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Date: 27 March 2012

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PLANNING COMMITTEE

Date: Thursday 5 April 2012

Time: 1 pm

Venue: Council House, Armada Way, Plymouth

Members:

Councillor Mrs Bowyer, Vice Chair in the Chair

Councillors Browne, Stark, Delbridge, Mrs Foster, Mrs Nicholson, Stevens, Tuohy, Vincent, Wheeler, Williams and one vacancy.

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. ELECTION OF CHAIR

The committee will elect the Chair for the remainder of the municipal year.

4. MINUTES

(Pages 1 - 6)

The Committee will be asked to confirm the minutes of the meeting held on 8 March 2012.

5. CHAIR'S URGENT BUSINESS

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

6. 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.

7. PLANNING APPLICATIONS FOR CONSIDERATION (Pages 7 - 8)

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

7.1. 39 MERAFIELD ROAD, PLYMPTON, PLYMOUTH.
12/00169/OUT.

(Pages 9 - 20)

Applicant: Dr Kathryn Woolaway
Ward: Plympton Erle
Recommendation: Grant Conditionally

8. OBJECTION TO TREE PRESERVATION ORDER NO. 484 - PARKER CLOSE, PLYMPTON, PLYMOUTH. (Pages 21 - 26)

The Director for place will present a report outlining the circumstances surrounding an objection to the making of Tree Preservation Order No. 484.

9. PLANNING APPLICATION: 05/1071/OUT - APPROVAL TO SEEK A SECTION 106 DEED OF VARIATION. (Pages 27 - 32)

The Director for place will present a report requesting approval for a Section 106 Deed of Variation.

10. BENCHMARKING OF PLANNING SERVICES

The Assistant Director for Development will give a presentation on the benchmarking of Planning Services.

11. PLANNING APPLICATION DECISIONS ISSUED (Pages 33 - 70)

The Assistant Director of Development (Planning Services) acting under powers delegated to him by the Council will submit a schedule outlining all decisions issued from 28 February to the 26 March 2012, 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.

12. APPEAL DECISIONS (Pages 71 - 72)

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.

13. 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 8 March 2012

PRESENT:

Councillor Lock, in the Chair.

Councillor Mrs Bowyer, Vice Chair.

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

Apologies for absence: Councillors Delbridge and Stevens.

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

The meeting started at 1 pm and finished at 2.50 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.

100. **DECLARATIONS OF INTEREST**

The following declaration of interest was made in accordance with the code of conduct –

Name	Minute No. and Subject	Reason	Interest
Councillor Mrs Aspinall	106. 67a Ebrington Street, Plymouth. 11/02000/FUL	Friend of Applicant	Prejudicial

101. **MINUTES**

Agreed the minutes of the meeting held on 9 February 2012.

CHAIR'S URGENT BUSINESS

102. **WARD COUNCILLOR INVOLVEMENT IN SECTION 106 AGREEMENTS**

At the invitation of the Chair the Assistant Director for Development read a statement concerning ward councillor involvement in section 106 agreements.

A copy of the statement is attached as a supplement to these minutes.

Agreed to distribute the statement to all members.

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

The following question was received from a member of the public, in accordance with paragraph 10 of the Constitution.

Question No	Question By	Subject
2 (11/12)	Mr F Sharpe	Sherford new community (swimming pool)
<p>If Sherford is passed at today's meeting please can Plymstock residents be told when a Plymstock Swimming Pool will be built and if all 106 funding is in place?</p>		
<p>If the Sherford application to Plymouth City Council as Local Planning Authority is considered acceptable today, it would be subject to the signing of a joint legal agreement with the two Local Planning Authorities as well as Devon County Council and the landowners. All parties will do their best to sign the agreement within 6 months otherwise the Assistant Director for Planning Services would have authority to refuse the application. It is possible that the agreement and the decision may be issued within 6 months.</p> <p>The swimming pool would be provided before the first 700 dwellings are completed, but the date of the commencement of housing and the pace of the house building would a commercial decision for the developers not the Local Planning Authority. It is understood that the developers envisage that the swimming pool might be available to the public by 2016.</p>		

104. **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 number 104.1 and 104.4.

104.1 22 DONNINGTON DRIVE, PLYMOUTH. 12/00014/FUL

(Mr Mark Duke)
 Decision
 Application **GRANTED** conditionally.

104.2 67A EBRINGTON STREET, PLYMOUTH. 11/02000/FUL

(Mr Mohamed El Mohamdi)
 Decision
 Application **GRANTED** conditionally.

Councillor Mrs Aspinall, having declared a prejudicial interest, withdrew for this item.

**104.3 LAND AT BARTON ROAD, HOOE LAKE, PLYMSTOCK.
11/01250/FUL**

(Barratt Homes Exeter)

Decision

Application **GRANTED** conditionally subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 8 July 2012.

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

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

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

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

104.4 SHERFORD NEW COMMUNITY, LAND SOUTH/SOUTHWEST OF A38 DEEP LANE AND EAST OF HAYE ROAD ELBURTON, PLYMOUTH. 06/02036/OUT

(Red Tree (2004) LLP)

Decision

Application **GRANTED** conditionally subject to the following –

1. completion of a joint authority S106 Agreement to deliver the requirements as set out within the report and appendices;
2. the Highways Agency lifting its current direction to enable the consent to be issued once the Agency is satisfied that there is no significant adverse impact on the A38 and the imposition of any planning conditions or S106 clauses proposed by the Agency;
3. the revised and additional planning conditions (detailed within the report) to those approved in the 2009 Planning Committee report, together with any proposed by the Highways Agency in response to the withdrawal of the Holding Direction;
4. that authority is delegated to the Assistant Director of Development to refuse the application if the S106 is not completed within 6 months.

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

105. **PLANNING APPLICATION DECISIONS ISSUED**

The Committee received a report of the Assistant Director of Development (Planning Services) on decisions issued for the period 29 January to 27 February 2012, including –

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

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

106. **APPEAL DECISIONS**

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

107. **EXEMPT BUSINESS**

The Committee received the report. See minute 104.4 above.

SCHEDULE OF VOTING

PLEASE NOTE

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

SECTION 106 AGREEMENTS (Pages 1 - 4)

STATEMENT CONCERNING WARD COUNCILLOR INVOLVEMENT IN SECTION 106 AGREEMENTS IS ATTACHED AS A SUPPLEMENT TO THESE MINUTES.

SCHEDULE OF VOTING

Minute number and Application	Voting for	Voting against	Abstained	Absent due to interest declared	Absent
6.1 22 Donnington Drive, Plymouth. 12/00014/FUL	Unanimous				
6.2 67a Ebrington Street, Plymouth. 11/02000/FUL	Councillors Lock, Mrs Bowyer, Browne, Churchill, Mrs Foster, Mrs Nicholson, Stark, Tuohy, Vincent, Wheeler and Williams.			Councillor Mrs Aspinall	
6.3 Land At Barton Road, Hooe Lake, Plymstock 11/01250/FUL	Councillors Lock, Mrs Bowyer, Browne, Churchill, Mrs Nicholson and Stark.	Councillors Vincent, Wheeler and Tuohy.	Councillors Williams, Mrs Aspinall and Mrs Foster.		
6.4 Sherford New Community, Land South/Southwest Of A38 Deep Lane And East Of Haye Road Elburton, Plymouth. 06/02036/OUT	Unanimous				

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PLANNING APPLICATIONS FOR CONSIDERATION

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

Addendums

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

Public speaking at Committee

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

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

- Ward Member
- Objector
- Supporter

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

Committee Request for a Site Visit

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

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

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

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

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

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

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

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

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

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

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

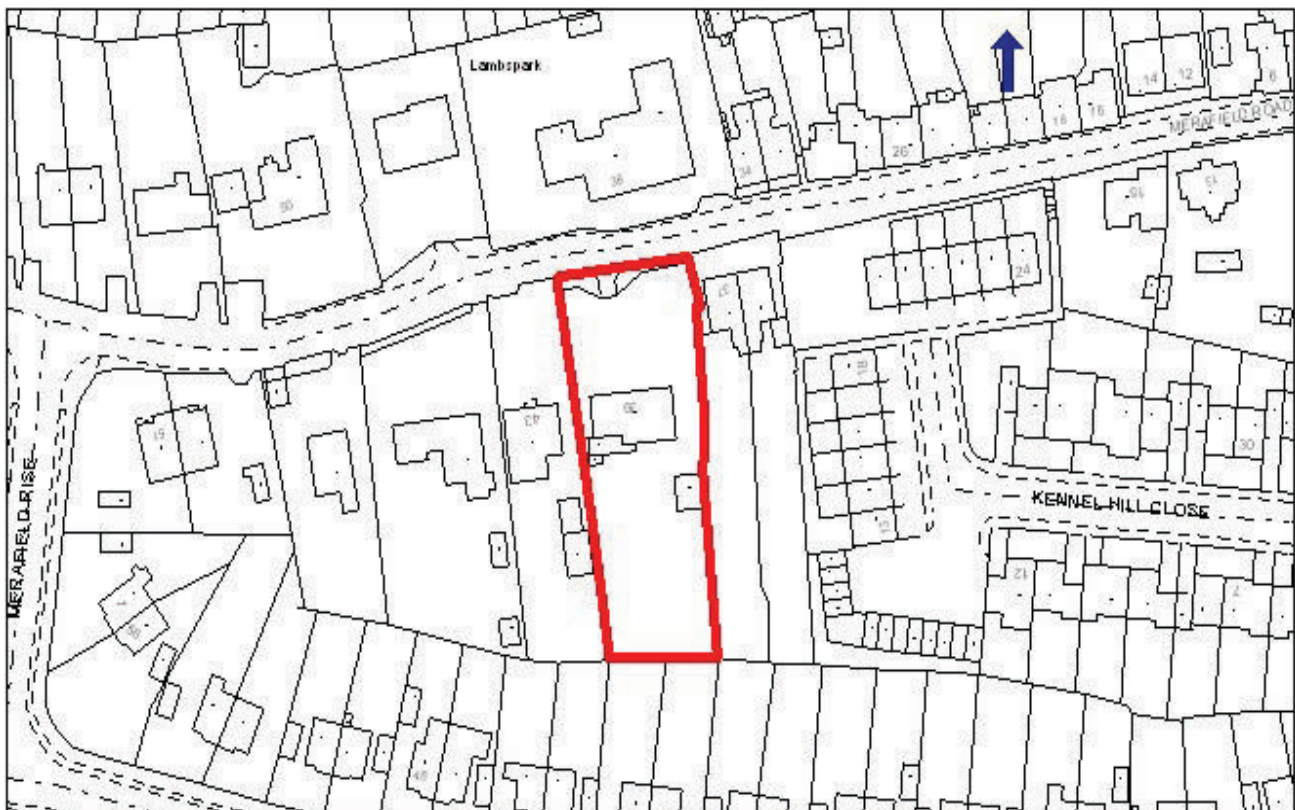
Decisions contrary to Officer recommendation

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

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

PLANNING APPLICATION REPORT**ITEM: 01**

Application Number:	12/00169/OUT
Applicant:	Dr Kathryn Woolaway
Description of Application:	Outline application for erection of single-storey dwelling with attached single garage and provision of parking spaces forward of existing dwelling
Type of Application:	Outline Application
Site Address:	39 MERAFIELD ROAD PLYMPTON PLYMOUTH
Ward:	Plympton Erle
Valid Date of Application:	14/02/2012
8/13 Week Date:	10/04/2012
Decision Category:	Member Referral
Case Officer :	Jon Fox
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



This application is being considered by Planning Committee as a result of a Member referral by Councillor Terri Beer. This Ward councillor is concerned about over-development of garden space, highway issues and lack of parking provision

Site Description

The site is the rear garden of 39 Merafield Road, which is a detached bungalow located on the southern side of the road, opposite Lamspark Care Home. The site is bounded to the west by the garden of the detached house at 43 Merafield Road (that contains a large summer house towards the rear of the garden) and to the east by the long rear garden of No.37. The site is bounded to the south by the rear gardens of semi-detached houses in Merafield Drive, which are situated approximately two metres above the site. The site slopes up appreciably towards the rear.

Proposal Description

Outline application for erection of single-storey dwelling with attached single garage and provision of parking spaces forward of existing dwelling. The maximum and minimum dimensions for the proposed dwelling are:

Maximum:

house: 11.5m (w) x 8.5m (d) x 4m (h)

garage: 3m (w) x 6m (d) x 3m (h)

Minimum:

house: 10.5m (w) x 7.5m (d) x 4m (h)

garage: 3m (w) x 6m (d) x 2m (h)

The submitted indicative site plan shows the position of a dwelling and attached garage on the site. All detailed matters are reserved (i.e. do not form part of the current application) and the current application is therefore in respect of the principle of the development.

Pre-Application Enquiry

This application has been submitted as a result of discussions with the Local Planning Authority following the refusal of application 11/01822 for a similar development. It was agreed informally that shared use of the existing driveway and provision of separate parking spaces, for the existing and proposed dwellings, would overcome the previous highway objections in principle.

Relevant Planning History

11/01822/OUT - Outline application for erection of single-storey dwelling and attached garage.

The maximum dimensions were:

house: 13.0m (w) x 10.0m (d) x 6.75m (h)

garage: 3.0m (w) x 6.0m (d) x 6.75m (h)

The minimum dimensions were:

house: 11.5m (w) x 8.5m (d) x 4.0m (h)

garage: 3.0m (w) x 6.0m (d) x 2.0m (h)

This application was refused for the following reasons:

(1) The Local Planning Authority considers that the site is of an inadequate size to accommodate the development proposed to a standard that would comply with the Highway Authority's planning requirements. The proposal would likely prejudice public safety and convenience and give rise to issues of highway safety, which is contrary to policies CS28 and CS34 of the Core Strategy of Plymouth's Local Development Framework April 2007.

(2) The proposal will result in the loss of the existing off-street car parking area serving 39 Merafield Road. The applicant has not demonstrated that these spaces are no longer required and the proposal could therefore lead to further vehicles parking on-street, giving rise to conditions likely to cause:

a- Damage to amenity

b- Prejudice to public safety and convenience

c- Interference with the free flow of traffic on the highway,

which is contrary to Policy CS28 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007.

Consultation Responses

Transport

The Council's Highways and Transport Service states that the principle of constructing a dwelling in the grounds of the donor property was accepted during the earlier application but it was considered that a separate, suitable, access could not be provided to comply with the Highway Authorities requirements in terms of visibility and gradient. The applicants were advised that the existing private drive, currently serving the donor property, could be used to serve a second dwelling. Separate parking and turning provision would be required and these existing facilities should be retained or replaced to serve the donor property.

The Council's Highways and Transport Service states that to this end the applicant has demonstrated that parking and turning can be provided for each dwelling on the site. These can be accessed independently of each other from the private drive. A hard-standing, car port or garage will be acceptable on the site in order to achieve the parking requirements. 2 spaces per dwelling will be required.

The Council's Highways and Transport Service notes that all matters are reserved for future consideration so conditions will need to be attached to any grant of consent to agree the layout of the parking and turning facilities and then to secure the construction of the same prior to occupation of the new dwelling.

Public Protection Service

No objections subject to conditions on land quality.

Representations

Two letters were received. The occupiers of 43 Merafield Road, which is the adjoining property to the west, object on the grounds that:

1. There is a lack of detailed plans.
2. This property has never been a double plot (as mentioned in the application)
3. The design would be detrimental if based, as mentioned in the application, on the design of the existing dwelling because the existing property is in disrepair, unattractive and unsympathetic to its neighbouring properties.
4. One of the previous reasons for refusal states: "The Local Planning Authority considers that the site is of an inadequate size to accommodate the development proposed "The new application still states exactly the same sizes for the proposed dwelling.
5. A dwelling on this plot would be overdevelopment as neither property would have adequate outdoor living space.
6. If approved this would set a precedent to similar development on house plots in the area, which would add to highway congestion and alter the character of the area.
7. Loss of privacy to the property and garden.
8. The site's level is elevated and would be in line with upper floors in No.43 and would look directly into both floors of the property.
9. Changing the plans from a separate to a shared drive would still pose a direct hazard to the narrow main road through this part of Plympton. This is because the shared drive would still carry the same volume of traffic as two separate drives.
10. The driveway entrance is directly opposite Lambspark Care Home's main entrance, which is regularly used with access required at all times. To encourage further use with additional vehicles would pose a safety issue, as the drive entrance would be narrow and difficult to see on coming traffic from and the approach would be sharp to turn into with a steep gradient.

The occupier of 38 Merafield Drive, to the rear of the site, objects because this has been proposed before and refused as it is "garden grabbing" building on the rear garden.

Analysis

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

The main planning issues in this case are the impacts on highway safety and convenience; the amenities of neighbours and the character and appearance of the area. The relevant policies of the Core Strategy of Plymouth's Local Development Framework 2007 are CS02 (design), CS15 (housing), CS28 (transport

considerations) and CS34 (planning application considerations). The Council's Development Guidelines Supplementary Planning Document 2009 includes guidance on separation distances between dwellings and amounts of amenity space for detached houses.

The application is considered having regard to relevant national policies and guidance, as well as taking account of the National Planning Policy Framework.

Highways

With regard to highways matters, the proposed new shared driveway alleviates the difficulties of the previous, separate driveway and the revised layout accommodates sufficient parking for the existing and proposed dwellings. In this regard officers consider that the proposals overcome previous highway reasons for refusal and are in accordance with policies CS28 and CS34.

Impact on neighbours

With regard to the impact on neighbours, the proposed maximum and minimum dimensions of the proposed dwelling were revised to allow the Council to consider in this outline application "in principle" size parameters put forward by the applicant in relation to the upper and lower limits. The dimensions of the dwelling are considered to sit reasonably comfortably within the confines of the site. The dwelling would be single storey and would be dug into the site, possibly down to the level of the bottom of the existing swimming pool. Together with a hipped roof it is considered by officers that a dwelling of this size would not be overbearing or dominant when viewed from the garden and houses at Nos.37 and 43 Merafield Road and the houses in Merafield Drive, which are at a significantly higher level than the application site. The main windows in the dwelling would be facing the existing bungalow at No.39 and the houses to the rear. The houses to the rear would be over 21 metres from the proposed bungalow and would be at a higher level and as such would not be overlooked significantly. The front facing windows would overlook the host dwelling, but a conventional two metre fence would adequately screen it from overlooking. The house at 43 Merafield Road would be overlooked to a degree from new windows, but these could be positioned at a reasonable distance from the side of the dwelling and, due to the digging in of the proposed building, would not lead to an unreasonable loss of privacy. There would not now be an impact on the amenities of No.37 Merafield Road from the use of the proposed driveway, although the proposed new parking area is near to their boundary. However, the side of that property has a gabled end with no windows and as such would not be significantly affected by the vehicles accessing the site. On balance officers consider that the proposals are not harmful to neighbours' amenities and are in accordance with policies CS15 and CS34.

Character

With regard to character, the site is located within a run of eight properties situated between a run of terraced houses to the east, in Kennel Hill, and Merafield Rise, to the west. Only the middle four of these properties have similar looking plots in terms of their depth and width. Developing the application site, which is the

easternmost of these four, is not considered to be harmful to the character of the area, which includes a number of backland developments and a characteristically varied pattern of development. Officers consider that the proposed bungalow would be in keeping with the host dwelling but out of character with surrounding houses. However, this is not considered by officers to be a significant issue given the variety of house types in the area. In this regard to the proposals are not considered to conflict with policies CS02 and CS34.

Principle of development

With regard to the principle of developing garden plots, the Planning Inspector has opined recently, in respect of application 10/00711 – land to the rear of 7-11 Underwood Road – that: “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”. In light of this stance it is considered by officers that the loss of garden land per se is not a sustainable reason to resist the proposed development.

One of the letters of representation argues that the two dwellings would have inadequate outside amenity space, which is 100m² according to the Development Guidelines. Both dwellings would have at least this much space.

Section 106 Obligations

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

Equalities & Diversities issues

The proposals do not raise any equality and diversity issues.

Conclusions

The proposals are considered to be acceptable in terms of the impact on neighbours' amenities and the character and appearance of the area, and now overcome the previous reasons for refusal on highway grounds. It is therefore recommended that permission be granted subject to conditions.

Recommendation

In respect of the application dated **14/02/2012** and the submitted drawings OS location plan, 1:500 scale indicative site layout plan, and accompanying design and access statement, it is recommended to: **Grant Conditionally**

Conditions

APPROVAL OF RESERVED MATTERS

(1) Approval of the details of the layout, scale, appearance, access and landscaping of the 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: OS location plan and 1:500 scale indicative site layout 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, the

control of dust and the routes of construction traffic to and from the site including any off site routes for the disposal of excavated material.

Reason:

The proposed site is in immediate vicinity to existing residential properties, whose occupants will likely be disturbed by noise and/or dust during demolition or construction work and to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

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 11'.

Reason:

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

PARKING PROVISION

(12) The development shall not be occupied until space has been laid out within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority for a maximum of 2 cars to be parked to serve the proposed dwelling and 2 cars to be parked for the existing property. Furthermore provision must be made for vehicles to turn so that they may enter and leave the site in forward gear using the existing private drive. The approved turning and parking areas shall thereafter be maintained.

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, while also providing safe and convenient parking spaces for the existing and proposed dwellings, in accordance with policy CS28 of the Core Strategy of Plymouth's Local Development Framework April 2007.

DETAILS OF ENCLOSURE AND SCREENING

(13) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority details of all means of enclosure and screening to be used. The works shall conform to the approved details and shall be completed before the development is first occupied.

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.

RESTRICTIONS ON PERMITTED DEVELOPMENT

(14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order or the 1995 Order with or without modification), no development falling within Classes A (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

(15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order or the 1995 Order with or without modification), 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 the above 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.

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

- PPS23 - Planning & Pollution Control
- CS28 - Local Transport Consideration
- CS34 - Planning Application Consideration
- CS22 - Pollution
- CS02 - Design
- CS15 - Housing Provision
- SPD1 - Development Guidelines
- NPPF - National Planning Policy Framework 2012

PLYMOUTH CITY COUNCIL

Subject: **Objection to Tree Preservation Order No.484:Parker Close, Plympton, Plymouth**

Committee: **Planning**

Date: 5th April 2012

Cabinet Member: **Cllr. Ted Fry**

CMT Member: **Anthony Payne - Director for Place**

Author: Jane Turner, Tree Officer

Contact: Tel: 01752 304362
e-mail: jane.turner@plymouth.gov.uk

Ref: DC/T1/2/1

Key Decision: **No**

Part: 1

Executive Summary:

A request was received from the owner of 18 Parker Close to consider making a Tree Preservation Order on a group of four trees (2 Alder and 2 Silver Birch) and an individual Silver Birch located in an area of landscaped land in their ownership to the front of the property. Following a request from the owner of 35 Romilly Gardens that they prune the trees to prevent debris falling onto the property the owners of 18 Parker Close removed one tree and pruned overhanging branches of another. The trees form part of the original landscaping of the estate and have now matured. Other trees planted at the same time have been unsympathetically pruned and it was therefore considered expedient in the interest of public amenity to protect these trees. They are visible to all who use and live in Parker Close and Romilly Gardens and can also be seen from Merafield Road. One objection has been received stating that the order is unnecessary, will not benefit the public or local residents and has been designed to resolve a possible civil issue. It is considered that the objection, from an adjoining property in Romilly Gardens, does not outweigh the reasons for making the Order and it is recommended that the Order is confirmed without modification.

Corporate Plan 2011-2014:

Protecting trees enhances the quality of the City's environment by ensuring long-term tree cover. Trees help to reduce pollution and traffic noise providing cleaner air to breathe thereby helping to achieve the Council's corporate goal to create a healthy place to live and work and accords with its objective to improve health and wellbeing, as well as creating a more attractive environment.
<http://www.plymouth.gov.uk/corporateplan.htm>

**Implications for Medium Term Financial Plan and Resource Implications:
Including finance, human, IT and land**

The protection of trees by a Tree Preservation Order is a routine exercise for Planning Services. There are no additional financial costs arising from the imposition and administration of the Order that are not included in existing budgets.

Other Implications: e.g. Community Safety, Health and Safety, Risk Management and Equality, Diversity and Community Cohesion:

None

Recommendations & Reasons for recommended action:

To confirm the Tree Preservation Order without modification.

Reason: in order to protect landscape trees of high public amenity value.

Alternative options considered and reasons for recommended action:

To revoke the Order: without a Tree Preservation Order the group of trees and the individual Silver Birch may have inappropriate works carried out to them or if the ownership changes in the future be removed without any consent being required from the Local Planning Authority. This would result in the loss of amenity to the local area.

Background papers:

Tree Preservation Order No. 484.

Letters of objection dated 21st November 2011, 31st January 2012, 16th February 2012 and 5th March 2012: from Mr Honeywill (Solicitor Retired) on behalf of Mrs Clapham 35 Romilly Gardens.

Sign off:

Fin	Dev F11 120 068	Leg	JAR /143 97	HR		Corp Prop		IT		Strat Proc	
Originating SMT Member											

Background Report

I. Introduction

- I.1 Under delegated authority, on 31st October 2011, Tree Preservation Order No.484 was made to protect a group of trees consisting of 2 Alder and 2 Silver Birch and an individual Silver Birch in the grounds of 18 Parker Close, Plympton, Plymouth. The owner of the trees had recently removed one tree that was closest to the side of the property of 35 Romilly Gardens and causing shade issues and reduced the branches of another that overhung the same properties garden following a request form the owner of Romilly Gardens that they prune the trees to prevent debris falling onto the property. They did not wish to carry out any further works to the trees and asked that they be protected to enhance the environment and provide a habitat for wildlife.
- I.2 The trees were planted as part of the original landscaping of this estate in a strip of land running the length of the original listed garden wall in the mid 1980s. They have now matured and contribute significantly to the amenity of the local area. Other trees, that are part of the

same landscaping strip but in different ownership, have been unsympathetically reduced in the past and their amenity value has been significantly reduced as a result.

- 1.3 A group designation was considered appropriate for 4 of the trees due to their proximity to one another and a Silver Birch separated from this group due to the removal of a tree closest to 35 Romilly Gardens has been designated as an individual.
- 1.4 It was therefore considered appropriate in the interest of public amenity to protect the remaining 'intact' trees to give the Local Planning Authority control over what works could be carried out in the future. One objection was received to the making of the Order.



GI looking up Parker Close showing poorly reduced trees in the foreground



GI Viewed from cul-de-sac



T1 Silver Birch with 35 Romilly Gardens behind



Map showing location of trees.

2. Objection

2.1 One objection to the Order was received. The details are outlined below.

Mr. AS Honeywill, Solicitor Retired on behalf of Mrs Clapham of 35 Romilly Gardens, Plymouth, Plymouth

2.2 The reasons for Mrs Clapham’s objections are summarised as follows:

- The order is unnecessary
- The order would only benefit the occupiers of 18 Parker Close and not the general public or local residents
- The making of the application appears to be designed solely to try and resolve a possible civil (contractual) issue as between the occupiers of 18 Parker Close and Mrs Clapham which was never the intention of the statutory power given to the Local Authority.
- Concern that the trees may damage the listed garden wall and about debris from the trees falling onto Mrs Clapham’s property

3. Analysis of Issues

3.1 *The order is unnecessary:* the Local Planning Authority does not consider the order to be unnecessary. We are advised by Central Government not to rely on planning conditions to ensure the long term retention of trees within development and to make the use of Tree Preservation Orders where appropriate. It is evident that some of the original landscape trees on the estate have been inappropriately pruned and others felled. The making of this Tree Preservation Order (TPO) will allow us to control what work takes place in the future to these, as yet, relatively untouched trees.

- 3.2 *The order would only benefit the occupiers of 18 Parker Close and not the general public or local residents:* this is clearly not the case as these trees can be seen and enjoyed by all residents of the estate and visitors not just the owners of 18 Parker Close. They can also be seen by all who use the main Merafield Road on foot or by car.
- 3.3 *The making of the application appears to be designed solely to try and resolve a possible civil (contractual) issue as between the occupiers of 18 Parker Close and Mrs Clapham:* the making of the order does not prevent the owner or Mrs Clapham from applying to carry out works to the trees in the future but will give the Local Planning Authority control over what work is given consent to ensure that any necessary pruning is carried out sympathetically thereby preserving these trees contribution to the amenity of the estate.
- 3.4 *Concern that the trees may damage the listed garden wall and about debris from the trees falling onto Mrs Clapham's property:* there is no evidence to date that the listed wall is being adversely affected by the presence of the trees. If in the future there is clear evidence that the tree is causing damage to the wall then the tree can be removed under the exemption provided for in the legislation. Debris in terms of leaf fall is a seasonal nuisance and maintenance issue and is not considered justification to remove the order.

4. Conclusion

- 4.1 In view of the above analysis it is considered that the objections to Tree Preservation Order No.484 Parker Close do not justify the revoking of the Order. It is therefore recommended that the order is confirmed without modification.

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PLYMOUTH CITY COUNCIL

Subject: Planning Application: 05/1071/OUT – Approval to seek a Section 106 Deed of Variation

Committee: Planning

Date: 5 April 2012

Cabinet Member: Councillor Ted Fry

CMT Member: Director for Place

Author: Peter Ford, Head of Development Management

Contact: Tel: 01752 304352
e-mail: peter.ford@plymouth.gov.uk

Ref: 05/01071/OUT

Key Decision: No

Part: I

Executive Summary:

This report seeks approval to enter into the process of securing a Deed of Variation for the S106 agreement with Redrow in relation to the transport contribution for the Vision development at Devonport.

Under the terms of the original agreement a transport contribution of £449,000 was secured to improve bus stop infrastructure, provide new buses on the route of service 34 and set up or support other public transport measures in the vicinity of the development and to commission an accessibility study for the Devonport area. Following initial discussions to progress the bus service enhancement it became clear, after seeking legal advice, that it was not appropriate to award the funding directly to one bus operator. A competitive procurement process would need to be followed in order to discharge the agreement lawfully.

In 2011 the Council was successful in securing funding for a bus service as part of the Local Sustainable Transport Fund (LSTF) bid www.plymouth.gov.uk/lstf. The synergy of the LSTF and S106 objectives were recognised and hence an alternative service is proposed, using the S106 transport contribution for the Vision Development, that delivers an improved outcome for the local community. The Deed of Variation is in keeping with the original Vision development S106 agreement, aimed at providing a new bus service. However, the proposal offers improved links to employment, healthcare, education and leisure opportunities for the Devonport community.

The proposed changes to the original agreement have been submitted to Redrow who have confirmed their agreement in principle to the variation.

Corporate Plan 2011-2014:

The proposed service, which will be delivered subject to the recommendation in this report being approved, supports all four corporate priorities.

The LSTF was awarded by the Department for Transport (DfT) to Authorities who demonstrated that the scheme proposals would deliver economic growth and reduce carbon emissions. The planned bus service will provide a direct connection from Plymouth neighbourhoods to employment opportunities in the City Centre and along the Eastern Corridor.

The LSTF programme consists of a package of measures aimed at improving facilities for walking, cycling and public transport and encouraging sustainable travel on the east west axis of the City.

The proposed bus service has been developed in consultation with principle employers in the 'bid area' (Devonport to the west and Plympton and Plymstock to the east) to make sure that access to employment on the eastern corridor is enabled through a timetable and route which is integrated with employer requirements. Additionally, the intended route also provides access to a number of leisure, health and education opportunities. Promotion of the route will be encouraged through a personal travel planning programme, delivered over the next 3 years as an integral element of the LSTF scheme.

Finally, the proposal represents added value for communities by combining the LSTF service funding with the S106 funding – enabled through the proposed Deed of Variation. It will deliver an enhanced service in terms of both frequency and area covered, increasing the likelihood that the investment in this service will result in a commercially viable proposition at the end of the contract period thus providing a long term benefit to the community.

Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land

Delivery of the S106 agreement will be achieved through the LSTF Plymouth Connect programme which has Council approval, is funded by PCC and DfT and programmed for delivery between 2011 - 2015. Failure to agree the recommendation has the potential for a negative effect on Council because a proportion of the S106 monies cannot be implemented under the existing agreement and may have to be refunded to the developer.

Other Implications: e.g. Community Safety, Health and Safety, Risk Management and Equality, Diversity and Community Cohesion:

The LSTF scheme has been developed in accordance with the Equalities Impact Assessment for the third Local Transport Plan www.plymouth.gov.uk/ltp2011-2026/eia

The proposed bus service will improve links from areas of deprivation in the west to employment, healthcare, education and leisure opportunities along the eastern corridor.

Recommendations & Reasons for recommended action:

It is recommended that Planning Committee:

- I To instruct the Assistant Director for Planning Services to undertake a deed of variation which amends the existing S106 Agreement as discussed in this report, to allow the public transport contribution for the development to be integrated with, and be delivered in tandem with, the LSTF programme.

Reason: To avoid a potential legal challenge and provide added value to both the S106 contribution and the LSTF programme.

Alternative options considered and reasons for recommended action:

Delivery of the S106 as per the original agreement. However the advice from Legal Service suggested that it would be unlawful to procure the enhanced services referenced in the agreement without a competitive procurement being followed.

Background papers:

Planning consent 05/01071/OUT and related 106 agreement (ref A165-580) dated 2nd May 2006

Minutes of the Council's Planning Committee of 13th December 2005, when planning consent 05/01071/OUT was granted.

Plymouth's Local Development Framework, Planning Obligations & Affordable Housing Supplementary Planning Document, first review 2010.

New Policy Document for Planning Obligations, Consultation Draft, March 2010 DCLG .

Circular 05/2005 Planning Obligations, ODPM.

Sign off:

Fin	Dev F11 120 067	Leg	JAR /143 96	HR		Corp Prop		IT		Strat Proc	
Originating CMF Member Paul Barnard, Assistant Director of Development (Planning Services)											

Briefing Report

1.0 Background

- 1.1 As part of planning application 05/01071/OUT, relating to the land at the Former Stores Enclave, Devonport, Plymouth, a S106 transport contribution of £449,000 was secured. The S106 agreement was between Plymouth City Council and The Urban Regeneration Agency (English Partnerships) and was signed on 2nd May 2006.
- 1.2 The S106 agreement stated that the monies were to be used to provide new bus stop infrastructure including real time passenger information, the enhancement of services on the existing route 34 to include the provision of two new buses and improvements to other public transport measures following the outcome of an accessibility study to be commissioned by the Council.
- 1.3 In 2008 discussions commenced with the developer and Plymouth Citybus, the operator of service 34, regarding the agreement.
- 1.4 Following initial discussions and in preparation for delivering the agreement the City Council sought legal advice regarding the procurement of the additional vehicles. At this point it became apparent that it was not suitable to award the funding direct to the operator of the existing service 34 and that a competitive procurement process should be followed. The related legislation indicates that the value of the S106 agreement is above the threshold - Public Procurement Regulations (2006) and that a full OJEU process would be required. Discharging the agreement without competitive procurement would be unlawful.
- 1.5 Competitive procurement was not commenced in 2008 since at this time the bus services in the vicinity of the development were of a high standard and frequency. It was therefore decided to wait until an opportunity arose to add value to the S106 contribution before progressing the agreement further.

2.0 Current Situation

- 2.1 The Council has been successful in securing DfT funding through the Local Sustainable Transport Fund (LSTF) bid, Plymouth Connect www.plymouth.gov.uk/lstf. The bid seeks to improve connections to employment, healthcare and leisure opportunities throughout the bid area which encompasses Devonport to the west and Plympton and Plymstock to the east. Part of the bid was for the provision of bus services linking the Torpoint Ferry to Langage via the city centre, Cattedown, Coxside and Plymstock. In order to provide a service that can be sustained and is over and above that which could be funded through the bid, it is proposed that the monies received from the LSTF be used in conjunction with the S106 funding from the Vision development to provide a new bus service as detailed in section 2.3.2.
- 2.2 The original wording of the agreement is detailed below.

<p>Transport Contribution</p>	<p>means the sum of £449,000 to be used by the Council for works or measures to provide:-</p> <ul style="list-style-type: none"> (i) 2 new bus shelters providing “real time” information (ii) A contribution in the total sum of £384,000 towards the enhancement of services on the existing route 34 service to include the provision of two new buses and appropriate
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	<p>set up or support arrangements or such other public transport measures which may be submitted to and agreed with the Council following the outcome of any accessibility study undertaken for the catchment area of Devonport</p> <p>A contribution of £25,000 to an accessibility study for the Devonport area to be commissioned by the Council</p>
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2.3 In order to progress this, a Deed of Variation will need to be sought from the developer, Redrow. A letter has been sent to the developer requesting three changes to the original agreement as indicated in bold below. It is felt that these changes will add the greatest benefit and value for money from the contribution, and have a significant positive impact for the residents of the development and the wider community.

2.3.1 **Original wording:** *2 new bus shelters providing real time information*

Proposed changes: It would not seem necessary to put in new shelters as these are already in existence in the vicinity of the development. The Council would, however, still want to install real time information at [these] locations serving the development as a number of bus links are provided from this location, and real time information would be of the greatest benefit to the development and surrounding community.

2.3.2 **Original wording:** *A contribution in the total sum of £384,000 towards the enhancement of services on the existing route 34 service to include the provision of two new buses and appropriate set up or support arrangements or such other public transport measures which may be submitted to and agreed with the Council following the outcome of any accessibility study undertaken for the catchment area of Devonport.*

Proposed changes: To introduce a new service which will link Devonport with Derriford Hospital, City Centre, Plymstock and Langage. This is very similar to the route of the current 34 which operates between Derriford, Devonport, Stonehouse and the City Centre, but would provide additional links to employment opportunities at Langage Business Park. The Council will be specifying a timetable that offers a half hourly service Monday to Saturday daytime and an hourly evening and Sunday service which is a big improvement on what is currently provided by service 34. The Council would not want to use the monies to provide new vehicles but could certainly specify the vehicle age within the tender. This would mean that all the monies would be used as revenue support. It is felt that an improved service through more regular buses and better links to key employment sites would serve the development's residents and surrounding community in their best interests.

2.3.3 **Original wording:** *A contribution of £25,000 to an accessibility study for the Devonport area to be commissioned by the Council*

Proposed changes: Commissioning an accessibility study would not provide a significant increase to information that the council currently holds, the monies would be better used to improve services for the local community in improving the quality of service offered. Consideration of accessibility issues regarding bus travel to key facilities and services from Devonport will be appraised through the tender evaluation process.

- 2.4 A response has been received from Redrow confirming their agreement in principle, subject to any costs associated with the changes being met by the Council. These costs will be funded through the LSTF scheme. The Council also intends to carry out further consultation with the key employers on the route to ensure that every opportunity is taken to ensure that bus times are convenient for employees who wish to use the bus for commuting purposes.

3.0 Recommendation

- 3.1 It is recommended that Planning Committee:

To instruct the Assistant Director for Planning Services to undertake a deed of variation which amends the existing I06 Agreement as discussed in this report, to allow the public transport contribution for the development to be integrated with, and be delivered in tandem with, the LSTF programme.

Reason: To avoid a potential legal challenge and provide added value to both the S106 contribution and the LSTF programme.

PLANNING COMMITTEE

Decisions issued for the following period: 28 February 2012 to 26 March 2012

Note - This list includes:

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

Item No 1

Application Number: 11/01432/LBC **Applicant:** Plymouth City Council
Application Type: Listed Building
Description of Development: Upgrade internal and external electrical cabling with associated minor internal building works including internal alterations to switch room
Site PLYMOUTH PANNIER MARKET, MARKET AVENUE
PLYMOUTH
Case Officer: Mark Evans
Decision Date: 15/03/2012
Decision: Grant Conditionally

Item No 2

Application Number: 11/01608/FUL **Applicant:** Wolferstans
Application Type: Full Application
Description of Development: Continue use of former self-contained first-floor flat as offices
Site 9 RADFORD PARK ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 19/03/2012
Decision: Grant Conditionally

Item No 3

Application Number: 11/01742/FUL **Applicant:** Sarsen Housing Association
Application Type: Full Application
Description of Development: Redevelop site by erection of affordable housing development containing 18 apartments and 7 dwellings with associated parking and landscaping
Site FORMER ROYAL MARINE PUB SITE, TORRIDGE WAY PLYMOUTH
Case Officer: Robert Heard
Decision Date: 05/03/2012
Decision: Grant Subject to S106 Obligation - Full

Item No 4

Application Number: 11/01743/FUL **Applicant:** Guinness Hermitage
Application Type: Full Application
Description of Development: Redevelopment of site by erection of fifty-six, affordable one, two and three bedroom residential units with associated works, including access ramp, refuse storage and amenity space (amended scheme to Level 3 on the Code for Sustainable Homes)
Site FORMER SPORTS GROUND, HARWELL STREET PLYMOUTH
Case Officer: Janine Warne
Decision Date: 16/03/2012
Decision: Grant Subject to S106 Obligation - Full

Item No 5

Application Number: 11/01760/FUL **Applicant:** Mr L Garland
Application Type: Full Application
Description of Development: Conversion of dwelling to four one-bedroom flats
Site 31 FORD PARK ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 08/03/2012
Decision: Application Withdrawn

Item No 6

Application Number: 11/01804/LBC **Applicant:** Mr and Mrs Ward
Application Type: Listed Building
Description of Development: Removal of some internal wall partitions (retrospective)
Site FLAT 5, 5 ELLIOT TERRACE PLYMOUTH
Case Officer: Mark Utting
Decision Date: 29/02/2012
Decision: Grant Conditionally

Item No 7

Application Number: 11/01839/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Part two-storey, part single-storey extension and separate single-storey extension, to provide learning and residential accommodation, reception/office accommodation and associated facilities; alterations to existing building; formation of new access and parking area off Horn Lane; separate parking spaces on south eastern side of the site and new security fencing
Site DOWNHAM HOUSE,94 CHURCH ROAD PLYMSTOCK PLYMOUTH
Case Officer: Jon Fox
Decision Date: 28/02/2012
Decision: Grant Conditionally

Item No 8

Application Number: 11/01843/OU **Applicant:** Mrs P Lower
Application Type: Outline Application
Description of Development: Redevelopment of site by demolition of existing dwelling and construction of a three storey building containing nine apartments and provision of eight car parking spaces and turning area
Site THE COTTAGE, HILLSBOROUGH PLYMOUTH
Case Officer: Jon Fox
Decision Date: 02/03/2012
Decision: Refuse

Item No 9

Application Number: 11/01868/TP **Applicant:** Mr Stephen Vitali
Application Type: Tree Preservation
Description of Development: Remove 5 trees: 2 Conifers, 1 Cherry, 1 Birch, 1 Sapling
Corwn raise: 2 Conifer and 1 Ash to 3m above ground level
over parking area only
Site 26 LONGBROOK STREET PLYMOUTH
Case Officer: Jane Turner
Decision Date: 29/02/2012
Decision: Grant Conditionally

Item No 10

Application Number: 11/01882/FUL **Applicant:** Mr Darren Jones
Application Type: Full Application
Description of Development: Two-storey rear extension, alterations to private motor garage
to form playroom, and front porch
Site 1 MALLARD CLOSE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 07/03/2012
Decision: Grant Conditionally

Item No 11

Application Number: 11/01905/FUL **Applicant:** Funtime South West Ltd
Application Type: Full Application
Description of Development: Change of use and conversion of building to create a children's
soft play activity centre for children aged 6 months to 13 years
old
Site UNIT 7-9, GRACE MILL BUSINESS PARK, MAXWELL ROAD
PLYMOUTH
Case Officer: Jon Fox
Decision Date: 20/03/2012
Decision: Refuse

Item No 12

Application Number: 11/01936/FUL **Applicant:** Mr Brian Curtain
Application Type: Full Application
Description of Development: Erection of detached private motor garage with storage above
Site THE OLD VICARAGE, TAMERTON FOLIOT ROAD
PLYMOUTH
Case Officer: Janine Warne
Decision Date: 01/03/2012
Decision: Grant Conditionally

Item No 13

Application Number: 11/01939/FUL **Applicant:** Mr Richard Sanders
Application Type: Full Application
Description of Development: Two-storey side extension, attached side private motor garage
and front porch (existing garage to be removed)
Site 1 COPSE ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 29/02/2012
Decision: Grant Conditionally

Item No 14

Application Number: 11/01944/OU **Applicant:**
Application Type: Outline Application
Description of Development: Outline application for demolition of existing tenement and
erection of new building containing 20 student bed spaces
arranged as 4 cluster flats with associated bike shed, bin store
and vehicle hardstanding
Site 140 NORTH HILL PLYMOUTH
Case Officer: Robert Heard
Decision Date: 05/03/2012
Decision: Grant Conditionally

Item No 15

Application Number: 11/01961/FUL **Applicant:** Easylet Property Management
Application Type: Full Application
Description of Development: Change of use, conversion and alteration of residential institution to a thirteen bed student house in multiple occupation
Site WELBY HOUSE, 203 OUTLAND ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 21/03/2012
Decision: Grant Conditionally

Item No 16

Application Number: 11/01967/FUL **Applicant:** Mr Sydney Eastel
Application Type: Full Application
Description of Development: Front Conservatory (retrospective)
Site 26 COLEBROOK ROAD ST BUDEAUX PLYMOUTH
Case Officer: Mark Utting
Decision Date: 06/03/2012
Decision: Refuse

Item No 17

Application Number: 11/01980/FUL **Applicant:** Mr Andrew Preston
Application Type: Full Application
Description of Development: Re-develop site by erection of new 5 storey building containing commercial unit on ground floor and 10 apartments on upper floors with associated car parking, refuse and cycle storage (demolition of existing outbuilding)
Site SEAWINGS, 101 LAWRENCE ROAD PLYMOUTH
Case Officer: Robert Heard
Decision Date: 07/03/2012
Decision: Application Withdrawn

Item No 18

Application Number: 11/02000/FUL **Applicant:** Mr Mohamed El Mohamdi
Application Type: Full Application
Description of Development: Change of use from shop (A1) to take-away (A5) (ground and first floors) and installation of flue to rear
Site 67A EBRINGTON STREET PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 09/03/2012
Decision: Grant Conditionally

Item No 19

Application Number: 11/02006/FUL **Applicant:** Stoke Damerel Ltd
Application Type: Full Application
Description of Development: Replacement of single glazed steel windows with double glazed uPVC windows on south elevation
Site STOKE DAMEREL BUSINESS CENTRE,5 CHURCH STREET PLYMOUTH
Case Officer: Adam Williams
Decision Date: 07/03/2012
Decision: Application Withdrawn

Item No 20

Application Number: 11/02007/FUL **Applicant:** Mr Les Hardy
Application Type: Full Application
Description of Development: Erection of detached dwellinghouse with rooms in roofspace
Site Land between 1 RAILWAY COTTAGES and 9 LAWSON GROVE ORESTON PLYMOUTH
Case Officer: Jon Fox
Decision Date: 13/03/2012
Decision: Grant Conditionally

Item No 21

Application Number: 11/02022/FUL **Applicant:** Premier Parking Solutions Ltd
Application Type: Full Application
Description of Development: Change of use to form temporary pay and display car park for 18 months
Site FORMER FOOT ANSTEY SARGENT, 23 DERRYS CROSS PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 06/03/2012
Decision: Refuse

Item No 22

Application Number: 11/02028/FUL **Applicant:** Hallmark Estates South West
Application Type: Full Application
Description of Development: Erection of 24 dwellings with new access from Springfield Close and associated access road, car parking and public open space. Demolition of 27 Springfield Close
Site LAND TO REAR OF 27 SPRINGFIELD CLOSE PLYMOUTH
Case Officer: Robert Heard
Decision Date: 29/02/2012
Decision: Application Withdrawn

Item No 23

Application Number: 11/02029/FUL **Applicant:** Amber New Homes
Application Type: Full Application
Description of Development: Change of use and conversion from retail use to one-bedroomed ground floor flat
Site 35A CATTEDOWN ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 09/03/2012
Decision: Refuse

Item No 24

Application Number: 11/02030/FUL **Applicant:** Mr J Didymus
Application Type: Full Application
Description of Development: Erection of perimeter fence along Moorland Road and Seasons Lane
Site RIDGEWAY SCHOOL, MOORLAND ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 15/03/2012
Decision: Grant Conditionally

Item No 25

Application Number: 11/02044/FUL **Applicant:** McMullin Motors
Application Type: Full Application
Description of Development: Change of use of wholesale warehouse (Use Class B8) to motor vehicle servicing workshop (Use Class B2), including insertion of 3 roller shutter doors; and change of use of former jet wash building to workshop and provision of portable jet wash facility on forecourt area
Site MCMULLIN MOTORS, HORN CROSS ROAD PLYMSTOCK PLYMOUTH
Case Officer: Liz Wells
Decision Date: 26/03/2012
Decision: Refuse

Item No 26

Application Number: 11/02048/FUL **Applicant:** Tor Homes/Devon and Cornwall
Application Type: Full Application
Description of Development: Replacement of aluminium sliding sash windows to timber sliding sash windows
Site 40-41 ADELAIDE STREET STONEHOUSE PLYMOUTH
Case Officer: Mark Utting
Decision Date: 07/03/2012
Decision: Grant Conditionally

Item No 27

Application Number: 11/02050/FUL **Applicant:** Mr & Mrs Airton
Application Type: Full Application
Description of Development: Proposed two-storey side extension and single storey rear extension (conservatory)
Site 18 SELSDEN CLOSE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 01/03/2012
Decision: Refuse

Item No 28

Application Number: 11/02051/FUL **Applicant:** Stainless Steel Centre
Application Type: Full Application
Description of Development: Change of use and conversion of upper floors (including raising roof level to create additional storey and 2nd floor side extension) to create 6 bedsits and 2 flats
Site STAINLESS STEEL CENTRE, CLARE BUILDING CLARE PLACE PLYMOUTH
Case Officer: Robert Heard
Decision Date: 26/03/2012
Decision: Grant Conditionally

Item No 29

Application Number: 11/02052/FUL **Applicant:** Stainless Steel Centre
Application Type: Full Application
Description of Development: Redevelopment of site by erection of 6 storey building containing basement car park, ground floor retail unit and 12 flats above (renewal of planning permission 08/01603/FUL)
Site STAINLESS STEEL CENTRE, CLARE BUILDING CLARE PLACE PLYMOUTH
Case Officer: Robert Heard
Decision Date: 19/03/2012
Decision: Application Withdrawn

Item No 30

Application Number: 11/02053/TP **Applicant:** Mr Bernard Long
Application Type: Tree Preservation
Description of Development: Oak tree - shorten branches on side facing no.4 Lavington Close
Site 5 LAVINGTON CLOSE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 02/03/2012
Decision: Grant Conditionally

Item No 31

Application Number: 11/02054/FUL **Applicant:** Mr Mark Spencer
Application Type: Full Application
Description of Development: Change of use from A1 (shop) to A3 (restaurant) with A5 (hot food takeaway)
Site 140 VAUXHALL STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 22/03/2012
Decision: Grant Conditionally

Item No 32

Application Number: 11/02055/LBC **Applicant:** Mr Mark Spencer
Application Type: Listed Building
Description of Development: Alterations in association with change of use from A1 (shop) to A3 (restaurant) with A5 (hot food takeaway)
Site 140 VAUXHALL STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 22/03/2012
Decision: Grant Conditionally

Item No 33

Application Number: 12/00006/OU **Applicant:** Mr A Patrick
Application Type: Outline Application
Description of Development: Outline planning application to develop part of rear gardens for the erection of two bungalows and new access drive with all matters reserved
Site 83 AND 87 UNDERLANE PLYMSTOCK PLYMOUTH
Case Officer: Liz Wells
Decision Date: 09/03/2012
Decision: Refuse

Item No 34

Application Number: 12/00009/LBC **Applicant:** Rev T Smith
Application Type: Listed Building
Description of Development: Removal of chimney stacks and internal alterations including removal of existing partitions, stair, ground floor bathroom, introduction of new stair and first floor bathroom and kitchen reconfigured to create open plan living space at ground floor with new study/office
Site CHURCH COTTAGE, BEAUMONT ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 29/02/2012
Decision: Grant Conditionally

Item No 35

Application Number: 12/00011/FUL **Applicant:** Weston Mill Primary School
Application Type: Full Application
Description of Development: Construction of link porch between main school building and dining room, and replacement of perimeter fencing around school boundary with paladin weld mesh fencing
Site WESTON MILL PRIMARY SCHOOL, WOLSELEY ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 29/02/2012
Decision: Grant Conditionally

Item No 36

Application Number: 12/00013/FUL **Applicant:** Mr David Buckley
Application Type: Full Application
Description of Development: Extension of existing porch and extension of existing garage to form garage/car port
Site 3 ST JOHNS DRIVE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 02/03/2012
Decision: Grant Conditionally

Item No 37

Application Number: 12/00014/FUL **Applicant:** Mr Mark Duke
Application Type: Full Application
Description of Development: Side extension
Site 22 DONNINGTON DRIVE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 09/03/2012
Decision: Grant Conditionally

Item No 38

Application Number: 12/00015/TP **Applicant:** Mr Ashley Widdecombe
Application Type: Tree Preservation
Description of Development: 3 Douglas fir - remove
Site THE CARRIAGE HOUSE, BORINGDON HILL PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 01/03/2012
Decision: Refuse

Item No 39

Application Number: 12/00016/FUL **Applicant:** Mr Tony Nimmo
Application Type: Full Application
Description of Development: Temporary use for car storage and sales, associated portacabin sales office and erection of fencing and gates at the
Site 46 UNION STREET PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 07/03/2012
Decision: Grant Conditionally

Item No 40

Application Number: 12/00018/FUL **Applicant:** Mr Fred White
Application Type: Full Application
Description of Development: Part two-storey, part single-storey, side and rear extensions and extension to private motor garage
Site 9 COPPARD MEADOWS PLYMOUTH
Case Officer: Mike Stone
Decision Date: 07/03/2012
Decision: Grant Conditionally

Item No 41

Application Number: 12/00024/FUL **Applicant:** Rowan Homes (SW) Ltd
Application Type: Full Application
Description of Development: Construction of house and parking bay
Site LAND ADJACENT TO 857 WOLSELEY ROAD PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 21/03/2012
Decision: Refuse

Item No 42

Application Number: 12/00025/FUL **Applicant:** Mr Essy Kamaia
Application Type: Full Application
Description of Development: Construction of new rear boundary wall (demolition of existing stone wall), with removal of condition 3 of planning permission 11/00922/FUL to allow wall not to be clad in stone
Site CAR PARK, WOODSIDE PLYMOUTH
Case Officer: Robert Heard
Decision Date: 05/03/2012
Decision: Refuse

Item No 43

Application Number: 12/00026/TP **Applicant:** Mr Thomas Goldsmith
Application Type: Tree Preservation
Description of Development: Monterey pine - remove
Site 2 GARDEN PARK CLOSE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 01/03/2012
Decision: Refuse

Item No 44

Application Number: 12/00030/EXDE **Applicant:** Mr & Mrs Shaun Moore
Application Type: LDC Existing Develop
Description of Development: Single storey porch
Site 113 ST PANCRAS AVENUE PLYMOUTH
Case Officer: Mark Utting
Decision Date: 29/02/2012
Decision: Issue Certificate - Lawful Use

Item No 45

Application Number: 12/00041/FUL **Applicant:** Mr I Garton
Application Type: Full Application
Description of Development: Change of use of first floor flat to function room
Site THE DAIRY, 25 TO 27 BRETONSIDE PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 12/03/2012
Decision: Application Withdrawn

Item No 46

Application Number: 12/00043/FUL **Applicant:** Mr Timothy Taylor
Application Type: Full Application
Description of Development: Excavation of part of front garden, creation of footway and erection of double garage
Site 21 UNDERLANE PLYMPTON PLYMOUTH
Case Officer: Mike Stone
Decision Date: 07/03/2012
Decision: Refuse

Item No 47

Application Number: 12/00044/FUL **Applicant:** Mr Richard Earl
Application Type: Full Application
Description of Development: Two storey side extension and reconstruction of existing garage
Site 80 SHIRBURN ROAD PLYMOUTH
Case Officer: Mark Utting
Decision Date: 05/03/2012
Decision: Refuse

Item No 48

Application Number: 12/00046/TP **Applicant:** Widey Court Pre-School
Application Type: Tree Preservation
Description of Development: Tree maintenance works
Site WIDEY COURT PRE-SCHOOL, WIDEY LANE CROWNHILL PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 02/03/2012
Decision: Grant Conditionally

Item No 49

Application Number: 12/00049/PR **Applicant:** Mr Edward Doran
Application Type: LDC Proposed Develop
Description of Development: Single-storey rear extension
Site 8 WESLEY AVENUE PLYMOUTH
Case Officer: Mark Utting
Decision Date: 13/03/2012
Decision: Issue Certificate - Lawful Use

Item No 50

Application Number: 12/00051/FUL **Applicant:** Miss L Wotton
Application Type: Full Application
Description of Development: Change of use and conversion of four-bedroom dwellinghouse into 2 two-bedroom dwellings including provision of new rooflights
Site 5 MERAFIELD ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 08/03/2012
Decision: Grant Conditionally

Item No 51

Application Number: 12/00053/LBC **Applicant:** Anchor Trust
Application Type: Listed Building
Description of Development: Installation of wall flues through to boilers
Site HAM HOUSE, TEWKESBURY CLOSE LOWER HAM PLYMOUTH
Case Officer: Mark Utting
Decision Date: 23/03/2012
Decision: Grant Conditionally

Item No 52

Application Number: 12/00054/FUL **Applicant:** Mr Graham Harry
Application Type: Full Application
Description of Development: Single-storey side extension incorporating double garage
Site 42 PLYMBRIDGE ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 08/03/2012
Decision: Grant Conditionally

Item No 53

Application Number: 12/00056/FUL **Applicant:** Mr J M Rojas Beltran
Application Type: Full Application
Description of Development: Change of use to tattoo studio and shop
Site 40 MAYFLOWER STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 16/03/2012
Decision: Grant Conditionally

Item No 54

Application Number: 12/00057/FUL **Applicant:** Mr Stephen Romanski
Application Type: Full Application
Description of Development: Two-storey rear extension
Site 19 MACAULAY CRESCENT PLYMOUTH
Case Officer: Adam Williams
Decision Date: 07/03/2012
Decision: Grant Conditionally

Item No 55

Application Number: 12/00058/FUL **Applicant:** Mr Paul Jordan
Application Type: Full Application
Description of Development: Erection of attached two-storey dwellinghouse with additional rooms in the roofspace
Site 1 REYNOLDS ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 12/03/2012
Decision: Grant Conditionally

Item No 56

Application Number: 12/00059/FUL **Applicant:** Linden Homes South West &
Application Type: Full Application
Description of Development: The provision of an additional storey to the approved George Street flat block (ref 09/00297/FUL) to provide three additional residential units (1 x 1 bed & 2 x 2 bed)
Site KER STREET
Case Officer: Jeremy Guise
Decision Date: 14/03/2012
Decision: Application Withdrawn

Item No 57

Application Number: 12/00063/FUL **Applicant:** Neil Satchwell
Application Type: Full Application
Description of Development: Replace and extend pitched roof, first floor extensions, including rooms in proposed roofspace to extend landlords accommodation and provide 7 lettable rooms
Site THE FERRY HOUSE INN, 888 WOLSELEY ROAD PLYMOUTH
Case Officer: Carly Kirk
Decision Date: 08/03/2012
Decision: Grant Conditionally

Item No 58

Application Number: 12/00065/FUL **Applicant:** Mr Clarke and Mrs Legg
Application Type: Full Application
Description of Development: Roof alteration to front (flat to pitched)
Site 38 and 40 WOLRIGE WAY PLYMOUTH
Case Officer: Liz Wells
Decision Date: 14/03/2012
Decision: Grant Conditionally

Item No 59

Application Number: 12/00067/TC **Applicant:** Mr Tim Quinn
Application Type: Trees in Cons Area
Description of Development: 3 Conifers - Fell
Site SPRING COTTAGE, BACK LANE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 02/03/2012
Decision: Grant Conditionally

Item No 60

Application Number: 12/00071/FUL **Applicant:** Miss Jacqueline Mead
Application Type: Full Application
Description of Development: Demolish existing single storey rear extensions and build two storey rear extension
Site 56 FLEET STREET PLYMOUTH
Case Officer: Mark Utting
Decision Date: 09/03/2012
Decision: Grant Conditionally

Item No 61

Application Number: 12/00073/FUL **Applicant:** Mr Charles Matthews
Application Type: Full Application
Description of Development: Landscape work to garden including lowering ground level and extension of driveway
Site 177 DUNRAVEN DRIVE PLYMOUTH
Case Officer: Mark Utting
Decision Date: 29/02/2012
Decision: Grant Conditionally

Item No 62

Application Number: 12/00074/FUL **Applicant:** Mr J Bowden
Application Type: Full Application
Description of Development: Front porch
Site 8 HOLTWOOD ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 15/03/2012
Decision: Grant Conditionally

Item No 63

Application Number: 12/00075/FUL **Applicant:** Mr Richard Eccles
Application Type: Full Application
Description of Development: Change of use from offices on 1st and 2nd floor to one dwelling
Site 54 DEVONPORT ROAD PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 07/03/2012
Decision: Grant Conditionally

Item No 64

Application Number: 12/00085/FUL **Applicant:** The Cooperative Bank
Application Type: Full Application
Description of Development: Installation of cash machine
Site 296 BEACON PARK ROAD PLYMOUTH
Case Officer: Mark Utting
Decision Date: 13/03/2012
Decision: Grant Conditionally

Item No 65

Application Number: 12/00086/FUL **Applicant:** Rowes Garage
Application Type: Full Application
Description of Development: Single-storey extension to car sales and repair garage
Site 56 ORESTON ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 13/03/2012
Decision: Grant Conditionally

Item No 66

Application Number: 12/00087/FUL **Applicant:** Greenergy International Ltd
Application Type: Full Application
Description of Development: Installation of new fuel storage tank
Site GREENERGY FUEL DISTRIBUTION TERMINAL CATTEDOWN SITE, BREAKWATER HILL PLYMOUTH
Case Officer: Jon Fox
Decision Date: 15/03/2012
Decision: Grant Conditionally

Item No 67

Application Number: 12/00088/FUL **Applicant:** Wharfdale Limited
Application Type: Full Application
Description of Development: Development of two three bedroom dwellings with integral garages, associated parking and landscaping
Site FORMER COMMERCIAL SITE, WESLEY PLACE MUTLEY PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 09/03/2012
Decision: Refuse

Item No 68

Application Number: 12/00089/FUL **Applicant:** Mr Ernie Edgcumbe
Application Type: Full Application
Description of Development: Installation of galvanised external fire escape staircase and formation of footway to existing pedestrian footway
Site THE BARN, KIT HILL CRESCENT PLYMOUTH
Case Officer: Adam Williams
Decision Date: 09/03/2012
Decision: Grant Conditionally

Item No 69

Application Number: 12/00092/FUL **Applicant:** Warren James Ltd
Application Type: Full Application
Description of Development: New shop front
Site 90 NEW GEORGE STREET PLYMOUTH
Case Officer: Mark Utting
Decision Date: 29/02/2012
Decision: Grant Conditionally

Item No 70

Application Number: 12/00093/ADV **Applicant:** Warren James Ltd
Application Type: Advertisement
Description of Development: 1x internally illuminated fascia sign
Site 90 NEW GEORGE STREET PLYMOUTH
Case Officer: Mark Utting
Decision Date: 29/02/2012
Decision: Grant Conditionally

Item No 71

Application Number: 12/00094/LBC **Applicant:** Mr Andrew Downey
Application Type: Listed Building
Description of Development: Works in connection with a change of use of flat roof area and adjacent room to open air café and associated preparation area/servery
Site HOE ROAD PLYMOUTH
Case Officer: Carly Kirk
Decision Date: 15/03/2012
Decision: Grant Conditionally

Item No 72

Application Number: 12/00097/FUL **Applicant:** Mr Watson
Application Type: Full Application
Description of Development: Rear conservatory and raised decking (existing conservatory to be replaced)
Site 28 HOMER RISE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 07/03/2012
Decision: Grant Conditionally

Item No 73

Application Number: 12/00098/FUL **Applicant:** Rossimon Hughes Ltd
Application Type: Full Application
Description of Development: Sub-division of Unit B6 into B6A and B6B together with installation of first floor office to Unit B6B, construction of enclosed external storage compound and alterations to parking layout
Site UNIT B6, PLYMPTON PARK, BELL CLOSE PLYMOUTH
Case Officer: Jon Fox
Decision Date: 09/03/2012
Decision: Grant Conditionally

Item No 74

Application Number: 12/00102/FUL **Applicant:** Mr Peter Reynolds
Application Type: Full Application
Description of Development: Change of use from two flats to one single dwellinghouse
Site 11 ADELAIDE LANE PLYMOUTH
Case Officer: Mark Utting
Decision Date: 29/02/2012
Decision: Grant Conditionally

Item No 75

Application Number: 12/00104/FUL **Applicant:** Mr Michael Sandey
Application Type: Full Application
Description of Development: Extension and alteration to existing garage and hardstanding (raising level and widening drive)
Site 26 GILWELL AVENUE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 12/03/2012
Decision: Grant Conditionally

Item No 76

Application Number: 12/00105/FUL **Applicant:** Mr S R Williams
Application Type: Full Application
Description of Development: Demolish existing building and develop site by erection of dwellinghouse with integral double private motor garage. (Renewal of permission 08/01528/FUL)
Site LAND ADJOINING GLEN LODGE, GLEN ROAD MANNAMEAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 21/03/2012
Decision: Grant Conditionally

Item No 77

Application Number: 12/00106/FUL **Applicant:** Mr B Sprangle
Application Type: Full Application
Description of Development: Two storey rear extension
Site 26A MONTPELIER ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 16/03/2012
Decision: Grant Conditionally

Item No 78

Application Number: 12/00107/CA **Applicant:** Mr S R Williams
Application Type: Conservation Area
Description of Development: Demolition of redundant building containing 4 lock-up garages and store (renewal of permission 08/01532/CAC)
Site LAND ADJOINING GLEN LODGE, GLEN ROAD MANNAMEAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 21/03/2012
Decision: Grant Conditionally

Item No 79

Application Number: 12/00108/FUL **Applicant:** Mr Ian Southern
Application Type: Full Application
Description of Development: Two-storey rear extension including demolition of existing conservatory
Site 136 BEACON PARK ROAD BEACON PARK PLYMOUTH
Case Officer: Mark Utting
Decision Date: 07/03/2012
Decision: Grant Conditionally

Item No 80

Application Number: 12/00109/FUL **Applicant:** Mr M Vetì
Application Type: Full Application
Description of Development: Extensions and alterations, comprising: two storey side extension, single storey rear extension and single storey front extension
Site 64 STENTAWAY ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 20/03/2012
Decision: Grant Conditionally

Item No 81

Application Number: 12/00110/FUL **Applicant:** Plymouth Golf Centre
Application Type: Full Application
Description of Development: Installation of modular building for physiotherapy use
Site PLYMOUTH GOLF CENTRE, HAYE ROAD ELBURTON PLYMOUTH
Case Officer: Jon Fox
Decision Date: 20/03/2012
Decision: Grant Conditionally

Item No 82

Application Number: 12/00113/TP **Applicant:** Mr Robert Whear
Application Type: Tree Preservation
Description of Development: 2 ash - reduce by 30%
birch - fell or reduce
elm - fell
Site AVALON 1 BLUE HAZE CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 14/03/2012
Decision: Grant Conditionally

Item No 83

Application Number: 12/00114/FUL **Applicant:** Mr Ian Waites
Application Type: Full Application
Description of Development: Single storey rear extension
Site 78 FURZEHATT ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 21/03/2012
Decision: Grant Conditionally

Item No 84

Application Number: 12/00115/FUL **Applicant:** ALDI Stores Ltd
Application Type: Full Application
Description of Development: Solar Panels
Site ALDI FOODSTORE, UNION STREET PLYMOUTH
Case Officer: Adam Williams
Decision Date: 16/03/2012
Decision: Grant Conditionally

Item No 85

Application Number: 12/00117/FUL **Applicant:** Dr S Barton
Application Type: Full Application
Description of Development: Partial demolition of existing single-storey rear extension and addition of new single-storey rear extension with dual pitched roof to form annex accommodation (revision of previous permission 10/02036/FUL)
Site 42 DURNFORD STREET PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 05/03/2012
Decision: Grant Conditionally

Item No 86

Application Number: 12/00118/LBC **Applicant:** Dr S Barton
Application Type: Listed Building
Description of Development: Partial demolition of existing single-storey rear extension and addition of new single-storey rear extension with dual pitched roof to form annex accommodation (revision to previous permission 10/02004/LBC)
Site 42 DURNFORD STREET PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 05/03/2012
Decision: Grant Conditionally

Item No 87

Application Number: 12/00121/FUL **Applicant:** M G Russell
Application Type: Full Application
Description of Development: Extension to existing single detached garage with new pitched roof and replacement of existing timber fence with new wall
Site 1 TOR CLOSE HARTLEY PLYMOUTH
Case Officer: Mark Utting
Decision Date: 09/03/2012
Decision: Grant Conditionally

Item No 88

Application Number: 12/00125/FUL **Applicant:** Amey Lg
Application Type: Full Application
Description of Development: Replacement of existing accessible toilet with 3 accessible toilets at street level, refurbishment of below-ground toilets, construction of canopy roofs over the entrance and exit stairwells, and infilling of rear stairwells to create new public space
Site PUBLIC TOILETS, ARMADA WAY PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 23/03/2012
Decision: Grant Conditionally

Item No 89

Application Number: 12/00126/ADV **Applicant:** Vospers Motorhouse
Application Type: Advertisement
Description of Development: Free standing externally illuminated totem signs
Site VOSPERS MARSH MILLS PARK PLYMOUTH
Case Officer: Mark Utting
Decision Date: 29/02/2012
Decision: Grant Conditionally

Item No 90

Application Number: 12/00135/FUL **Applicant:** Commercial Concepts Ltd
Application Type: Full Application
Description of Development: Demolition of public house and erection of a terrace of 4 no. 3 storey dwellings and associated parking forecourt
Site HELE ARMS,34 MARKET ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 23/03/2012
Decision: Grant Conditionally

Item No 91

Application Number: 12/00138/FUL **Applicant:** Mrs L Shave
Application Type: Full Application
Description of Development: Loft conversion including installation of velux roof windows
Site 55 RAMSEY GARDENS MANADON PLYMOUTH
Case Officer: Mark Utting
Decision Date: 09/03/2012
Decision: Grant Conditionally

Item No 92

Application Number: 12/00139/FUL **Applicant:** Mr Bob Goodman
Application Type: Full Application
Description of Development: Single storey rear extension
Site 47 PLYMSTOCK ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 22/03/2012
Decision: Grant Conditionally

Item No 93

Application Number: 12/00146/RE **Applicant:** Cavanna Homes (Cornwall) Ltd
Application Type: Reserved Matters
Description of Development: Erection of 100 dwellings with associated garages, parking, footpaths, roads and open space; application for reserved matters pursuant to outline planning permission 08/01968: variation of condition 1 of approval of reserved matters reference 11/00655 to substitute parking spaces instead of garages at plots 2, 3, 7, 8, 16, 17, 32, 45, 46 and 91
Site PLYMOUTH AIRPORT, PLYMBRIDGE LANE PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 22/03/2012
Decision: Grant Conditionally

Item No 94

Application Number: 12/00148/FUL **Applicant:** Mr I Butt
Application Type: Full Application
Description of Development: Two storey rear extension
Site 68 AMADOS DRIVE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 26/03/2012
Decision: Refuse

Item No 95

Application Number: 12/00149/FUL **Applicant:** Mrs Judith Sheehy
Application Type: Full Application
Description of Development: Application to extend the extant of planning permission (09/00008/FUL) for a two storey side extension including rear balcony
Site 3 VINE CRESCENT PLYMOUTH
Case Officer: Mark Utting
Decision Date: 09/03/2012
Decision: Grant Conditionally

Item No 96

Application Number: 12/00164/FUL **Applicant:** Mr and Mrs P Willcocks
Application Type: Full Application
Description of Development: Two storey side extension
Site 23 PEACOCK CLOSE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 21/03/2012
Decision: Grant Conditionally

Item No 97

Application Number: 12/00177/FUL **Applicant:** Mr Peter Stapleton
Application Type: Full Application
Description of Development: Loft conversion and rear dormer to first floor flat
Site 42 FORD PARK ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 16/03/2012
Decision: Grant Conditionally

Item No 98

Application Number: 12/00180/FUL **Applicant:** Mr Adrian Isaacs
Application Type: Full Application
Description of Development: Rear conservatory
Site 56 WHITEHAVEN WAY PLYMOUTH
Case Officer: Mark Utting
Decision Date: 16/03/2012
Decision: Grant Conditionally

Item No 99

Application Number: 12/00190/PR **Applicant:** Plymstock School
Application Type: LDC Proposed Develop
Description of Development: Solar panels on sports hall roof
Site PLYMSTOCK SCHOOL,29 CHURCH ROAD PLYMSTOCK
PLYMOUTH
Case Officer: Liz Wells
Decision Date: 12/03/2012
Decision: Issue Certificate - Lawful Use

Item No 100

Application Number: 12/00194/FUL **Applicant:** University of Plymouth
Application Type: Full Application
Description of Development: Re-position electric generator next to Davy Building and erect new external flue on side of Davy Building
Site UNIVERSITY OF PLYMOUTH, DAVY BUILDING DRAKE CIRCUS PLYMOUTH
Case Officer: Mike Stone
Decision Date: 16/03/2012
Decision: Grant Conditionally

Item No 101

Application Number: 12/00196/FUL **Applicant:** Mr David Smith
Application Type: Full Application
Description of Development: Rear conservatory
Site 493 TAVISTOCK ROAD PLYMOUTH
Case Officer: Mark Utting
Decision Date: 20/03/2012
Decision: Grant Conditionally

Item No 102

Application Number: 12/00198/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Provision of replacement bin store
Site 133-159 RINGMORE WAY PLYMOUTH
Case Officer: Mark Utting
Decision Date: 20/03/2012
Decision: Grant Conditionally

Item No 103

Application Number: 12/00200/LBC **Applicant:** Plymouth University
Application Type: Listed Building
Description of Development: Fixing a bronze plaque
Site SCOTT MEMORIAL STATUE, MOUNT WISE PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 21/03/2012
Decision: Grant Conditionally

Item No 104

Application Number: 12/00201/FUL **Applicant:** Mr Wayne Dunn
Application Type: Full Application
Description of Development: Two storey rear extension and erection of front porch
Site 10 CAXTON GARDENS PLYMOUTH
Case Officer: Mark Utting
Decision Date: 22/03/2012
Decision: Grant Conditionally

Item No 105

Application Number: 12/00207/ADV **Applicant:** Esso Petroleum Co Ltd
Application Type: Advertisement
Description of Development: Illuminated double sided totem sign
Site MILEHOUSE FILLING STATION, 23 WOLSELEY ROAD
PLYMOUTH
Case Officer: Mark Utting
Decision Date: 20/03/2012
Decision: Grant Conditionally

Item No 106

Application Number: 12/00208/FUL **Applicant:** Mr Douglas Culverwell
Application Type: Full Application
Description of Development: Two storey front and side extension, single storey front and rear extension, new entrance canopy and associated alterations to dwelling
Site 82 POWISLAND DRIVE PLYMOUTH
Case Officer: Mark Utting
Decision Date: 22/03/2012
Decision: Grant Conditionally

Item No 107

Application Number: 12/00214/FUL **Applicant:** Mr & Mrs Horswell
Application Type: Full Application
Description of Development: Removal of existing lean-to conservatory and garage and erection of new single storey extension with pitched roof
Site 13 MARGARET PARK PLYMOUTH
Case Officer: Mark Utting
Decision Date: 23/03/2012
Decision: Grant Conditionally

Item No 108

Application Number: 12/00223/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Proposed conversion and change of use of 2 no. flats to one dwellinghouse
Site 26A & 26B MANSTON CLOSE PLYMOUTH
Case Officer: Mark Utting
Decision Date: 22/03/2012
Decision: Grant Conditionally

Item No 109

Application Number: 12/00231/ADV **Applicant:** Accor Hotels
Application Type: Advertisement
Description of Development: 5x fascia signs and 1x totem sign
Site: HOTEL IBIS, LONGBRIDGE ROAD PLYMOUTH
Case Officer: Mark Utting
Decision Date: 22/03/2012
Decision: Grant Conditionally

Item No 110

Application Number: 12/00244/TP **Applicant:** Mr C Davey
Application Type: Tree Preservation
Description of Development: Group of bay trees - reduce by 3 metres
Site: 1 OLD MILL COURT PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 23/03/2012
Decision: Grant Conditionally

Item No 111

Application Number: 12/00245/TC **Applicant:** Mr Sharp Donald
Application Type: Trees in Cons Area
Description of Development: 3 deciduous trees - reduce by 10 feet and shape crowns
Site: 15 RAYNHAM ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 22/03/2012
Decision: Grant Conditionally

Item No 112

Application Number: 12/00246/TP **Applicant:** Mrs Carole Potts
Application Type: Tree Preservation
Description of Development: Oak 30% reduction and 30% thin
Site: 10 CANDISH DRIVE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 08/03/2012
Decision: Application Withdrawn

Item No 113

Application Number: 12/00250/FUL **Applicant:** Mr Daniel Axworthy
Application Type: Full Application
Description of Development: Single storey rear extension and two storey side extension with ground floor providing accommodation for an elderly relative
Site 76 BEARSDOWN ROAD PLYMOUTH
Case Officer: Mark Utting
Decision Date: 21/03/2012
Decision: Grant Conditionally

Item No 114

Application Number: 12/00253/FUL **Applicant:** Evans Harvey Solicitors
Application Type: Full Application
Description of Development: Overcladding of existing entrance doors with timber façade
Site 39 MORSHEAD ROAD PLYMOUTH
Case Officer: Mark Utting
Decision Date: 22/03/2012
Decision: Grant Conditionally

Item No 115

Application Number: 12/00270/TP **Applicant:** Mr Ronald Perry
Application Type: Tree Preservation
Description of Development: Lime - crown lift to 4m above garden level
- reduce lower limbs towards house by 2m
- remove epicormic growth
Site 103 LOOSELEIGH LANE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 26/03/2012
Decision: Grant Conditionally

Item No 116

Application Number: 12/00349/FUL **Applicant:** Mr Clive Turner
Application Type: Full Application
Description of Development: Change of use from flats to dwelling house and internal alterations
Site 16A & B MANSTON CLOSE PLYMOUTH
Case Officer: Mark Utting
Decision Date: 15/03/2012
Decision: Application Withdrawn

Item No 117

Application Number: 12/00359/FUL **Applicant:** Mrs Tracy Retter
Application Type: Full Application
Description of Development:
Site 63 DEVONPORT ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 26/03/2012
Decision: Application Withdrawn

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

Application Number **11/00134/ADV**
Appeal Site **RENAULT VOSPERS, MARSH MILLS PARK PLYMOUTH**
Appeal Proposal 1 illuminated totem sign (refused) and 3 flag poles (approved)
Case Officer Mark Utting

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 17/01/2012

Conditions
Award of Costs Awarded To

Appeal Synopsis

The inspector concludes that within the context of this busy section of road with considerable signage, further large-scale freestanding displays would add to clutter of signage along this road - thus materially harming the appearance of the area.

Application Number **11/00982/FUL**
Appeal Site **15 COMPTON PARK ROAD PLYMOUTH**
Appeal Proposal Develop part of rear garden by erection of detached dwelling with integral garage
Case Officer Janine Warne

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 06/03/2012

Conditions
Award of Costs Awarded To

Appeal Synopsis

The Inspector agreed that the proposed development would, by reason of its height, design, external materials and loss of a significant section of stone wall, harm the character and appearance of the streetscene, contrary to Core Strategy policies CS02 (design) and CS34 (planning application considerations). However, the Inspector did not agree that the proposal would give rise to undue highway and pedestrian safety concerns as, whilst he acknowledged that there are issues of limited driver visibility in leaving the site, the road to the west of appeal site is a narrow cul-de-sac, with low traffic volumes and vehicle speeds. Therefore the appeal was dismissed on design grounds alone.

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