants in the interest of amenity e in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

EXISTING TREE/HEDGEROWS TO BE RETAINED

(13) 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 the date of completion of the last dwelling forming part of the development.

(a) No retained tree or hedgerow shall be cut down, uprooted or destroyed, nor shall any tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any pruning approved shall be carried out in accordance with BS 3998: 2010 Tree Work Recommendations.

(b) If any retained tree or hedgerow is removed, uprooted or destroyed or dies, or pruned 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 Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 are protected during construction work and thereafter are properly maintained, if necessary by replacement.

DETAILS OF BOUNDARY TREATMENT

(14) 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 any dwelling in the phase of development to which it relates 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.

STREET DETAILS

(15) 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.

ACCESS

(16) 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.

PEDESTRIAN/CYCLE ACCESS

(17) The dwellings shall not be occupied until the means of access for pedestrians and cyclists have 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.

DETAILS OF NEW JUNCTION

(18) 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 no dwelling shall 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 in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PROVISION OF PARKING AREA

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

Reason:

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

CYCLE PROVISION

(20) No dwelling shall be occupied in block 7 - 12 or block 19 - 26 until space has been laid out within the site for that block in accordance with details previously submitted to and approved in writing by the Local Planning Authority for a minimum of three bicycles to be parked for block 7 - 12 and a minimum of four bicycles to be parked for block 19 - 26.

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

(21) The secure area for storing cycles shown on the plans to be approved to comply with condition 20 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.

RESIDENTIAL TRAVEL PLAN

(22) No dwelling shall be occupied until a Residential Travel Plan (RTP) has been submitted to and approved in writing by the Local Planning Authority. The said RTP shall seek to encourage residents to use modes of transport other than the private car to get to and from the premises. It shall also include measures to control the use of the permitted car parking areas; arrangements for monitoring the use of provisions available through the operation of the RTP; and the name, position and contact telephone number of the person responsible for its implementation. The RTP shall operate from the date of occupation of the first dwelling.

Reason:

In the opinion of the Local Planning Authority, such measures need to be taken in order to reduce reliance on the use of private cars (particularly single occupancy journeys) and to assist in the promotion of more sustainable travel choices in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

EXTERNAL MATERIALS

(23) Notwithstanding the details on the application form and shown on drawing number 1025.103C, no development shall take place until the details and 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

(24) Notwithstanding the details on the application form and shown on drawing numbers 1025.103C and 1025.104D, no development shall take place until details and 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.

RENEWABLE ENERGY

(25) The approved on-site renewable energy production methods for each dwelling or block of flats shall be provided in accordance with the details in the Energy Statement dated 5th October 2011 prior to the first occupation of that dwelling or block of flats 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.

LIFETIME HOMES

(26) 12 Lifetime Homes shall be provided on the application site. Full details of the 12 Lifetime Homes showing how they meet all the criteria for Lifetime Homes shall

be submitted to and approved in writing by the local planning authority before work begins on the development hereby permitted.

Reason:

To ensure that 20% of the dwellings on site are built to Lifetime Homes standards to comply with policy CS15 of the adopted City of Plymouth Core Strategy Development Plan Document 2007.

RESTRICTIONS ON PERMITTED DEVELOPMENT

(27) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and (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 to E of Part I of the Schedule 2 of that Order 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 in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

NATURE CONSERVATION

(28) Details of the location of the bird and bat boxes in part 4 of the Ecological Impact Assessment shall be submitted to and approved in writing by the local planning authority before work begins on the development. The nature conservation mitigation and enhancement measure set out in part 4 of the Ecological Impact Assessment shall be carried out in accordance with a phasing programme to be submitted to and approved in writing by the Local Planning Authority before work begins on the development.

Reason:

To ensure that the nature conservation interest of the site is protected to comply with policy CS19 of the adopted City of Plymouth Core Strategy Development Plan Document 2007.

NATURE CONSERVATION MONITORING REPORTS

(29) Upon completion of the installation of the bird and bat boxes the applicant/developer shall submit annual reports to monitor the bird and bat population for a period of five years.

Reason:

To ensure that the nature conservation interest of the site is protected to comply with policy CS19 of the adopted City of Plymouth Core Strategy Development Plan Document 2007.

PARKING COURT GATES

(30) Lockable gates shall be provided to the two parking courts.

Reason:

In the interests of safety and security to comply with policy CS32 of the adopted City of Plymouth Core Strategy Development Plan Document, 2007.

BIN COLLECTION ENCLOSURE

(31) Details of the means of enclosure for the "bin collection point" shall be submitted to and approved in writing by the local planning authority before work begins on the development hereby permitted.

Reason:

In the interests of visual amenity to comply with policies CS02 and CS34 of the adopted City of Plymouth Core Strategy Development Plan Document 2007.

INFORMATIVE: CODE OF PRACTICE

(1) The management plan required by condition 5 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:

- 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, construction traffic parking.
- c. Hours of site operation, dust suppression measures, noise limitation measures.

INFORMATIVE: GROUND CONTAMINATION

(2) In relation to condition 4, the Site Investigation report has not identified the former fuel station situated at Turners of Roborough, a quarry 160m northeast of the airport as potential sources of contamination.

Although section 2.3 states that an Envirocheck report identified a petrol filling station at 188m north, 430m north and 732m north, these distances don't seem to correlate with the filling stations that we are aware of. The Envirocheck does not appear to have been appended so the local planning authority cannot confirm which petrol stations the report refers to.

Turners of Roborough, according to Council records, is 71m north of the site boundary. Council records also indicate that there are 5 tanks on site and the petroleum licensing file does not appear to hold details of decommissioning for all 5 of the tanks. Despite the presence of fuel stations in the vicinity the sampling strategy only included 1 sample for hydrocarbons.

Although the report has a section entitled initial site conceptual model, it does not appear to include a site conceptual model identifying sources, pathways and receptors. This should be reviewed in light of the comments above and, based on the

site conceptual model, a decision should be made as to whether additional investigation is required.

INFORMATIVE: DRAINAGE OF THE SITE, DRAINAGE AND WATER MAINS INFRASTRUCTURE AND EASEMENTS

(3) The applicant is advised to act upon the advice contained in South West Water's letter of 14 July 2011 that was copied to the agents relating to the drainage of the site and the drainage and mains water infrastructure on the site and the easements relating to it.

INFORMATIVE: TRAFFIC REGULATION ORDER

(4) The applicant is advised that an amendment to the existing Traffic Regulation Order is necessary in order to reduce the length of the one-way section of bus lane and provide vehicular access into the site.

Statement of Reasons for Approval and Relevant Policies

The proposal supports the city's ambitious growth agenda in providing 58 dwellings in the Northern Corridor priority area for new housing. It would provide much needed homes of different sizes including 17 affordable dwellings and 12 Lifetime Homes. This would increase the catchments for the local centres and help in part in creating sustainable linked communities in Glenholt and Widewell to comply with Core Strategy policies CS01, CS15 and CS16. The applicant has also agreed to meet the full measures to mitigate the impacts of the development on the local and strategic infrastructure. These include the substantial contributions of just under £473,000 to comply with Core Strategy policy CS33. The principles of the design, layout and appearance have been agreed. Further technical detailed points were still being agreed while the report was drafted. Officers are confident that these will be addressed to comply with Core Strategy policies CS02 and CS34. The trees will be protected and there will be adequate nature conservation measures to accord with Core Strategy policies CS18 and CS19. On-site renewable energy production will be provided in compliance with Core Strategy policy CS20. In the absence of any other overriding considerations, and with the imposition of the specified conditions and the completion of a section 106 agreement, 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

PPS23 - Planning & Pollution Control

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
SPD2 - Planning Obligations and Affordable Housing
SPD1 - Development Guidelines
SPD3 - Design Supplementary Planning Document
NPPF - Draft National Planning Policy Framework 2011

PLANNING APPLICATION REPORT



ITEM: 04

Application Number: 11/01570/FUL

Applicant: Sutton Harbour Services Ltd

Description of Application: Construction of 179 berth marina with associated two storey facilities building (comprising marina offices, shower and toilet facilities, storage areas and either first floor marina yacht club restaurant (class A3) or retail unit (class A1) or office unit (class B1 or A2)) and associated vehicular parking (75 spaces) and cycle spaces

Type of Application: Full Application

Site Address: INNER BASIN, MILLBAY DOCKS, MILLBAY ROAD
PLYMOUTH

Ward: St Peter & The Waterfront

Valid Date of Application: 26/09/2011

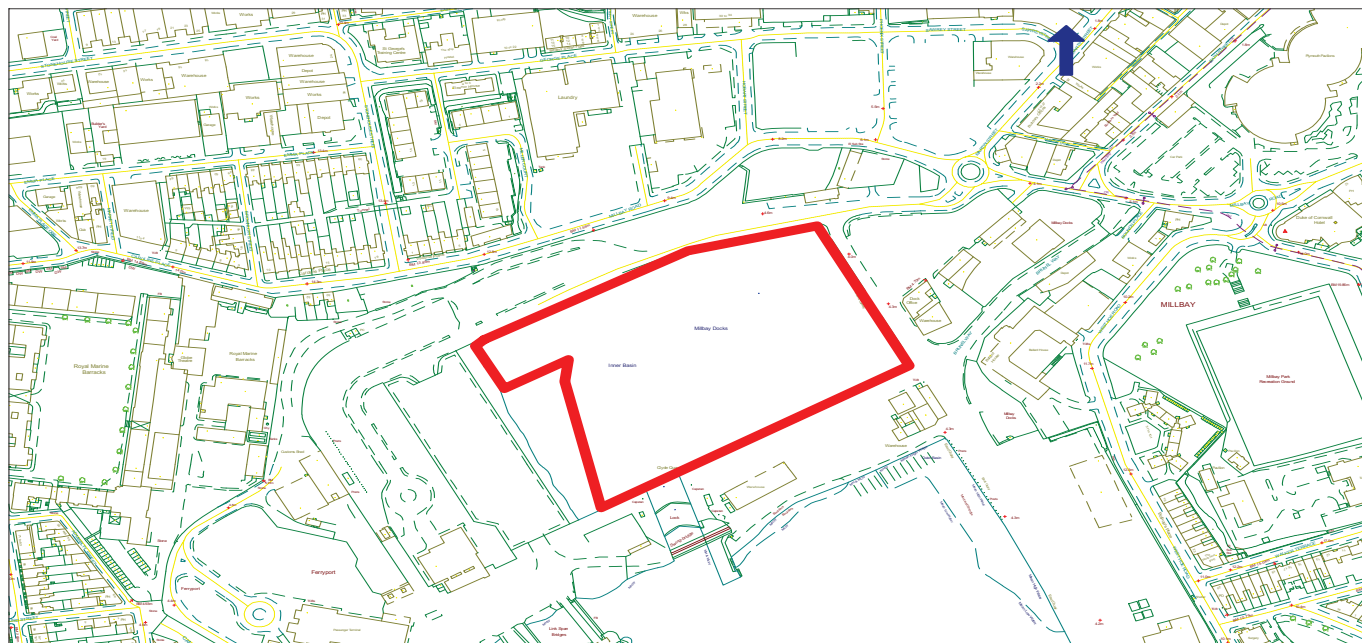
8/13 Week Date: 26/12/2011

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 27 January 2012

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15 December 2011

Officer Report

Site Description

The site is located in Millbay on an area of re-claimed land formed within the Millbay Inner Harbour adjacent to Plymouth Ferry Port.

Proposal Description

Construction of 179 berth marina with associated two storey facilities building (comprising marina offices, shower and toilet facilities, storage areas and either first floor marina yacht club restaurant (class A3) or retail unit (class A1) or office unit (class B1 or A2)) and associated vehicular parking (75 spaces) and cycle spaces.

The proposed marina building is a two storey contemporary design constructed from a simple materials palette including white render at the ground floor and timber cladding at the first floor, accentuated by stainless steel features such as signage and balustrading.

Relevant Planning History

11/01571/LBC - Removal of galvanised railings; construction of new vehicular and pedestrian accesses and associated works over historic quay walls; refurbishment of historic mooring bollards and associated works – APPROVED

10/01882/OUT - Renewal of planning permission (ref. 06/01533/OUT) for a further 3 years for:- A mixed-used development comprising residential development (Use Class C3) of up to 1,232 dwellings, in the form of townhouses and apartments; up to 39 live/work units, maximum of 4,095 sqm; employment use (B1) up to 40,206 sqm; retail (A1) up to 9,026 sqm; food and drink (Use Classes A3 & A4) up to 13,824 sqm; hotel use (C1) up to 9,209 sqm; associated alterations to the Arena retained within Plymouth Pavilions (D2) up to 10,448 sqm; ground remediation, highway improvements and associated landscaping. APPROVED SUBJECT TO SATISFACTORY COMPLETION OF S106 OBLIGATION (AWAITED)

06/01533/OUT - A mixed-used development comprising residential development (Use Class C3) of up to 1,232 dwellings, in the form of townhouses and apartments; up to 39 live/work units, maximum of 4,095 sqm; employment use (Use Class B1) up to 40,206 sqm; retail (Use Class A1) up to 9,026 sqm; food and drink (Use Classes A3 & A4) up to 13,824 sqm; hotel use (Use Class C1) up to 9,209 sqm; associated alterations to the Arena retained within Plymouth Pavilions (Use Class D2) up to 10,448 sqm; ground remediation, highway improvements and associated landscaping. APPROVED

09/01507/FUL - Engineering operations for the repair and refurbishment of quay walls and revetments at the Millbay inner basin and Clyde Quay. APPROVED

Consultation Responses

Environment Agency
Views Awaited

Queens Harbour Master
No objections

Associated British Ports
Views Awaited

Marine Management Organisation
Views Awaited

Natural England
No objections subject to conditions relating to the protection of the Plymouth Sound and Estuaries Special Area of Conservation.

Public Protection Service
No objections subject to conditions

Highway Authority
No objections subject to conditions

Architectural Liaison Officer
Supports the application.

Representations

One letter of representation received. Comments can be summarised as:

Support the use of the inner basin as a marina with associated facilities however consideration should be given to the following issues:

1. The siting of the proposed building will impact significantly on public views across to Millbay and the Sound from Millbay Road. As the site is visible from the South West Coastal Footpath it is important that adequate and sensitive consideration is given to the roof detailing and to screening of roof outlets and harsh sight lines when the building's north elevation is viewed from Millbay Road.
2. Conditions should be imposed to protect the character and amenity of the Millbay area including relating to a) no permission to use the building's terraces or car park areas for the playing of music, staging of concerts or other events, or the broadcast and / or showing of music, films and tele-visuals; b) no permission to use the roof or other parts of the building for the siting of aerials, antennae or advertising hoardings; c) lighting at the marina, marina building and car park to be sensitive to nearby residential properties and public amenity; d) the building's height to be permanently restricted to no more than 2 storeys and / or not more than of a height which is equal to or below the wall adjoining the footpath on Millbay Road.

Analysis

A material planning consideration is the grant of outline consent for a marina within the inner basin on this site in 2006 (Ref: 06/01533/OUT) and the Planning Committee's resolution to grant the subsequent renewal of this planning application

in 2011 (Ref: 10/01882/OUT) subject to the satisfactory completion of a S106 Obligation (Awaited).

The key issues on this application are:

1. The impact upon the appearance, character and amenity of the area;
2. The impact upon the highway network;
3. The impact upon the marine environment;
4. The impact of the development upon the appearance, character, setting and historic fabric of the Grade 2 Listed quay walls.

The application stands to be considered in the context of the following key policies of the adopted City of Plymouth Core Strategy: CS01, CS02, CS03, CS18, CS19, CS21, CS22, CS28, CS32, CS33 and CS34, together with the policies and objectives of the adopted Design Guidelines Supplementary Planning Document, Development Guidelines Supplementary Planning Document and Planning Obligations and Affordable Housing Guidelines Supplementary Planning Document.

In addition, Central Government guidance contained within PPS1 (Delivering Sustainable Development), PPS5 (Planning for the Historic Environment), PPS9 (Biodiversity and Geological Conservation), PPG13 (Transport), PPG20 (Coastal Planning), PPS23 (Planning and Pollution Control) and PPS25 (Development and Flood Risk) is of relevance, as well as taking account (with appropriate weight attached) of the Draft National Planning Policy Framework.

The impact upon the appearance, character and amenity 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.*

The design, scale and massing of the building has been carefully considered so as to respond to the local and wider context and is in keeping with the appearance and

character of the area. The proposed simple materials palette, including white render at the ground floor and timber cladding at the first floor, accentuated by stainless steel features such as signage and balustrading, is considered positive and locally distinctive.

The proposed development is not considered to have an adverse impact upon the residential amenity of the area. Appropriate conditions are recommended to control the use and hours of use of the outside areas by patrons and for musical entertainment, and also to control the hours of use, noise and mechanical extract ventilation to the kitchen of the restaurant / café use.

Third party concerns regarding the treatment of the roof are acknowledged. A condition is recommended to ensure that the specific detail of the roof design including that of any roof mounted equipment or ventilation intake/extracts, etc, is approved in the interests of the appearance and character of the building.

The development therefore accords with adopted policies CS01, CS02, CS03, CS32 and CS34, the Council's adopted Design Supplementary Planning Document (2009), adopted Development Guidelines Supplementary Planning Document (2009), adopted City Centre Area Action Plan, Government guidance contained in draft National Planning Policy Framework and Government guidance contained in PPS1, PPS23 and PPG24.

The impact upon the highway network

The creation of a marina within the inner basin area at Millbay is consistent with the outline permission that was granted for the re-development of the area and consequently there are no 'in principle' objections to the proposal from a highway viewpoint.

The traffic impact associated with the proposed marina is not considered to be significant during the peak traffic hours on the local highway network (those hours being 8.00am - 9.00am and 5.00pm - 6.00pm). A review of marina sites included in the Trip Rate Information Computer System (TRICS) database reveals that the peak hour associated with such a use occurs on a Saturday between 3.00 and 4.00pm. This is well outside the traditional peak hours on the highway network, with traffic movements on the highway network during weekends generally being lighter than during the week.

The predicted low number of vehicular movements would not therefore be likely to give rise to any capacity issues on the local highway network.

The 75 car parking spaces proposed to serve the site are considered acceptable taking into account the opportunities that exist which would allow for the use of sustainable modes of travel for journeys being made to and from the site. Furthermore there is a large pay and display car park situated within a short distance of the site which would provide additional all-day car parking, should it be required.

Minor design changes recommended to address minor concerns regarding the proposed access to the bin stores, access to the site by pedestrians and those on bicycles have subsequently been adequately addressed by the applicant.

On the basis of the above, the impact of the development proposal on the highway network is considered to be acceptable and complies with adopted policies CS01, CS28 and CS34 and relevant Government guidance contained in PPG13.

The impact upon the marine environment

The development is only 400m from the Plymouth Sound and Estuaries Special Area of Conservation (SAC), a European Marine Site (EMS) which exists within Plymouth Sound and environs.

The proposed 179 berth marina represents an increase in the total number of moorings in the Plymouth and Tamar “complex” of 5%.

It is recognised that recreational boating can impact on the European Marine Site and that this impact can be significantly reduced by educating marina users regarding the impacts that their activities can have and encouraging them to avoid potentially dangerous impacts on the site itself and the marine wildlife within its environs. It is also considered necessary to include advice on anchoring guidance for eelgrass beds, how to minimise pollution from vessels, issues regarding marine litter and how to avoid disturbing wildlife.

It is therefore recommended that conditions are imposed to ensure that interpretation boards and leaflets are produced to provide information and advice regarding the European Marine Site (EMS). These will be placed at the entrances to the pontoons and within the marina building. The information shall include guidance to marina users regarding the impacts that their activities can have on the EMS and encouraging them to avoid dangerous impacts. To include anchoring guidance for eelgrass beds, minimising pollution from their vessels, issues regarding marine litter, waste recycling and avoiding disturbing wildlife.

In the interests of public safety, it is also recommended that a condition be imposed to ensure that any marina external lighting is designed to avoid any conflict with Plymouth Sound / harbour navigational lighting.

A financial contribution towards mitigating the impact of the development on the Plymouth Sound and Estuaries European Marine Site is also required in the form of a Section 106 Obligation in accordance with the adopted Planning Obligations and Affordable Housing Supplementary Planning Document. This will include enabling the development of an educational strategy and assessing the scale of threats to seagrass beds and other key habitats and species caused by anchoring.

On this basis the impact of the development on the marine environment is considered to be acceptable and complies with adopted policies CS01, CS02, CS19, CS22 and CS34 and relevant Government guidance contained in PPS9, PPG20 and PPS23.

The impact of the development upon the appearance, character, setting, historic fabric and internal layout of the Grade 2 Listed Quay Walls

The removal of the unsightly galvanised steel balustrading is considered to significantly improve the appearance, character and setting of the listed quay walls.

The proposed works, including new vehicular and pedestrian accesses over a small section of in-situ quay walling together with the retention and refurbishment of the

historic quay wall bollards are considered to preserve and enhance the appearance, character, setting and historic fabric of the listed quay walls, and will enable the redevelopment of the basin and surrounding area to create a 179 berth marina. As such the works are considered to accord with Policies CS01, CS02, CS03, the objectives of the adopted Design Guidelines Supplementary Planning Document and Government advice contained within PPS5.

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 will have direct impacts on the Plymouth Sound and Estuaries European Marine Site requiring mitigation. This mitigation will be achieved through a combination of planning conditions and a planning obligation identified in a S106 agreement. The 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 following financial contributions are therefore required in connection with the development under the parameters of the Planning Obligations and Affordable Housing Supplementary Planning Document as a Negotiated Element:

1. £3,850 financial contribution towards off-setting the impact of the development on the Plymouth Sound and Estuaries European Marine Site (EMS), payable upon commencement of development.

This amount can be broken down as:

(i) £3,500 Contribution towards the protection and management of the Plymouth Sound and Estuaries European Marine Site. This will include developing the educational strategy and assessing the scale of threats to seagrass beds and other key habitats and species caused by anchoring.

(ii) A Planning Obligations Management Fee of £350. This management fee will be used to meet the Council's costs in administering and monitoring implementation of the Section 106 Agreement.

Equalities & Diversities issues

The development 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. The development is not considered to have a negative impact on any group.

Conclusions

The impact upon the appearance, character and amenity of the area, the impact upon the highway network, the impact upon the marine environment and the impact of the development upon the appearance, character, setting and historic fabric of the Grade 2 Listed quay walls is considered to be acceptable and accords with the objective and policies of the adopted Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Conditional approval is therefore recommended subject to the satisfactory completion of the S106 Obligation. Delegated authority is sought to refuse the application if the S106 Obligation is not signed by 27 January 2012.

Recommendation

In respect of the application dated **26/09/2011** and the submitted drawings 2920-005-Rev C, 2920-010-Rev B, 02920-011-Rev B, 02920-211, 02920-210-Rev B, 02920-300, 02920-400, Heritage Statement, Design and Access Statement and Appendices, 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 27 January 2012**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

DEVELOPMENT IN ACCORDANCE WITH APPROVED PLAN NUMBERS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2920-005-Rev C, 2920-010-Rev B, 02920-011-Rev B, 02920-211, 02920-210-Rev B, 02920-300, 02920-400.

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.

FURTHER DESIGN DETAILS

(4) Notwithstanding the details submitted, no work shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:

(i) Details of the design, materials and finish of the proposed glazed curtain walling and timber louvre system (to include frame sectional profiles);

(ii) 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, natural ventilation units, air conditioning units, any solar thermal equipment, window cleaning apparatus, satellite dish/antenna or other accretions to the roof or elevations;

(iii) Detailed design of the treatment of the junctions between the timber cladding and render systems;

(iv) Details of the design, materials and finish of the proposed balcony railings and main building security access gate;

(v) Details of the design and materials of the pontoons and bridge;

(vi) Design, materials and finish of the boardwalk terrace fence/screen and inset "twisted feature"; and

(vii) Details of the design, materials and finish of all building soffits.

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

Reason:

To enable the Local Planning Authority to consider the above details in the interests of the appearance and character of the development and locality, in accordance with Policy CS01, CS02, CS03, CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

EXTERNAL MATERIALS

(5) No development shall take place until samples of the materials to be used in the construction of the external facade of the building 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.

Notwithstanding the submitted details, the timber cladding and timber louvres shall be first constructed and subsequently maintained with a pre-treated finish (unless written consent is given to any alternative material and finish), the details of which shall have been previously submitted to and agreed in writing by the Local Planning Authority.

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

(6) No development shall take place until samples of all surfacing materials to be used in the areas around the building 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.

ACCESS

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

PEDESTRIAN/CYCLE ACCESS

(8) The use of the marina facility shall not commence until a means of access for both pedestrians and cyclists has been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that an appropriate and safe access is provided for both pedestrians and cyclists 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

PROVISION OF SIGHT LINES

(9) No work shall commence on site until details of the sight lines to be provided at the junction between the means of access to the site and the Ferryport Access Road have been submitted to and approved in writing by the Local Planning Authority. The approved sight lines shall be provided before the access to the marina is first brought into use.

Reason:

To provide 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.

CAR PARKING PROVISION

(10) Notwithstanding the submitted details of the proposed car park area, the use of the marina hereby proposed shall not commence until the car parking area (for a

total of 75 cars) has been drained, surfaced and the bays marked-out with appropriate lining in accordance with details which shall be submitted to and approved by the Local Planning Authority. The agreed details shall be strictly adhered to during the course of development 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

(11) The use of the marina shall not commence 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 10 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

(12) 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.

LOADING AND UNLOADING PROVISION

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

Reason:

To enable such vehicles to be loaded and unloaded off the access road which serves the Ferry Port so as to avoid: (i) damage to amenity; (ii) prejudice to public safety and convenience; and (iii) 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.

LAND QUALITY

(14) 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.

1. 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.

MECHANICAL EXTRACT VENTILATION

(15) Prior to use of the restaurant/café commencing, a mechanical kitchen extract ventilation system shall be installed on site to control the emission of fumes and smell from the premises in accordance with details which shall be submitted to, and approved in writing by, the Local Planning Authority. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

Reason:

To protect the residential and general amenity of the area from odour emanating from the operation of any mechanical extract ventilation system and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

KITCHEN EXTRACT NOISE

(16) Prior to the installation of any mechanical kitchen extract ventilation system, information on the equipment and an installation scheme, including methods to reduce any noise caused by the operation of any proposed extract ventilation system, shall be submitted to, and approved in writing by, the Local Planning Authority. The noise emanating from equipment (LAeqT) shall not exceed the background noise level (LA90) by more than 5dB, including the character/tonalities of the noise, at anytime as measured at the facade of the nearest residential property. The approved extract ventilation system shall be installed and the approved scheme shall be implemented prior to any commercial use of the kitchen commencing. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

Reason:

To protect the residential and general amenity of the area from noise emanating from the operation of any mechanical extract ventilation system and avoid conflict

with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PLANT AND MACHINERY NOISE

(17) Prior to the installation of any plant and machinery, such as air conditioning compressors or other similar plant and machinery, information on the plant and machinery and an installation scheme, including methods to reduce any noise caused by their operation, shall be submitted to, and approved in writing by, the Local Planning Authority. The noise emanating from plant and machinery (L_{AeqT}) shall not exceed the background noise level (L_{A90}) by more than 5dB, including the character/tonalities of the noise, at anytime as measured at the facade of the nearest residential property. The approved plant and machinery shall be installed and the approved installation scheme shall be implemented prior to use of the building commencing. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

Reason:

To protect the residential and general amenity of the area from noise emanating from the operation of any plant and machinery and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

HOURS OF OPENING

(18) Any part of the site operated under the use class A3 shall not be open to customers outside the following hours on any day: 08.00 to 23.00.

Reason:

To protect the residential and general amenity of the area from noise and odour emanating from the operation of any mechanical extract ventilation system and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

HOURS OF OPERATION

(19) No machinery, including any mechanical kitchen extract system or air conditioning systems shall be operated on the premises outside the following hours on any day: 08.00 to 23.00.

Reason:

To protect the residential and general amenity of the area from noise emanating from the operation of any machinery and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

USE OF OUTSIDE AREAS BY PATRONS

(20) Use of the outside areas shall not be used for the consumption of food and drink outside the following hours on any day: 08.00 to 22.00.

Reason:

To protect the residential and general amenity of the area from noise caused by the general operation of the premises and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

USE OF OUTSIDE AREAS

(21) The use of the outside areas of the site for musical entertainment shall be restricted to the provision of non-amplified music only. The provision of such entertainment shall be restricted to the hours between 10.00 and 22.00 and be no longer than 2½ hours in duration in any one such period.

Reason:

To protect the residential and general amenity of the area from noise from the general operation of the site and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

EUROPEAN MARINE SITE INTERPRETATION BOARDS/LEAFLETS

(22) Prior to any use of the marina commencing, interpretation boards and leaflets providing information and advice regarding the European Marine Site (EMS) shall be produced and placed at the entrances to the pontoons and within the marina building, the precise number, design (including text and illustrations) and siting of which shall have been previously submitted to and agreed in writing with the Local Planning Authority. The information shall include guidance to marina users regarding the impacts that their activities can have on the EMS and encouraging them to avoid dangerous impacts. To include anchoring guidance for eelgrass beds, minimising pollution from their vessels, issues regarding marine litter and avoiding disturbing wildlife. The agreed details shall be implemented on site prior to any use of the marina commencing and shall thereafter be so maintained and retained unless written agreement is given to any alternative.

Reason:

To enable the Local Planning Authority to consider the details of measures to reduce the impact of recreational boating on the EMS in accordance with Policies CS01, CS19, CS20, CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

WASTE RECYCLING FACILITIES

(23) Prior to any use of the marina commencing, waste recycling facilities (including oil waste) shall have been provided on site in accordance with details which shall have been previously submitted to and agreed in writing by the Local Planning Authority. The agreed facilities shall thereafter be retained and maintained on site.

Reason:

To enable the Local Planning Authority to consider the details of waste recycling facilities that are required in accordance with Policies CS01, CS19, CS20, CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

EXTERNAL LIGHTING RESTRICTION

(24) Prior to the installation of any external lighting, details of the design and siting of the lighting shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be strictly adhered to during the course of development and thereafter so retained and maintained unless written consent is given to any design variation.

Reason

To enable the Local Planning Authority to consider the details of any proposed external lighting to avoid any conflict with Plymouth Sound and environs navigational harbour lighting in the interests of public safety in accordance with Policies CS02, CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE - CUSTOMER TOILETS

(1) In the event that the commercial unit is used for use class A3 purposes, additional toilet and hand washing facilities are recommended within the unit for use specifically by the customers and staff of that unit. Approved Document G and BS 6465-1:2006 & A1:2009 should be referred to in order to determine the numbers of facilities required based on the number of covers and staff. The facilities must be adequately ventilated, with a minimum of 15 air changes per hour, to remove stale air and odour.

INFORMATIVE - KITCHEN LAYOUT

(2) The applicant is advised to contact the Local Food Authority for advice on the requirements of food law prior to starting any development of the commercial unit for use class A3 purposes.

INFORMATIVE - INTERNATIONAL CATERING WASTE

(3) The applicant should consider the requirement for the marina operator to dispose of catering waste originating from vessels arriving into the marina from non European countries in compliance with legislation. To this end the layout of the marina should facilitate the supervision by the operator of any visitor berths proposed.

INFORMATIVE - CONTROL OF ANIMALS

(4) The applicant should consider the requirement for the final operator to supervise the movement of animals originating from vessels arriving into the marina from countries outside the UK in compliance with legislation. Animals from such vessels may not be allowed access to pontoons or land at any time. To this end the layout of the marina should facilitate the supervision by the operator of any visitor berths proposed.

INFORMATIVE - PRIVATE WATER DISTRIBUTION SYSTEM PLAN

(5) The applicant is advised that water derived originally from a public supply i.e. a statutory water undertaker subsequently becomes a private water supply when the water supply to the boundary is further distributed. This will include all pipe work after the water meter that distributes water to the marina's landings and any buildings located in the marina. This is classed as a private water distribution network. The Local Authority is required to carry out a risk assessment of all private water distribution networks. In order to do this they will require access to plans of this system.

The applicant is therefore advised to submit plans of the distribution system to the Local Authority, to include the location of the distribution pipe work, any associated water storage tanks and connections. A copy of this plan will be required by the final

operator of the site upon completion of the project and made available to the Local Authority on request.

INFORMATIVE - CODE OF CONSTRUCTION

(6) 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.

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 upon the appearance, character and amenity of the area; the impact upon the highway network; the impact upon the marine environment; and the impact of the development upon the appearance, character, setting and historic fabric of the Grade 2 Listed quay walls, 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
- PPG20 - Coastal Planning
- PPS9 - Biodiversity and geological conservation
- PPS1 - Delivering Sustainable Development
- PPS23 - Planning & Pollution Control
- CS28 - Local Transport Consideration
- CS32 - Designing out Crime
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS22 - Pollution
- CS18 - Plymouth's Green Space
- CS19 - Wildlife

CS21 - Flood Risk
CS03 - Historic Environment
CS01 - Sustainable Linked Communities
CS02 - Design
PPS25 - Development and Flood Risk
SPD2 - Planning Obligations and Affordable Housing
SPD1 - Development Guidelines
SPD3 - Design Supplementary Planning Document
PPS5 - Planning for the Historic Environment
NPPF - Draft National Planning Policy Framework 2011

PLANNING COMMITTEE

Decisions issued for the following period: 7 November 2011 to 5 December 2011

Note - This list includes:

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

Item No 1

Application Number: 07/01352/OUT **Applicant:** Marc Soper
Application Type: Outline Application
Description of Development: Redevelopment comprising of 10 dwellings (7 x 2 bed houses & 3 x 1 bed flats) and associated parking & amenity space
Site LAND REAR OF GREENBANK AVENUE, BEAUMONT ROAD,
SALISBURY ROAD GREENBANK PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 05/12/2011
Decision: Application Withdrawn

Item No 2

Application Number: 11/00514/FUL **Applicant:** South West Water Limited
Application Type: Full Application
Description of Development: Installation of control cabinet and concrete access path
Site OUTLAND ROAD PEVERELL PLYMOUTH
Case Officer: Adam Williams
Decision Date: 10/11/2011
Decision: Grant Conditionally

Item No 3

Application Number: 11/00766/FUL **Applicant:** Mr Alec Macleod
Application Type: Full Application
Description of Development: Change of use from offices to 22 bedroom student house in multiple occupation and housing lettings office.
Site 12 - 13 SUSSEX STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 30/11/2011
Decision: Grant Subject to S106 Obligation - Full

Item No 4

Application Number: 11/00815/FUL **Applicant:** Miss E Waters
Application Type: Full Application
Description of Development: Proposed self containment of existing flats and loft conversion to first floor
Site 1 & 1A PORTLAND ROAD STOKE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 01/12/2011
Decision: Grant Conditionally

Item No 5

Application Number: 11/00980/FUL **Applicant:** Ms Abby Alexander
Application Type: Full Application
Description of Development: Change of use, conversion and alteration of residential institution to dwellinghouse, including enlarged conservatory, enlarged side dormer and installation of rooflights and formation of carers accommodation in roofspace including raised ridge, hipped roof, two front dormers and rooflight
Site WITHY BARN, WINSBURY COURT PLYMOUTH
Case Officer: Janine Warne
Decision Date: 17/11/2011
Decision: Grant Conditionally

Item No 6

Application Number: 11/01065/REM **Applicant:** Mr Christopher Friend
Application Type: Reserved Matters
Description of Development: Develop land by the erection of two detached dwellings (reserved matters)
Site 69 ORESTON ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 17/11/2011
Decision: Grant Conditionally

Item No 7

Application Number: 11/01073/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Amendment to condition 18 under Section 73 to vary the listed plan numbers as per the attached schedule of plans. Drawings 1395/P/1/150 and P/159 to be varied to P/150 Rev L and P/159/RevK
Site ESTOVER COMMUNITY COLLEGE, MILLER WAY ESTOVER PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 28/11/2011
Decision: Grant Conditionally

Item No 8

Application Number: 11/01126/FUL **Applicant:** Yoga Corner Ltd
Application Type: Full Application
Description of Development: Change of use of 3rd floor from B1 (office) to D2 yoga studio
Site 11 WHIMPLE STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 16/11/2011
Decision: Grant Conditionally

Item No 9

Application Number: 11/01206/FUL **Applicant:** Select Developments Ltd
Application Type: Full Application
Description of Development: Demolition of Devonport Labour Club and erection of 5 dwellings for social housing
Site 139 VICTORY STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 08/11/2011
Decision: Grant Subject to S106 Obligation - Full

Item No 10

Application Number: 11/01243/FUL **Applicant:** Mr Gareth Harrison-Poole
Application Type: Full Application
Description of Development: Installation of play equipment and multi use games area with associated fencing and footpath
Site LAND AT HONICKNOWLE GREEN HONICKNOWLE PLYMOUTH
Case Officer: Janine Warne
Decision Date: 21/11/2011
Decision: Grant Conditionally

Item No 11

Application Number: 11/01259/FUL **Applicant:** Longmeadow Properties LTD
Application Type: Full Application
Description of Development: Erection of detached dwelling with associated parking and turning
Site LAND AT FRANCIS STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 11/11/2011
Decision: Refuse

Item No 12

Application Number: 11/01260/FUL **Applicant:** Mr A Reilly
Application Type: Full Application
Description of Development: Variation of condition 2 of appeal decision APP/N1160/A/09/2118855 (Appendix A Schedule A) to allow a single commercial vehicle of up to 10 tonnes in weight (up to 15 tonnes gross weight) to be parked at the site
Site 28 RIDGE ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 25/11/2011
Decision: Refuse

Item No 13

Application Number: 11/01261/CAC **Applicant:** Longmeadow Properties Ltd
Application Type: Conservation Area
Description of Development: Demolition of garage and wall in association with a proposal to erect dwelling
Site LAND AT FRANCIS STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 11/11/2011
Decision: Grant Conditionally

Item No 14

Application Number: 11/01290/PRD **Applicant:** Mr Neil Rogers
Application Type: LDC Proposed Develop
Description of Development: Extension above existing utility room to enlarge existing bathroom and bedroom
Site 24 ROWLAND CLOSE PLYMOUTH
Case Officer: Ben Scheuregger
Decision Date: 22/11/2011
Decision: Issue Certificate - Lawful Use

Item No 15

Application Number: 11/01301/FUL **Applicant:** Miss Pamela Dickson
Application Type: Full Application
Description of Development: Retrospective planning permission for 'summer house' to rear garden
Site 87 FLETEMOOR ROAD PLYMOUTH
Case Officer: Mark Utting
Decision Date: 30/11/2011
Decision: Grant Conditionally

Item No 16

Application Number: 11/01322/FUL **Applicant:** Mrs G Sinclair
Application Type: Full Application
Description of Development: Single-storey side and rear extension (incorporating existing garage)
Site 69 TORLAND ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 07/11/2011
Decision: Refuse

Item No 17

Application Number: 11/01334/FUL **Applicant:** Mr Peter Santer
Application Type: Full Application
Description of Development: Single storey side extension
Site 48 WESTCOTT CLOSE PLYMOUTH
Case Officer: Katie Beesley
Decision Date: 09/11/2011
Decision: Grant Conditionally

Item No 18

Application Number: 11/01352/FUL **Applicant:** Mr Kevin Thomson
Application Type: Full Application
Description of Development: Retention of timber decking structure in rear garden
Site 55 GOOSEWELL ROAD PLYMSTOCK PLYMOUTH
Case Officer: Richard Webb
Decision Date: 07/11/2011
Decision: Grant Conditionally

Item No 19

Application Number: 11/01364/LBC **Applicant:** Mr A Whiteway-Wilkinson
Application Type: Listed Building
Description of Development: To delete condition 3 of application no 05/01208/LBC which requires roof works to be removed on or before 1st February 2011, to now allow roof works to remain permanently in place
Site EGGBUCKLAND KEEP, FORT AUSTIN AVENUE PLYMOUTH

Case Officer: Mark Utting
Decision Date: 15/11/2011
Decision: Refuse

Item No 20

Application Number: 11/01368/FUL **Applicant:** Mr John Bunker
Application Type: Full Application
Description of Development: Two storey side and single storey rear extension and associated alterations
Site 42 MOLESWORTH ROAD PLYMPTON PLYMOUTH

Case Officer: Mike Stone
Decision Date: 14/11/2011
Decision: Grant Conditionally

Item No 21

Application Number: 11/01374/LBC **Applicant:** Ms Caroline Thomas
Application Type: Listed Building
Description of Development: Alterations in association with conversion to residential use, including new roofing, alterations to doors, internal partitions, new staircase, new rooflights
Site 41 STILLMAN STREET PLYMOUTH

Case Officer: Karen Gallacher
Decision Date: 14/11/2011
Decision: Grant Conditionally

Item No 22

Application Number: 11/01379/FUL **Applicant:** Mr & Mrs H Amiri
Application Type: Full Application
Description of Development: Change of use and conversion from shop with self contained flat above to single dwelling
Site 8 LADYSMITH ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 17/11/2011
Decision: Grant Conditionally

Item No 23

Application Number: 11/01380/FUL **Applicant:** Mr & Mrs Amiri
Application Type: Full Application
Description of Development: Change of use and conversion from shop with self contained flat above to two flats including single storey and first floor extensions and detached single storey annex in connection with one of the proposed flats
Site 8A LADYSMITH ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 24/11/2011
Decision: Refuse

Item No 24

Application Number: 11/01384/REM **Applicant:** Barratt Homes Exeter
Application Type: Reserved Matters
Description of Development: Reserved matters application (access, appearance, landscaping, layout and scale) for the erection of 26 houses and 5 flats and the erection of a community hub building with mixed uses including multi-use community hall, retail, nursery and office space with 58 flats above and public open space (demolition of existing buildings including school, flats and associated garages)
Site NORTH PROSPECT ROAD PLYMOUTH
Case Officer: Carly Kirk
Decision Date: 05/12/2011
Decision: Grant Conditionally

Item No 25

Application Number: 11/01393/FUL **Applicant:** Mr & Mrs Nicholas Krotke
Application Type: Full Application
Description of Development: Develop part of garden by erection of detached dwellinghouse (existing outbuildings to be demolished)
Site WATCHTOWER HOUSE, HERMITAGE ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 16/11/2011
Decision: Refuse

Item No 26

Application Number: 11/01394/CAC **Applicant:** Mr & Mrs Nicholas Krotke
Application Type: Conservation Area
Description of Development: Demolition of outbuilding in connection with proposed detached dwellinghouse
Site WATCHTOWER HOUSE, HERMITAGE ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 16/11/2011
Decision: Grant Conditionally

Item No 27

Application Number: 11/01412/EXU **Applicant:** Plymouth Chiropractic Clinic
Application Type: LDC Existing Use
Description of Development: Use as part of chiropractic clinic, associated with number 152
Site PLYMOUTH CHIROPRACTIC CLINIC, 154 MANNAMEAD ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 14/11/2011
Decision: Issue Certificate - Lawful Use

Item No 28

Application Number: 11/01441/FUL **Applicant:** Mrs Jennifer Hughse
Application Type: Full Application
Description of Development: Detached building in rear garden (for use as extra living accommodation as part of existing dwelling)
Site 51 FROGMORE AVENUE PLYMOUTH
Case Officer: Mark Utting
Decision Date: 18/11/2011
Decision: Grant Conditionally

Item No 29

Application Number: 11/01448/FUL **Applicant:** Blockbuster Entertainment Ltd
Application Type: Full Application
Description of Development: Change of use from Retail (Class A1) to restaurant/cafes (Class A3)
Site 13 MUTLEY PLAIN PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 10/11/2011
Decision: Refuse

Item No 30

Application Number: 11/01466/FUL **Applicant:** Mr Anthony Redmond
Application Type: Full Application
Description of Development: Demolish existing garage and conservatory and erect single storey rear extension.
Site 126 FORT AUSTIN AVENUE PLYMOUTH
Case Officer: Mark Utting
Decision Date: 16/11/2011
Decision: Grant Conditionally

Item No 31

Application Number: 11/01471/FUL **Applicant:** Mr David Nurrish
Application Type: Full Application
Description of Development: Rear conservatory
Site 17 TORRIDGE ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 09/11/2011
Decision: Grant Conditionally

Item No 32

Application Number: 11/01481/FUL **Applicant:** Mrs Jenny Alcorn
Application Type: Full Application
Description of Development: Private motor garage
Site 1 MIRADOR PLACE PLYMOUTH
Case Officer: Ben Scheuregger
Decision Date: 23/11/2011
Decision: Refuse

Item No 33

Application Number: 11/01486/FUL **Applicant:** Mr & Mrs F Saunders
Application Type: Full Application
Description of Development: Change of use and conversion of first floor hairdressing salon to flat
Site FIRST FLOOR, 430 CROWNHILL ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 17/11/2011
Decision: Grant Conditionally

Item No 34

Application Number: 11/01492/FUL **Applicant:** Morston Assets Ltd
Application Type: Full Application
Description of Development: Change of use from leisure use to retail (class use A1) bulky goods/trade counter; and self storage (use class Sui Generis) (Renewal of planning permission 08/01178/FUL)
Site FORMER PLYMOUTH SUPERBOWL, COT HILL PLYMOUTH

Case Officer: Robert Heard
Decision Date: 21/11/2011
Decision: Grant Conditionally

Item No 35

Application Number: 11/01494/FUL **Applicant:** Plymouth City Council - Culture
Application Type: Full Application
Description of Development: Installation of outdoor gym equipment and multi use games area with associated fencing
Site ST BUDEAUX RECREATION GROUND, VICTORIA ROAD AND ROW LANE PLYMOUTH

Case Officer: Janine Warne
Decision Date: 21/11/2011
Decision: Grant Conditionally

Item No 36

Application Number: 11/01495/OUT **Applicant:** T & O Developments
Application Type: Outline Application
Description of Development: Conversion of vacant B1 office building to form 3 flats, 4 new semi-detached dwellings and parking area
Site PARKVIEW HOUSE, TRELAWNEY LANE PLYMOUTH

Case Officer: Karen Gallacher
Decision Date: 15/11/2011
Decision: Application Withdrawn

Item No 37

Application Number: 11/01496/FUL **Applicant:** Paxsole Ltd
Application Type: Full Application
Description of Development: Change of use and conversion from 5 bedroom house in multiple occupancy to six 1 bed self-contained flats including formation of rooms in roofspace involving hip to gable, front rooflights and 3 rear dormers
Site 1 BEECHWOOD AVENUE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 30/11/2011
Decision: Application Withdrawn

Item No 38

Application Number: 11/01497/LBC **Applicant:** Barbican Leisure Bars Ltd
Application Type: Listed Building
Description of Development: Internal alterations to 2nd floor of listed building
Site MARINE BAZAAR, SUTTON ROAD PLYMOUTH
Case Officer: Richard Webb
Decision Date: 17/11/2011
Decision: Grant Conditionally

Item No 39

Application Number: 11/01499/FUL **Applicant:** Co-operative Group Ltd
Application Type: Full Application
Description of Development: Installation of ground-level refrigeration/air conditioning plant at rear
Site UNIT 1 CHADDLEWOOD DISTRICT CENTRE GLEN ROAD PLYMPTON PLYMOUTH
Case Officer: Sarah Curtis
Decision Date: 07/11/2011
Decision: Grant Conditionally

Item No 40

Application Number: 11/01507/FUL **Applicant:** WP Jones and Sons
Application Type: Full Application
Description of Development: Variation of condition 8 of planning permission 11/01101/FUL to allow sale of hot food for consumption off the premises
Site 1 WOLSELEY ROAD PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 17/11/2011
Decision: Refuse

Item No 41

Application Number: 11/01524/FUL **Applicant:** Mr Adrian Olliver
Application Type: Full Application
Description of Development: Rear conservatory, side extension, vehicle hardstanding and new access steps from pavement level
Site 101 COMPTON AVENUE PLYMOUTH
Case Officer: Katie Beesley
Decision Date: 11/11/2011
Decision: Grant Conditionally

Item No 42

Application Number: 11/01528/TPO **Applicant:** Mr Robert Devielli
Application Type: Tree Preservation
Description of Development: Beech - remove overhanging branches
Oak - crown balance 2m
Cupressus - reduce by 4m
Yew - reduce to height of next doors
Site FOLLY GROVE 5 HAWKINS CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 23/11/2011
Decision: Grant Conditionally

Item No 43

Application Number: 11/01531/FUL **Applicant:** Mr & Mrs W Jennings
Application Type: Full Application
Description of Development: Demolition of existing garage and construction of new garage with store over
Site 69 EGGBUCKLAND ROAD PLYMOUTH
Case Officer: Ben Scheuregger
Decision Date: 10/11/2011
Decision: Grant Conditionally

Item No 44

Application Number: 11/01537/FUL **Applicant:** Mr Jason Kiely
Application Type: Full Application
Description of Development: Two-storey side extension, rear conservatory, front porch and driveway (existing garage to be removed)
Site 50 RASHLEIGH AVENUE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 28/11/2011
Decision: Grant Conditionally

Item No 45

Application Number: 11/01538/FUL **Applicant:** RD Webber Properties
Application Type: Full Application
Description of Development: Change of use from office (B1) to residential dwelling (C3)
Site 10 ADELAIDE STREET STONEHOUSE PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 24/11/2011
Decision: Grant Conditionally

Item No 46

Application Number: 11/01540/FUL **Applicant:** Mr & Mrs N Edwards
Application Type: Full Application
Description of Development: Two storey side extension with garage below including raised access to rear gardens at first floor level with associated screen
Site 24 PRINCESS AVENUE PLYMSTOCK PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 14/11/2011
Decision: Grant Conditionally

Item No 47

Application Number: 11/01541/FUL **Applicant:** Mr Terry Mason
Application Type: Full Application
Description of Development: Change of use, conversion and alteration of office and store to dwellinghouse, including rear extension, formation of pitched roof and extension of detached private motor garage
Site 63 CROWNHILL ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 14/11/2011
Decision: Grant Conditionally

Item No 48

Application Number: 11/01542/FUL **Applicant:** BellyFulls
Application Type: Full Application
Description of Development: Change of use from a letting agents to a café serviced from adjoining property at 33a Cattedown Road
Site 35A CATTEDOWN ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 17/11/2011
Decision: Refuse

Item No 49

Application Number: 11/01543/FUL **Applicant:** Interserve Energy Solutions Ltd
Application Type: Full Application
Description of Development: Installation of photovoltaic roof mounted system
Site RIVERSIDE COMMUNITY PRIMARY SCHOOL,210 POOLE PARK ROAD PLYMOUTH
Case Officer: Carly Kirk
Decision Date: 15/11/2011
Decision: Grant Conditionally

Item No 50

Application Number: 11/01544/FUL **Applicant:** Mr Steve Phillips
Application Type: Full Application
Description of Development: Installation of solar panels on roof (south elevation)
Site 237 ALBERT ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 18/11/2011
Decision: Grant Conditionally

Item No 51

Application Number: 11/01545/FUL **Applicant:** Next
Application Type: Full Application
Description of Development: Retention of storage container in service yard
Site 16 MARSH MILLS PARK PLYMOUTH
Case Officer: Richard Webb
Decision Date: 01/12/2011
Decision: Grant Conditionally

Item No 52

Application Number: 11/01548/FUL **Applicant:** Mr & Mrs M Clifton
Application Type: Full Application
Description of Development: Erection of two-storey detached dwelling (fronting onto Underlane), with variation of condition 13 planning permission 11/00015/FUL to allow substitution of approved drawings: the main revised proposals to include alterations to roof design to include raising of roof element facing 6 Burrow Hill, additional window in west elevation; addition of rooflights; re-positioning of balcony screen and addition of weather boarding and flue
Site 8 BURROW HILL PLYMOUTH
Case Officer: Jon Fox
Decision Date: 15/11/2011
Decision: Grant Conditionally

Item No 53

Application Number: 11/01551/FUL **Applicant:** Mr Timothy Taylor
Application Type: Full Application
Description of Development: Excavation of part of front garden banked area to erect single private motor garage and to form vehicle hardstanding
Site 21 UNDERLANE PLYMPTON PLYMOUTH
Case Officer: Mike Stone
Decision Date: 15/11/2011
Decision: Refuse

Item No 54

Application Number: 11/01554/TPO **Applicant:** Mrs Jackie
Application Type: Tree Preservation
Description of Development: Ash - reduce by 20% (r/o 65-67 Lower Saltram)
Sycamore - reduce by 40% (r/o 75-93 Lower Saltram)
Site KINGFISHER ESTATE, OFF LOWER SALTRAM PLYMOUTH
Case Officer: Jane Turner
Decision Date: 09/11/2011
Decision: Refuse

Item No 55

Application Number: 11/01556/FUL **Applicant:** Mr Andrew Ward
Application Type: Full Application
Description of Development: Pitched roof rendered rear extension to form new day-room
Site 115 CHURCH WAY WESTON MILL PLYMOUTH
Case Officer: Ben Scheuregger
Decision Date: 16/11/2011
Decision: Grant Conditionally

Item No 56

Application Number: 11/01557/FUL **Applicant:** Atlas Building Services
Application Type: Full Application
Description of Development: Front porch, and single-storey front extension to provide private motor garage
Site 57 HELE GARDENS PLYMOUTH
Case Officer: Ben Scheuregger
Decision Date: 10/11/2011
Decision: Grant Conditionally

Item No 57

Application Number: 11/01558/FUL **Applicant:** Mr Peter Anderson
Application Type: Full Application
Description of Development: Extension to roof to convert hip elevation to gable end elevation
Site 9 BEAUMONT AVENUE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 28/11/2011
Decision: Grant Conditionally

Item No 58

Application Number: 11/01561/FUL **Applicant:** The Co-operative Bank
Application Type: Full Application
Description of Development: Installation of ATM within existing shopfront
Site 27 MORSHEAD ROAD PLYMOUTH
Case Officer: Katie Beesley
Decision Date: 14/11/2011
Decision: Grant Conditionally

Item No 59

Application Number: 11/01566/FUL **Applicant:** Mr & Mrs Becs
Application Type: Full Application
Description of Development: Conversion of existing private motor garage to 'granny annex' including provision of pitched roof and erection of single storey side extension to provide private motor garage
Site 121 LARKHAM LANE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 17/11/2011
Decision: Grant Conditionally

Item No 60

Application Number: 11/01567/LBC **Applicant:** Mr Daley
Application Type: Listed Building
Description of Development: Replace existing timber frame windows with double glazed timber frame windows
Site 1 MERAFIELD ROAD PLYMPTON PLYMOUTH
Case Officer: Mike Stone
Decision Date: 07/11/2011
Decision: Refuse

Item No 61

Application Number: 11/01570/FUL **Applicant:** Sutton Harbour Services Ltd
Application Type: Full Application
Description of Development: Construction of 179 berth marina with associated two storey facilities building (comprising marina offices, shower and toilet facilities, storage areas and either first floor marina yacht club restaurant (class A3) or retail unit (class A1) or office unit (class B1 or A2)) and associated vehicular parking (75 spaces) and cycle spaces
Site INNER BASIN, MILLBAY DOCKS, MILLBAY ROAD PLYMOUTH
Case Officer: Mark Evans
Decision Date: 01/12/2011
Decision: Grant Subject to S106 Obligation - Full

Item No 62

Application Number: 11/01571/FUL **Applicant:** Mr G Lawrence
Application Type: Full Application
Description of Development: Single storey rear extension
Site 34 BLANDFORD ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 14/11/2011
Decision: Grant Conditionally

Item No 63

Application Number: 11/01573/FUL **Applicant:** Domino's Pizza Group Ltd
Application Type: Full Application
Description of Development: Change of use of premises from use class A3 (Restaurant/café) to use class A5 (Hot food takeaway) and associated extract ventilation system and air conditioning and compressor units
Site UNIT 5 CHADDLEWOOD DISTRICT CENTRE PLYMPTON PLYMOUTH
Case Officer: Jon Fox
Decision Date: 24/11/2011
Decision: Grant Conditionally

Item No 64

Application Number: 11/01574/LBC **Applicant:** Sutton Harbour Services Limited
Application Type: Listed Building
Description of Development: Removal of galvanised railings; construction of new vehicular and pedestrian accesses and associated works over historic quay walls; refurbishment of historic mooring bollards and associated works
Site INNER BASIN MILLBAY DOCKS, MILLBAY ROAD PLYMOUTH
Case Officer: Mark Evans
Decision Date: 21/11/2011
Decision: Grant Conditionally

Item No 65

Application Number: 11/01575/FUL **Applicant:** Denwood Developments Ltd
Application Type: Full Application
Description of Development: Redevelopment of site by erection of 2/3 storey building containing four flats with associated car parking
Site 61A EMMA PLACE PLYMOUTH
Case Officer: Janine Warne
Decision Date: 17/11/2011
Decision: Grant Conditionally

Item No 66

Application Number: 11/01578/PRD **Applicant:** Valero Energy Ltd
Application Type: LDC Proposed Develop
Description of Development: Installation of four bioethanol storage tanks within the existing storage tank bund
Site VALERO, OAKFIELD TERRACE ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 16/11/2011
Decision: Issue Certificate - Lawful Use

Item No 67

Application Number: 11/01579/TPO **Applicant:** Mr Allen Taylor
Application Type: Tree Preservation
Description of Development: Ash - thin and crown raise
Site 14 BEATTY CLOSE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 17/11/2011
Decision: Application Withdrawn

Item No 68

Application Number: 11/01583/LBC **Applicant:** Mr Craig Hammond
Application Type: Listed Building
Description of Development: Outbuilding in rear garden
Site 3 LIPSON TERRACE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 24/11/2011
Decision: Grant Conditionally

Item No 69

Application Number: 11/01586/FUL **Applicant:** Everything Everywhere Ltd
Application Type: Full Application
Description of Development: Installation of 20m mast with 3 antennas and 4 transmission dishes, 6 equipment cabinets and fencing
Site SOUTHWAY COMMUNITY COLLEGE, ROCKFIELD AVENUE PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 21/11/2011
Decision: Grant Conditionally

Item No 70

Application Number: 11/01587/FUL **Applicant:** The Co-operative Group
Application Type: Full Application
Description of Development: Temporary HGV trailer park for further 12 month period following previous grant of temporary planning permission under application 09/01043/FUL
Site 3 BELL CLOSE PLYMOUTH
Case Officer: Jon Fox
Decision Date: 01/12/2011
Decision: Grant Conditionally

Item No 71

Application Number: 11/01590/FUL **Applicant:** Dominos Pizza Group Ltd
Application Type: Full Application
Description of Development: Change of use from A1 to A5, erection of new shop front and installation of extraction equipment and air compressors
Site 65 to 67 EXETER STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 22/11/2011
Decision: Refuse

Item No 72

Application Number: 11/01592/FUL **Applicant:** Mrs Anna Gorton
Application Type: Full Application
Description of Development: Change of use from Business (B1C) and General Industrial (B2) to Business (B1C), General Industrial (B2) and Storage and Distribution (B8)
Site 6 PORSHAM CLOSE PLYMOUTH
Case Officer: Janine Warne
Decision Date: 14/11/2011
Decision: Grant Conditionally

Item No 73

Application Number: 11/01593/LBC **Applicant:** RD Webber Properties
Application Type: Listed Building
Description of Development: Change of use from office (B1) to residential dwelling (C3)
Site 10 ADELAIDE STREET STONEHOUSE PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 24/11/2011
Decision: Grant Conditionally

Item No 74

Application Number: 11/01594/TPO **Applicant:** Sunnymeade Quality Care
Application Type: Tree Preservation
Description of Development: Prune oaks and horse chestnut
Site 323 TAVISTOCK ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 18/11/2011
Decision: Grant Conditionally

Item No 75

Application Number: 11/01595/TCO **Applicant:** Plymouth Tree Services
Application Type: Trees in Cons Area
Description of Development: 2 Poplars - reduce to clear building and crown raise over road
Site METROPOLITAN HOUSE, 37 CRAIGIE DRIVE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 09/11/2011
Decision: Grant Conditionally

Item No 76

Application Number: 11/01596/FUL **Applicant:** Mr Mark Freeman
Application Type: Full Application
Description of Development: External vertical platform lift in rear garden and raised decking area
Site 24 COCKINGTON WALK PLYMOUTH
Case Officer: Mark Utting
Decision Date: 10/11/2011
Decision: Grant Conditionally

Item No 77

Application Number: 11/01598/FUL **Applicant:** Mr Mohamed El Mohamdi
Application Type: Full Application
Description of Development: Change of use from shop (A1) to indian take-away (A5), (ground and first floors) and installation of flue at rear
Site 67 EBRINGTON STREET PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 11/11/2011
Decision: Application Withdrawn

Item No 78

Application Number: 11/01602/FUL **Applicant:** Mr Mark Tucker
Application Type: Full Application
Description of Development: Change of use of first, second and third floors from offices to a house in multiple occupation for seven students and associated provision of bike store at basement level and internal alterations to provide staircase access through shop
Site 29 MUTLEY PLAIN PLYMOUTH
Case Officer: Jon Fox
Decision Date: 24/11/2011
Decision: Grant Conditionally

Item No 79

Application Number: 11/01605/FUL **Applicant:** Mr Mike Stevens
Application Type: Full Application
Description of Development: Erection of temporary perimeter site hoardings and gates on Ham Drive and Pennycross Close frontages of site
Site HELLERMANN TYTON, PENNYCROSS CLOSE PLYMOUTH
Case Officer: Mark Utting
Decision Date: 21/11/2011
Decision: Grant Conditionally

Item No 80

Application Number: 11/01607/FUL **Applicant:** Hooe Mini Market
Application Type: Full Application
Description of Development: Retention of security shutter to shopfront and single-storey rear store
Site 6 HOOE ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 14/11/2011
Decision: Grant Conditionally

Item No 81

Application Number: 11/01609/FUL **Applicant:** Mrs Alison Trehane
Application Type: Full Application
Description of Development: First floor rear balcony
Site 18 PENLEE WAY PLYMOUTH
Case Officer: Mark Utting
Decision Date: 17/11/2011
Decision: Grant Conditionally

Item No 82

Application Number: 11/01610/FUL **Applicant:** Mr Jonathan Wroe
Application Type: Full Application
Description of Development: Proposed alterations and extension, to form additional living accommodation
Site 35 BRITTANY STREET PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 29/11/2011
Decision: Refuse

Item No 83

Application Number: 11/01611/FUL **Applicant:** Mr David Coram
Application Type: Full Application
Description of Development: Single storey extension
Site 97 BLANDFORD ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 28/11/2011
Decision: Grant Conditionally

Item No 84

Application Number: 11/01612/FUL **Applicant:** Mr Ben Walke
Application Type: Full Application
Description of Development: Part single storey, part two storey side and rear extension
Site 66 STENTAWAY ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 18/11/2011
Decision: Grant Conditionally

Item No 85

Application Number: 11/01614/FUL **Applicant:** Mrs Vicky Joce
Application Type: Full Application
Description of Development: Two storey side extension (including removal of garage)
Site 16 WEIR CLOSE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 15/11/2011
Decision: Grant Conditionally

Item No 86

Application Number: 11/01615/LBC **Applicant:** Mount Wise (Devon) Limited
Application Type: Listed Building
Description of Development: Repairs to roofs of the western and eastern pavilions, Admiralty House
Site MOUNT WISE HOUSE MOUNT WISE GARRISON, CUMBERLAND ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 30/11/2011
Decision: Grant Conditionally

Item No 87

Application Number: 11/01617/PRD **Applicant:** Mr & Mrs P Galton
Application Type: LDC Proposed Develop
Description of Development: Certificate of lawful development for rear dormer and front roof lights
Site 9 LONGVIEW TERRACE PLYMOUTH
Case Officer: Mark Utting
Decision Date: 16/11/2011
Decision: Issue Certificate - Lawful Use

Item No 88

Application Number: 11/01618/PRD **Applicant:** Mr & Mrs M Bond
Application Type: LDC Proposed Develop
Description of Development: Certificate of lawful development for alteration to the roof from hip to gable
Site 113 CHURCH WAY PLYMOUTH
Case Officer: Mark Utting
Decision Date: 16/11/2011
Decision: Issue Certificate - Lawful Use

Item No 89

Application Number: 11/01620/FUL **Applicant:** Mrs Heather Yung
Application Type: Full Application
Description of Development: Two storey rear extension
Site 40 BREAN DOWN ROAD PLYMOUTH
Case Officer: Mark Utting
Decision Date: 16/11/2011
Decision: Grant Conditionally

Item No 90

Application Number: 11/01622/FUL **Applicant:** Mrs Anna McVeigh
Application Type: Full Application
Description of Development: Single storey rear extension
Site 12 EARLS ACRE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 28/11/2011
Decision: Grant Conditionally

Item No 91

Application Number: 11/01623/FUL **Applicant:** Express Fittings
Application Type: Full Application
Description of Development: Single storey rear extension to form additional storage area for existing shop
Site 19 HOLBORN STREET PLYMOUTH
Case Officer: Mark Utting
Decision Date: 01/12/2011
Decision: Grant Conditionally

Item No 92

Application Number: 11/01625/FUL **Applicant:** Mr Craig Richman
Application Type: Full Application
Description of Development: First floor side extension and ground and first floor rear extension including rear dormer window and rooflights and new first floor windows in south elevation
Site MEADOW HOUSE, HORN LANE PLYMOUTH
Case Officer: Jon Fox
Decision Date: 01/12/2011
Decision: Grant Conditionally

Item No 93

Application Number: 11/01627/FUL **Applicant:** The Moneyshop
Application Type: Full Application
Description of Development: New shopfront and refurbishments
Site 33 THE BROADWAY PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 21/11/2011
Decision: Grant Conditionally

Item No 94

Application Number: 11/01628/TPO **Applicant:** Mr Christopher Stevens
Application Type: Tree Preservation
Description of Development: Holm Oak - reduce lower branches overhanging drive and garden (as shown in photo)
- Reduce branch close to corner of house (as shown in photo)
Site 17 LONG DOWN GARDENS PLYMOUTH
Case Officer: Jane Turner
Decision Date: 28/11/2011
Decision: Grant Conditionally

Item No 95

Application Number: 11/01629/FUL **Applicant:** Sumona Chowdhury
Application Type: Full Application
Description of Development: Change of use from shop (A1) to hot food take-away and alterations to shop front
Site 11 VICTORIA ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 02/12/2011
Decision: Refuse

Item No 96

Application Number: 11/01630/FUL **Applicant:** Instant Cash Loans Ltd and
Application Type: Full Application
Description of Development: Change of use from Retail (Use Class A1) to Financial and Professional Services (Use Class A2)
Site 47 MUTLEY PLAIN PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 02/12/2011
Decision: Grant Conditionally

Item No 97

Application Number: 11/01633/ADV **Applicant:** Domino's Pizza Group Ltd
Application Type: Advertisement
Description of Development: Internally illuminated fascia sign, projecting sign and internal 'open' window sign
Site UNIT 5, CHADDLEWOOD SHOPPING CENTRE, GLEN ROAD PLYMPTON PLYMOUTH
Case Officer: Jon Fox
Decision Date: 01/12/2011
Decision: Grant Conditionally

Item No 98

Application Number: 11/01638/PRU **Applicant:** Penny Adamson
Application Type: LDC Proposed Use
Description of Development: Use as a hairdressers (Use Class A1)
Site 16 MUTLEY PLAIN PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 02/12/2011
Decision: Issue Certificate - Lawful Use

Item No 99

Application Number: 11/01639/TCO **Applicant:** Mrs Y Major
Application Type: Trees in Cons Area
Description of Development: Macrocarpa - fell
Site 11 THE ELMS PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 18/11/2011
Decision: Application Withdrawn

Item No 100

Application Number: 11/01642/FUL **Applicant:** Mr & Mrs J G Leach
Application Type: Full Application
Description of Development: Two-storey side extension (existing garage to be removed)
Site 11 HOLLAND ROAD PLYMSTOCK PLYMOUTH
Case Officer: Mike Stone
Decision Date: 21/11/2011
Decision: Grant Conditionally

Item No 101

Application Number: 11/01643/FUL **Applicant:** Mr & Mrs W Donnelly
Application Type: Full Application
Description of Development: Single storey side extension
Site 6 ASHTON CLOSE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 28/11/2011
Decision: Grant Conditionally

Item No 102

Application Number: 11/01644/FUL **Applicant:** Mr Steve Knights
Application Type: Full Application
Description of Development: Part two-storey, part single-storey, side extension (existing garage and store to be removed)
Site 31 HOLCOMBE DRIVE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 21/11/2011
Decision: Grant Conditionally

Item No 103

Application Number: 11/01645/ADV **Applicant:** Domino's Pizza Group Ltd
Application Type: Advertisement
Description of Development: 1 internally illuminated fascia sign, 1 internally illuminated projecting sign and 1 illuminated internal window sign
Site 65 to 67 EXETER STREET PLYMOUTH
Case Officer: Adam Williams
Decision Date: 01/12/2011
Decision: Grant Conditionally

Item No 104

Application Number: 11/01646/EXU **Applicant:** Mr Barnaby Jackson
Application Type: LDC Existing Use
Description of Development: Certificate of lawful development for a ground floor flat
Site 182 RENDLE STREET PLYMOUTH
Case Officer: Mark Utting
Decision Date: 28/11/2011
Decision: Issue Certificate - Lawful Use

Item No 105

Application Number: 11/01647/LBC **Applicant:** Mr R Smith
Application Type: Listed Building
Description of Development: Restoration of bread oven and installation of wood burner
Site SEVEN STARS INN, SEVEN STARS LANE PLYMOUTH
Case Officer: Mark Utting
Decision Date: 24/11/2011
Decision: Grant Conditionally

Item No 106

Application Number: 11/01648/FUL **Applicant:** Devon & Somerest Fire & Rescue
Application Type: Full Application
Description of Development: Installation of two new windows in north east elevation of main building
Site CAMELSHEAD FIRE STATION, FERNDAL ROAD PLYMOUTH

Case Officer: Mark Utting
Decision Date: 18/11/2011
Decision: Grant Conditionally

Item No 107

Application Number: 11/01649/FUL **Applicant:** Mr Justin Bryce
Application Type: Full Application
Description of Development: Erection of terrace containing 3 dwellings and associated cycle and refuse storage (demolition of existing buildings)
Site LAND ADJACENT TO BEDFORD MEWS, DEPTFORD PLACE PLYMOUTH

Case Officer: Robert Heard
Decision Date: 17/11/2011
Decision: Grant Conditionally

Item No 108

Application Number: 11/01650/PRD **Applicant:** Mr Peter Elmes
Application Type: LDC Proposed Develop
Description of Development: Detached single storey building in rear garden (for use as garden room)
Site 151 ALMA ROAD PLYMOUTH

Case Officer: Mark Utting
Decision Date: 21/11/2011
Decision: Issue Certificate - Lawful Use

Item No 109

Application Number: 11/01654/ADV **Applicant:** Genting's Casino's Ltd
Application Type: Advertisement
Description of Development: 6 internally illuminated fascia signs and 2 non-illuminated fascia signs
Site 2 UNION STREET PLYMOUTH
Case Officer: Adam Williams
Decision Date: 01/12/2011
Decision: Grant Conditionally

Item No 110

Application Number: 11/01655/TCO **Applicant:** Mr Jack Mellor
Application Type: Trees in Cons Area
Description of Development: 2 Tree of Heaven - fell to ground level
Monterey Cypress - reduce to previous pruning points and raise over road
Site 10 ALBERT ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 10/11/2011
Decision: Grant Conditionally

Item No 111

Application Number: 11/01656/TCO **Applicant:** Mrs Merrett
Application Type: Trees in Cons Area
Description of Development: Ash - crown reduce by up to 2m and branches growing towards house
Site 2 BELMONT VILLAS PLYMOUTH
Case Officer: Jane Turner
Decision Date: 15/11/2011
Decision: Grant Conditionally

Item No 112

Application Number: 11/01657/TCO **Applicant:** Mrs Sullivan
Application Type: Trees in Cons Area
Description of Development: Mimosa - fell
Bay tree - reduce crown by 1 - 2.5m
Site 3 BELMONT VILLAS PLYMOUTH
Case Officer: Jane Turner
Decision Date: 15/11/2011
Decision: Grant Conditionally

Item No 113

Application Number: 11/01660/TPO **Applicant:** Mrs Whittle
Application Type: Tree Preservation
Description of Development: Sycamore - crown reduce by 1-2m
Site 51 KIMBERLY DRIVE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 18/11/2011
Decision: Grant Conditionally

Item No 114

Application Number: 11/01661/TCO **Applicant:** Mrs Briggs
Application Type: Trees in Cons Area
Description of Development: Magnolia - reduce by 1-2m
Yew - trim side over carpark space
Yew - reduce by 1.5m
Yew - light pruning
Laurel hedge - trim
Site THORNPARK HOUSE 77A MANNAMEAD ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 21/11/2011
Decision: Grant Conditionally

Item No 115

Application Number: 11/01662/TCO **Applicant:** Mrs Harris
Application Type: Trees in Cons Area
Description of Development: Copper Beech - reduce up to 2m
3 Ash - remove
Sycamore - to be agreed on site
Site 4 BELMONT VILLAS PLYMOUTH
Case Officer: Jane Turner
Decision Date: 21/11/2011
Decision: Grant Conditionally

Item No 116

Application Number: 11/01669/FUL **Applicant:** Mrs Katie Hooper
Application Type: Full Application
Description of Development: Two-storey side extension (existing garage to be removed)
Site 11 DOLPHIN CLOSE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 18/11/2011
Decision: Grant Conditionally

Item No 117

Application Number: 11/01671/FUL **Applicant:** Mrs Margot Manning
Application Type: Full Application
Description of Development: Single storey side extension
Site 346 BEAUMONT ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 29/11/2011
Decision: Grant Conditionally

Item No 118

Application Number: 11/01685/FUL **Applicant:** D S Developments (SW) Ltd
Application Type: Full Application
Description of Development: Development of site by erection of 4 detached dwellings and associated access, parking and garages, with variation of condition 2 of planning permission 11/01117/FUL to allow substitution of approved drawing: minor material amendment showing block of two garages
Site ELBURTON RESERVOIR, RESERVOIR ROAD PLYMSTOCK PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 29/11/2011
Decision: Grant Conditionally

Item No 119

Application Number: 11/01688/TPO **Applicant:** Morrison Plc
Application Type: Tree Preservation
Description of Development: 15 Lime and Beech trees - Various works to clear BT cable and lift crown over footpath
Site GLENTOR ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 05/12/2011
Decision: Grant Conditionally

Item No 120

Application Number: 11/01690/FUL **Applicant:** Ms D Mainland
Application Type: Full Application
Description of Development: Installation of 17 photovoltaic solar panels
Site ROBOROUGH SURGERY, EASTCOTE CLOSE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 29/11/2011
Decision: Grant Conditionally

Item No 121

Application Number: 11/01692/FUL **Applicant:** Mrs Sharon Jones
Application Type: Full Application
Description of Development: Erection of garage at front of property
Site 44 BEARSDOWN ROAD EGGBUCKLAND PLYMOUTH
Case Officer: Mark Utting
Decision Date: 01/12/2011
Decision: Grant Conditionally

Item No 122

Application Number: 11/01694/FUL **Applicant:** Mr Nathan Tills
Application Type: Full Application
Description of Development: Demolition of existing shed and construction of new single-storey garage and integration of mono-pitched roof on existing porch
Site 112 RINGMORE WAY PLYMOUTH
Case Officer: Adam Williams
Decision Date: 02/12/2011
Decision: Grant Conditionally

Item No 123

Application Number: 11/01698/PRD **Applicant:** Mrs S Gash
Application Type: LDC Proposed Develop
Description of Development: Certificate of lawful development for rear dormer and front roof lights
Site 8 HARBOUR AVENUE CAMELS HEAD PLYMOUTH
Case Officer: Mark Utting
Decision Date: 24/11/2011
Decision: Issue Certificate - Lawful Use

Item No 124

Application Number: 11/01702/FUL **Applicant:** Joint Technical Partnership Limited
Application Type: Full Application
Description of Development: Two-storey side extension and alterations to existing property
Site 10 WOOD PARK PLYMOUTH
Case Officer: Mark Utting
Decision Date: 30/11/2011
Decision: Grant Conditionally

Item No 125

Application Number: 11/01703/FUL **Applicant:** Mr James Groves
Application Type: Full Application
Description of Development: Two storey side extension and part two storey/part single storey rear extension
Site 35 WIDEWELL ROAD PLYMOUTH
Case Officer: Mark Utting
Decision Date: 30/11/2011
Decision: Grant Conditionally

Item No 126

Application Number: 11/01704/FUL **Applicant:** Gables Farm Dogs and Cats
Application Type: Full Application
Description of Development: Installation of photovoltaic panels to south west elevation of support building roof, with variation of condition 3 of planning permission 11/01211/FUL to allow 20cm projection from roof
Site GABLES FARM,204 MERAFIELD ROAD PLYMOUTH
Case Officer: Mark Utting
Decision Date: 29/11/2011
Decision: Grant Conditionally

Item No 127

Application Number: 11/01707/FUL **Applicant:** Ashford Properties
Application Type: Full Application
Description of Development: Remove external staircase and replace with balconies, erect boundary fence and bin storage area at front of property, block up existing pedestrian access to side of building, create new opening and associated works
Site 70 GIFFORD TERRACE ROAD PLYMOUTH
Case Officer: Mark Utting
Decision Date: 01/12/2011
Decision: Grant Conditionally

Item No 128

Application Number: 11/01709/FUL **Applicant:** Mr & Mrs P Bernard
Application Type: Full Application
Description of Development: Single-storey side and rear extension
Site 1 ARSCOTT LANE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 29/11/2011
Decision: Grant Conditionally

Item No 129

Application Number: 11/01713/TPO **Applicant:** Miss Joanne Nicholson
Application Type: Tree Preservation
Description of Development: Sycamore - reduce by 4-5 feet
Site 24 POWDERHAM ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 24/11/2011
Decision: Grant Conditionally

Item No 130

Application Number: 11/01715/FUL **Applicant:** Mr Paul Chubb
Application Type: Full Application
Description of Development: Single-storey rear extension
Site 18 CANHAYE CLOSE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 29/11/2011
Decision: Grant Conditionally

Item No 131

Application Number: 11/01725/FUL **Applicant:** Mr N & Mrs E Hall
Application Type: Full Application
Description of Development: First floor side extension and provision of two rooflights in existing bedroom roof
Site 10 DEEBLE CLOSE PLYMPTON PLYMOUTH
Case Officer: Mike Stone
Decision Date: 29/11/2011
Decision: Grant Conditionally

Item No 132

Application Number: 11/01730/FUL **Applicant:** Mr Richard Jackson
Application Type: Full Application
Description of Development: New glazed entrance
Site STANLEY GRAND CASINO, 2 UNION STREET PLYMOUTH
Case Officer: Mark Utting
Decision Date: 01/12/2011
Decision: Grant Conditionally

Item No 133

Application Number: 11/01733/TPO **Applicant:** Mr & Mrs Vandabona
Application Type: Tree Preservation
Description of Development: Fell 1 Larch
Remove deadwood from Monterey Pine
Site 3 CANDISH DRIVE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 25/11/2011
Decision: Grant Conditionally

Item No 134

Application Number: 11/01734/TCO **Applicant:** Mr Matt Dunstan
Application Type: Trees in Cons Area
Description of Development: Cherry - remove
Oak - remove deadwood
Fir - remove
Site MANOR MILL, STATION ROAD TAMERTON FOLIOT
PLYMOUTH
Case Officer: Jane Turner
Decision Date: 29/11/2011
Decision: Grant Conditionally

Item No 135

Application Number: 11/01741/FUL **Applicant:** Weathervane Estates Ltd
Application Type: Full Application
Description of Development: First floor front extension
Site 65B HYDE PARK ROAD PLYMOUTH
Case Officer: Mark Utting
Decision Date: 30/11/2011
Decision: Grant Conditionally

Item No 136

Application Number: 11/01750/FUL **Applicant:** Mr Dean Luxton
Application Type: Full Application
Description of Development: Single storey rear extension and single storey front extension
(formed partly under existing driveway)
Site 20 TUCKER CLOSE PLYMOUTH
Case Officer: Mark Utting
Decision Date: 30/11/2011
Decision: Grant Conditionally

Item No 137

Application Number: 11/01751/TPO **Applicant:** Mr Barry Hunt
Application Type: Tree Preservation
Description of Development: Sycamore - raise crown removing lower branches
Oak - raise crown removing lower branches
Site 9 ELMWOOD CLOSE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 25/11/2011
Decision: Grant Conditionally

Item No 138

Application Number: 11/01755/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Development of part of school playing fields with a new 6
classroom block to form link to existing nursery and use of land
adjacent to school site for additional play space
Site MOUNT WISE COMMUNITY PRIMARY SCHOOL, JAMES
STREET
DEVONPORT PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 24/11/2011
Decision: Grant Conditionally

Item No 139

Application Number: 11/01759/FUL **Applicant:** Mr R Ellis
Application Type: Full Application
Description of Development: Rear conservatory
Site 10 DUNSTONE ROAD ST BUDEAUX PLYMOUTH
Case Officer: Mark Utting
Decision Date: 30/11/2011
Decision: Grant Conditionally

Item No **140**

Application Number: 11/01781/TCO **Applicant:** Mrs Ailson Barlow

Application Type: Trees in Cons Area

Description of Development: Silver Birch - reduce to previous pruning points

Site 2 THE ELMS PLYMOUTH

Case Officer: Chris Knapman

Decision Date: 25/11/2011

Decision: Grant Conditionally

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The following decisions have been made by the Planning Inspectorate on appeals arising from decisions of the City

Application Number **11/00991/FUL**
Appeal Site **33 EDWARDS DRIVE PLYMOUTH**
Appeal Proposal Two storey rear extension
Case Officer Simon Osborne

Appeal Category
Appeal Type Written Representations
Appeal Decision Allowed
Appeal Decision Date 17/11/2011

Conditions
Award of Costs Awarded To

Appeal Synopsis

This application was refused by planning committee (officers recommended approval). The inspector disagreed with members and considered that although the extension would marginally break the council's 45 degree guide, the neighbouring ground floor window is large and therefore given the extensions limited projection and hipped roof the proposal would not unduly impact on neighbouring properties by reasons of loss of light or outlook.

Application Number **11/01057/FUL**
Appeal Site **22 ELFORD CRESCENT PLYMOUTH**
Appeal Proposal Formation of roof terrace on existing single storey side extension
Case Officer Sarah Curtis

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 17/11/2011

Conditions
Award of Costs Awarded To

Appeal Synopsis

The Inspector agreed with the refusal reason in that the proposed railings would cause visual harm, saying that they would "appear incongruous and poorly related to the dwelling as a whole". The Inspector was not persuaded that screening would be adequate due to the prominent nature of the site.

The Inspector viewed the proposal to be in conflict with the Council's Local Development Framework Policy CS34. The Inspector concluded by saying that other options could be explored in order to alleviate the applicant's concerns over safety (to prevent children climbing on roof).

Note:

Copies of the full decision letters are available to Members in the Ark Royal Room and Plymouth Rooms. Copies are also available to the press and public at the First Stop Reception.

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