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Planning Committee

Thursday 31 May 2012

PRESENT:

Councillor Stevens, in the Chair.

Councillor Tuohy, Vice Chair.

Councillors Mrs Bowyer, Darcy, Sam Davey, Mrs Foster, Nicholson, John Smith, Stark, Jon Taylor, Vincent and Wheeler.

Also in attendance: Peter Ford – Lead Planning Officer, Mark Lawrence – Lawyer and Ross Jago – Democratic Support Officer.

The meeting started at 5.00 pm and finished at 8.15 pm.

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

1. DECLARATIONS OF INTEREST

The following declarations of interest were made in accordance with the code of conduct –

Name	Minute No. and Subject	Reason	Interest
Councillor John Smith	5.4 Parkview House, Trelawney Lane, Plymouth. 12/00568/FUL	Previous owner is personal friend.	Personal
Councillor Wheeler	Pottery Quay, Pottery Road, Plymouth. 12/00116/FUL	Member of the Tamar Bridge and Torpoint Ferry Joint Committee.	Personal
Councillor Mrs Wendy Foster	Appeal Decisions (10/02097/FUL)	Letter of objection sent to Planning Services.	Personal

2. MINUTES

Agreed the minutes of the meeting held on 5 April 2012, subject to the following amendments-

- I. that Councillor Stark is added to those in attendance;

2. that the voting schedule is amended to show Councillor Wheeler voted in favour of minute number 113.1.

CHAIRS URGENT BUSINESS

3. Localism Act - Section 143

The Chair requested that the Lead Planning Officer update the committee on new requirements outlined in Section 143 of the Localism Act 2012, it was reported that -

Section 143 makes local finance considerations a material consideration when deciding applications for planning permission in England. Such local financial considerations cover –

- grants or other financial assistance provided by government;
- sums a relevant authority receives in payment of Community Infrastructure Levy.

In future information required with regard to section 143 would be provided within case officers reports.

(In accordance with Section 100(B)(4)(b) of the Local Government Act, 1972, the Chair brought forward the above item for urgent consideration because of the need to notify Members in accordance with the Localism Act 2012).

4. QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions from members of the public.

5. PLANNING APPLICATIONS FOR CONSIDERATION

The Committee considered the following applications, development proposals by local authorities, and statutory consultations submitted under the Town and Country Planning Act, 1990, and the Planning (Listed Buildings and Conservation Areas) Act, 1990. Addendum reports were submitted in respect of minute numbers 5.2, 5.3 and 5.4.

5.1 37 LYNWOOD AVENUE, PLYMPTON, PLYMOUTH. 12/00501/FUL

(Mr P Luke)

Decision:

Application **GRANTED** conditionally.

5.2 LAMSPARK CARE HOME, 38 MERAFIELD ROAD, PLYMOUTH. 12/00511/FUL

(Mr D Wraighte)

Decision:

Application **DEFERRED** for site visit to further consider issues of amenity, highways

and development of the site in its entirety.

(The Committee heard representations against the application from Councillor Mrs Beer, ward member).

(Councillor Nicholson's proposal for a deferral for a site visit, having been seconded by Councillor Mrs Foster, was put to the vote and declared carried).

5.3 PARKVIEW HOUSE, TRELAWNEY LANE, PLYMOUTH. I2/00568/FUL

(T & O Developments)

Decision:

Application **REFUSED** as deemed contrary to the following core strategy policies –

CS02 – in respect to the design and character of the new development

CS05 – in respect to loss of a viable employment site required to meet the local area employment needs

CS34 (3,4,6 and 7) – in respect to detailed neighbour considerations

(The Committee heard representations against the application from Councillor Dr Mahony, ward member via a written submission).

(The Committee heard representations against the application).

(The Committee heard representations in support of the application from the applicant's agent).

(Councillor Nicholson's proposal to refuse the application, on the reasons as stated above, having been seconded by Councillor Darcy, was put to the vote and declared carried).

(Councillor J Smith declared a personal interest on the above item)

In compliance with S143 of the Localism Act the local finance consideration would relate to New Homes Bonus. In the case of this application a total New Homes Bonus incentive of approximately £57,660 could apply over a 6 year period based on 7 properties being sold within Council Tax band C and D.

The committee was informed by the lead planning officer that the Localism Act also contained provisions under section 123 for a Local Planning Authority to refuse to determine applications where the land/property is the subject of an enforcement notice.

The committee was informed that this section of the act is not relevant to this specific application since the application was registered before the act came into effect. The Chair, Vice-Chair, Shadow lead and lead planning officer would discuss the future approach to using this power outside of the meeting.

5.4 POTTERY QUAY, POTTERY ROAD, PLYMOUTH. 12/00116/FUL

(Hadley Property Group)

Decision:

Application **DEFERRED** for further negotiation with the developer and local residents over local employment opportunities, parking, noise and accessibility.

(The Committee heard representations against the application from Councillor K Taylor, ward member).

(The Committee heard representations against the application).

(The Committee heard representations in support of the application from the applicant's agent).

(Councillor Nicholson's proposal to defer for further negotiation with the developer over consultation, having been seconded by Councillor Wheeler, was put to the vote and declared carried).

In compliance with S143 of the Localism Act the local finance consideration would relate to New Homes Bonus. In the case of this application a total New Homes Bonus incentive of approximately £490,219 could apply over a 6 year period based on 73 properties being sold within Council Tax band B.

5.5 PROPOSED VARIATION TO SECTION 106, THE MILLFIELDS, PLYMOUTH.

Agreed that the Committee instruct the Assistant Director for Planning Services to prepare and complete a deed of variation which amends the existing S106 obligation as follows-

1. that the administration fee of £9,894.50 is waived by the Council;
2. that the single lump sum of £66,000, being the affordable housing contribution, is paid by Matrix Plymouth SA to the Council before occupation of the 5th unit in second building;
3. that the sums of £11,517 and £21,428, being the off-site play and education contributions, are paid by Matrix Plymouth SA to the Council before occupation of the 5th unit in the third building to be completed.

6. PLANNING APPLICATION DECISIONS ISSUED

The Committee received a report of the Assistant Director of Development (Planning Services) on decisions issued for the period 27 March to 20 May 2012, including –

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

- Applications withdrawn
- Applications returned as invalid

7. **APPEAL DECISIONS**

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

(Councillor Mrs Foster Declared a personal interest on the above item)

8. **EXEMPT BUSINESS**

There were no items of exempt business.

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

PLEASE NOTE

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

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SCHEDULE OF VOTING

Minute number and Application	Voting for	Voting against	Abstained	Absent due to interest declared	Absent
5.1 37 Lynwood Avenue, Plympton, Plymouth. 12/00501/FUL	Unanimous				
5.2 Lambspark Care Home, 38 Merafield Road, Plymouth. 12/00511/FUL	Councillor Tuohy, J Smith, J Taylor, Mrs Foster, Mrs Bowyer, Darcy, Nicholson and Stark.	Councillor S Davey	Councillors Stevens, Wheeler and Vincent.		
5.3 Parkview House, Trelawney Lane, Plymouth. 12/00568/FUL	Unanimous				
5.4 Pottery Quay, Pottery Road, Plymouth. 12/00116/FUL	Unanimous				
5.5 Proposed Variation To Section 106, The Millfields, Plymouth.	Unanimous				

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