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Date: 9 October 2012

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PLANNING COMMITTEE

Date: Thursday 18 October 2012

Time: 5 pm

Venue: Council House, Armada Way, Plymouth

Members:

Councillor Stevens, Chair

Councillor Tuohy, Vice Chair

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

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.

This meeting will be broadcast live to the internet and will be capable of subsequent repeated viewing. By entering the Council Chamber and during the course of the meeting, Councillors are consenting to being filmed and to the use of those recordings for webcasting.

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Bob Coomber

Interim Chief Executive

PLANNING COMMITTEE

AGENDA

PART I – PUBLIC MEETING

1. APOLOGIES

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

1. DECLARATIONS OF INTEREST

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

3. MINUTES (Pages 1 - 8)

The Committee will be asked to confirm the minutes of the meeting held on 20 September 2012.

4. CHAIR'S URGENT BUSINESS

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

5. QUESTIONS FROM MEMBERS OF THE PUBLIC

The Chair will receive and respond to questions from members of the public submitted in accordance with the Council's procedures. Questions shall not normally exceed 50 words in length and the total length of time allowed for public questions shall not exceed 10 minutes. Any question not answered within the total time allowed shall be the subject of a written response.

6. COMPLIANCE OF PLANNING CONDITIONS (Pages 9 - 56) IMPOSED UPON PLANNING REF 11/00750 (FOR THE CONSTRUCTION OF ENERGY FROM WASTE PLANT IN HER MAJESTY'S NAVAL BASE, DEVONPORT)

The Director for Place will submit a written report on the 'Compliance of Planning Conditions Imposed Upon Planning Ref 11/00750 (For the Construction of Energy From Waste Plant in Her Majesty's Naval Base, Devonport).

7. PLANNING APPLICATIONS FOR CONSIDERATION (Pages 57 - 58)

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. BOSTONS BOAT YARD, BAYLYS ROAD, PLYMOUTH. (Pages 59 - 86)
12/01180/FUL

Applicant: Mr I Pugsley
Ward: Plymstock Radford
Recommendation: Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 24 October 2012.

7.2. SEAWINGS, 101 LAWRENCE ROAD, PLYMOUTH. (Pages 87 - 106)
12/01339/FUL

Applicant: Mr Andrew Preston
Ward: Plymstock Radford
Recommendation: Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 18 January 2013.

7.3. 21 DEAN ROAD, PLYMOUTH. 12/01520/FUL (Pages 107 - 114)

Applicant: James Dean and Kerry Everson
Ward: Plympton St Mary
Recommendation: Grant Conditionally.

7.4. 10 THIRD AVENUE, BILLACOMBE, PLYMOUTH. (Pages 115 - 120)
12/01425/FUL

Applicant: Mr P McMullin
Ward: Plymstock Dunstone
Recommendation: Grant Conditionally.

8. PLANNING APPLICATION DECISIONS ISSUED (Pages 121 - 156)

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 10 September to 8 October 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.

9. APPEAL DECISIONS

(Pages 157 - 158)

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.

10. 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 20 September 2012

PRESENT:

Councillor Stevens, in the Chair.

Councillor Tuohy, Vice Chair.

Councillors Mrs Aspinall (substitute for Councillor Vincent), Mrs Bowyer, Darcy, Sam Davey, Nicholson, Mrs Nicholson (substitute for Councillor Mrs Foster), John Smith, Stark, Jon Taylor and Wheeler.

Apologies for absence: Councillors Mrs Foster and Vincent.

Also in attendance: Ray Williams – Lead Planning Officer, Julie Rundle – Planning Lawyer, and Ross Johnston – Democratic Support Officer.

The meeting started at 5pm and finished at 7.55pm.

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.

34. 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 Nicholson	38. Compliance of Planning Conditions Imposed upon Planning Ref 11/00750 (for the construction of Energy from Waste Plant in Her Majesty's Naval Base, Devonport)	Employed by Babcock International Group	Personal
Councillor John Smith	39.2 22 Ganna Park Road, Plymouth 12/01227/FUL	Knows the speaker.	Personal

35. **MINUTES**

Agreed the minutes of the meeting held on 23 August 2012 subject to Councillor Mrs Nicholson being included in the voting schedule and Councillor Nicholson, who was absent, removed.

36. **CHAIR'S URGENT BUSINESS**

Government Changes to the Planning System

The Chair informed the Committee that the Cabinet had asked that the Planning Committee consider the implications of the Government's recent announcement outlining controversial changes to government policy on planning and, in particular, the intention to relax the requirement for planning permission on residential extensions under 8m and report back to Cabinet with how this could be addressed. The Chair, further added that this issue would be subject to a debate at City Council on 24 September 2012.

Members were further informed that guidelines used to assist in the determination of planning applications, such as the 45 degree rule, could only be used where planning permission is required and on permitted development rights these guidelines were effectively redundant.

It was commented by members that it would be premature to comment on the government's proposal at this time as not all details had been published.

Agreed to wait for the government to officially publish its proposal on changing government policy on planning before responding to the Cabinet.

(In accordance with Section 100(B)(4)(b) of the Local Government Act 1972, the Chair brought forward the above items of business because of the need to inform Members).

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

There were no question from members of the public.

38. **COMPLIANCE OF PLANNING CONDITIONS IMPOSED UPON PLANNING REF 11/00750 (FOR THE CONSTRUCTION OF ENERGY FROM WASTE PLANT IN HER MAJESTY'S NAVAL BASE, DEVONPORT)**

At the request of the Planning Committee on 23 August 2012, the Assistant Director for Planning submitted a report on the compliance of planning conditions imposed upon Planning ref 11/00750 (for the construction of Energy from Waste Plant in Her Majesty's Naval Base, Devonport). Alan Hartridge, Planning Officer, was in attendance to present the report and informed members that –

- (a) stage one of the base enhancement works phase was concluded on 6 August 2012 and was followed by stage two, the main construction phase, beginning

on 14 August 2012. Current projections show that the commissioning stage would begin in 2014 and the energy from waste plant would be fully operational at this stage;

- (b) the conditions and S106 clauses attached to the planning permission were being monitored closely by the Planning department and the detailed schemes required were considered following consultation with various technical officers and experts such as ones within the Environment Agency and Local Highway Authority and Public Protection Service Unit; compliance with these conditions would regularly be reported to the Planning Committee for monitoring;
- (c) all S106 Obligation payments, which were indexed linked ensuring that the payments would rise at the same rate as inflation, for the first phase had been paid in full; these payments were monitored by the Council's Community Infrastructure Levy (CIL) and Planning Obligations Officer;
- (d) the North Yard Community Trust was hoped to be up and running by November 2012 and would begin to allocate the spending of the annual community fund of £150k on local well-being initiatives.

Following members questions it was commented that –

- (e) a scheme to ensure that the majority of waste industrial bottom ash would not be landfilled had been submitted in order to comply with condition 8, MVV needed to ensure that a suitable processing site was in place at the time that the energy from waste plant became operational and this might be in another local planning authority area;
- (f) the detailed Construction Environmental Management Plan, required by condition 18, had been analysed and varied to try and improve upon it and to ensure improvements were delivered in the local community's interest;
- (g) the conditions have not been varied, but the detailed technical schemes that were created to deliver the conditions had been scrutinised in order to improve them and ensure that each condition was delivered appropriately.

Members commented that –

- (h) decisions taken in the local community's interest should be part of a consultation process with members, who were elected as local community representatives;
- (i) consideration needed to be given to the process of monitoring conditions and who this should be delegated to, and in particular whether Part C para 2.8 of Plymouth City Council's Constitution could assist.

Agreed that Councillor Stevens, Chair, Councillor Tuohy, Vice-Chair and Councillor Lynda Bowyer, Shadow Chair would meet with the Assistant Director of Planning with the relevant legal officers to discuss the process of how conditions are dealt

with, in relation to the Energy from Waste plant, and, in particular, looking at whether Part C, paragraph 2.8 of the Constitution could assist in the delegation of powers to the Planning Committee.

(Councillor Nicholson declared a personal interest on the above item).

39. **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 39.2, 39.4, 39.5 and 39.6.

39.1 33 LYNWOOD AVENUE, PLYMOUTH, 12/01364/FUL

(Mr Chris Cook)

Decision:

Application **GRANTED** conditionally.

39.2 22 GANNA PARK ROAD, PLYMOUTH, 12/01227/FUL

(Mrs Sandy Dobbie)

Decision:

Application **REFUSED** as detrimental to residential amenity and character of the area.

The Local Planning Authority considers the proposed extension, by virtue of its siting, orientation and height relative to the adjoining neighbour, 20 Ganna Park Road, its scale and due to the material finish and detailing of the proposed side/boundary wall, is incompatible with its surroundings and is detrimental to the visual amenity of 20 Ganna Park Road, when viewed from the rear yard and rear ground floor windows of that property. The proposal is detrimental to the amenity of the occupiers of that neighbouring property due to the loss of light and outlook from the nearest ground floor windows (kitchen and ground floor rear room) and is overbearing and dominant when viewed from those windows and rear yard. The proposal is therefore contrary to policy CS22 and CS34 of the adopted Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the Development Guidelines Supplementary Planning Document.

(The Committee heard representations against the application).

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

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

39.3 187 SOUTHWAY DRIVE, PLYMOUTH, 12/00503

(Mr R Tuckwell)

Decision:

Application **REFUSED**.

It was commented that if a member calls-in a planning application then that member should make every effort to attend the committee to explain the reasons for calling-in.

39.4 OFFICERS WALLED GARDEN, ROYAL WILLIAM YARD, PLYMOUTH, 12/00868/FUL

(Mr Adam Willets)

Decision:

Application **GRANTED** conditionally subject to the amendment of condition 12 to read:

The use of the nursery car park hereby proposed shall not commence until an update Transport Strategy (TS) for the Royal William Yard which shall include details of an updated Parking Strategy (detailing the management and control of car parking areas) and a site-wide Travel Plan (including modal shift targets and sustainable travel measures that will deliver those targets), has been submitted to and approved in writing by the Local Planning Authority. The applicants shall provide with the TS evidence that they have undertaken consultation upon it with local residents, businesses and local ward members and fully considered any consultation responses received.

It was agreed that –

- (1) the Assistant Director for Planning reports to Councillor Stevens, Chair, Councillor Tuohy, Vice-Chair and Councillor Lynda Bowyer, Shadow Chair of the Planning Committee, in due course, regarding alleged breaches of planning conditions and S106 Obligations within Royal William Yard;
- (2) Case Officer reports for future applications presented to Planning Committee for consideration on any development at the Royal William Yard should make reference to any breaches in planning conditions or S106 Obligations, where relevant to the proposed development;
- (3) the Assistant Director for Planning ensures that appropriate consideration is given to the future of the Royal William Yard and surrounding areas in the production of the Plymouth Plan.

The following informative was added to this decision:

The Council will expect any future applications coming forward for consideration by the Planning Committee to be accompanied by a satisfactory Transport Statement, when relevant to the application in question.

(The committee heard representations against the application from

Councillor Penberthy, ward member).

(The committee heard representations against the application).

**39.5 OFFICERS WALLED GARDEN, ROYAL WILLIAM YARD,
PLYMOUTH I2/00869/LBC**

(Mr Adam Willets)

Decision:

Application **GRANTED** conditionally.

**39.6 BREWHOUSE, ROYAL WILLIAM YARD, PLYMOUTH,
I2/01294/FUL**

(Urban Splash)

Decision:

Application **WITHDRAWN**.

40. **PLANNING APPLICATION DECISIONS ISSUED**

The Committee received a report of the Assistant Director of Development (Planning Services) on decisions issued for the period 14 August 2012 to 10 September 2012, including –

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

41. **EXEMPT BUSINESS**

There were no items of exempt business.

SCHEDULE OF VOTING

PLEASE NOTE

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

PLANNING COMMITTEE – 20 September 2012

SCHEDULE OF VOTING

Minute number and Application	Voting for	Voting against	Abstained	Absent due to interest declared	Absent
7.1 33 LYNWOOD AVENUE, PLYMOUTH – 12/01364/FUL	Unanimous				
7.2 22 GANNA PARK ROAD, PLYMOUTH 12/01227/FUL		Unanimous			
7.3 187 SOUTHWAY DRIVE, PLYMOUTH 12/00503	Unanimous				
7.4 OFFICERS WALLED GARDEN, ROYAL WILLIAM YARD, PLYMOUTH 12/00868/FUL	Unanimous				
7.5 OFFICERS WALLED GARDEN, ROYAL WILLIAM YARD, PLYMOUTH 12/00869/LBC	Unanimous				

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PLYMOUTH CITY COUNCIL

Compliance of planning conditions imposed upon Plan ref 11/00750 (for the construction of Energy from waste plant in Her Majesty's Naval Base, Devonport.)

Committee:	Planning Committee
Date:	18 th October 2012
Cabinet Member:	Councillor Brian Vincent
CMT Member:	Anthony Payne Director of Place
Author:	Alan Hartridge Planning Services on behalf of the Assistant Director for Planning Paul Barnard.
Contact:	Tel: 01752 304207 e-mail: alan.hartridge@plymouth.gov.uk
Ref:	11/00750
Key Decision:	No
Part:	1

Purpose of the report:

Monitoring and Compliance report required by the 23rd August Planning Committee (first of a regular series)

Advice from the interim Chief Executive and independent legal advice from Foot Anstey LLP Solicitors on the implications of revoking the current planning permission was considered at the 23rd August Planning Committee when it was resolved:

- (1) to note the report;
- (2) that the committee receive regular reports from the Assistant Director for Planning on the compliance of planning conditions with recommendations for appropriate action where there is evidence of non-compliance.

A template of progress relating to the monitoring of conditions and S106 clauses was reported to the Planning Committee on the 20th September and the case officer referred to a possible future report programme.

It was resolved that Councillor Stevens, Chair, Councillor Tuohy, Vice-Chair and Councillor Lynda Bowyer, Shadow Chair would meet with the Assistant Director of Planning with the relevant legal officers to discuss the process of how conditions are dealt with, in relation to the Energy from Waste plant, and, in particular, looking at whether Part C, paragraph 2.8 of the Constitution could assist in the delegation of powers to the Planning Committee.

The attached template (Appendix 1) is an update of the September one and indicates progress being made at the time of putting this report together in monitoring the requirements in the community interest. The possible future report programme is also attached (Appendix 2).

Corporate Plan 2012-2015:

Working with other organisations in the sub region to reduce costs in waste disposal services; dealing with waste in a way to reduce carbon emissions whilst also using planning powers as a key lever to facilitate the potential for further carbon savings ,social enterprise and Community Trust development and the delivery of business support in relation to the maritime sector

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

The use of planning powers associated with the imposition and monitoring of conditions and obligations will secure acceptable development at a short, medium and long term cost to the applicants that is considered reasonable and in the community interest whilst saving public expenditure and the development itself secures a pooling of sub regional resources to address rising landfill costs. There are no abnormal financial implications for the local planning authority in monitoring conditions and clauses although the developer will have costs through providing information required by the SI06.

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

The use of planning powers associated with the imposition and monitoring of conditions and obligations will secure acceptable development mindful that the principle Health and Safety and Risk Management issues and the framework for fostering good community relations has been addressed in the determination of the planning application.

Recommendations & Reasons for recommended action:

Recommendation: The Committee are to note the position regarding compliance with conditions and obligations to date and agree to the suggested report programme.

Reason:

The requirements of the planning conditions and obligations are currently being complied with (see attached monitoring table appendix) and the Planning Committee request is for regular reports.

Alternative options considered and reasons for recommended action:

Where a breach is identified the response has to be appropriate mindful of any demonstrable harm

Background papers:

The planning conditions clauses drawings and schemes can all be found on the planning website for 11/00750

(<http://www.plymouth.gov.uk/planningonline.htm?ApplicationNumber=11%2F00750&AddressPrefix=&Postcode=&Sort2=DateReceived+DESC&innoLink=http://www.plymouth.gov.uk/planningapplications2/results.asp>)

Sign off:

Fin	PC.PI aceF PD1 213 005. 0810 12.	Leg	JAR /158 22	HR		Corp Prop		IT		Strat Proc	
Originating SMT Member: N/A											
Have you consulted the Cabinet Member(s) named on the report? No											

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Appendix I - Planning Permission for North Yard Energy from Waste Plan (11/00750)

Monitoring Compliance with Conditions and Clauses

<u>CONDITIONS</u>	<u>COMMENTS</u>	<u>STATUS</u>
<p>1) List of Approved drawings:</p> <ul style="list-style-type: none"> ▪ PA01 A Site Location Plan May 2011 A3 1:10,000 scale ▪ PA02 B Planning Application Boundary May 2011 A1 1:3,000 scale ▪ PA03 - Existing Site Topography May 2011 A1 1:1,250 scale ▪ PA04 B Aerial Photograph May 2011 A3 ▪ PA05 0 Proposed Site Layout May 2011 A0 1:500 scale ▪ PA06A - Proposed North-West Elevation May 2011 A0 1:250 scale ▪ PA06B - Proposed South-East Elevation May 2011 A0 1:250 scale ▪ PA06C A Proposed North-East Elevation A0 1:250 Corrected and re-submitted 18 November 2011 ▪ PA06D A Proposed South-West Elevation A0 1:250 Corrected and re-submitted 18 November 2011 ▪ PA07A 0 Longitudinal Section of Entire Main Building May 2011 A0 1:250 scale ▪ PA07B 0 Longitudinal Section of Water Treatment Building May 2011 A1 1:250 scale ▪ PA07C 0 Cross Section of Waste Bunker and Bale Store Building May 2011 A1 1:250 scale ▪ PA07D 0 Longitudinal Section of Turbine Hall May 2011 A1 1:250 scale ▪ PA07E 0 Longitudinal Section of Tipping Hall May 2011 A1 1:150 scale ▪ PA08A 0 EFW CHP Building Floor Plans 1 May 2011 A0 1:248 scale 		

Appendix I - Planning Permission for North Yard Energy from Waste Plan (11/00750)

Monitoring Compliance with Conditions and Clauses

<ul style="list-style-type: none"> ▪ PA08B 0 EFW CHP Building Floor Plans 2 May 2011 A0 1:250 scale ▪ PA08D - Proposed Roof Plan May 2011 A0 1:250 scale ▪ PA08E 0 EFW CHP Building Switch Gear and Control Rooms May 2011 ▪ PA09A - Proposed Administration Building Floor Plans and Roof Plan May 2011 A0 1:100 scale ▪ PA09B - Proposed Administration Building Elevations and Section May 2011 A0 1:100 scale ▪ PA10 - Proposed Air Cooled Condensers Plan, Sections and Elevations May 2011 A1 1:250 scale ▪ PA11 - Gatehouse Plan and Elevations May 2011 A1 1:50 scale ▪ PA12 - Stores and Workshop Plans and Elevations May 2011 A1 1:200 scale ▪ PA13 - Proposed Cycle Shed May 2011 A3 1:50 scale ▪ PA14 0 Transformer Enclosure May 2011 A2 1:250 scale ▪ PA15 0 Emergency Generator Elevation and Section May 2011 A2 1:250 scale ▪ PA16 - North Intake Substation Details May 2011 A3 1:50 scale ▪ PA17 R Landscape Masterplan Revised – Sep 2011 A1 1:250 scale ▪ PA18A I Landscape Sections 1-1 and 2-2 Revised – Nov 2011 A1 1:500 (section) 1:2,000 (key plan) ▪ PA18B B Landscape Section 3-3 May 2011 A1 1:500 (section) 1:2,000 (key plan) ▪ PA18C B Landscape Section 4-4 May 2011 A1 1:500 	
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Appendix I - Planning Permission for North Yard Energy from Waste Plan (11/00750)

Monitoring Compliance with Conditions and Clauses

<ul style="list-style-type: none"> ▪ (section) 1:2,000 (key plan) ▪ PA18D A Landscape Section 5-5 ▪ PA18E A Section 6 Roof Terrace to 9 Talbot Gardens Nov 2011 A3 Not to scale ▪ PA19A B Site Access Right Turn Option Revised – Sep 2011 AI 1:500 scale ▪ PA19B A Site Access Long Section Revised – Sep 2011 AI 1:500 (horizontal) 1:100 (vertical) ▪ PA19D A Site Access Right Turn Option Exceedence Pathways and Overland Flow Routes Nov 2011 AI 1:750 scale ▪ PA19E A Drainage Grip Nov 2011 A3 1:20 scale ▪ PA20A - Bull Point Access Road May 2011 AI 1:500 (plan) 1:500 (horizontal) 1:100 (vertical) ▪ PA20B - Bull Point Road Access Tracking May 2011 AI 1:500 scale ▪ PA20C A Bull Point Road Access Exceedence Pathways and Overland Flow Routes Nov 2011 AI 1:500 scale ▪ PA21 E Drainage Layout Plan Sep 2011 A3 1:1,250 scale ▪ PA21-I - Drainage Layout Plan – Bull Point Access Road Detail Sep 2011 A3 1:1,000 scale ▪ PA22 - Clear Span Bridge Plan and Elevation May 2011 AI 1:200 (plan) 1:100 (elevation) 	
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Appendix I - Planning Permission for North Yard Energy from Waste Plan (11/00750)

Monitoring Compliance with Conditions and Clauses

<ul style="list-style-type: none"> ▪ PA23 - Connections to Infrastructure May 2011 AI 1:3,000 scale ▪ 009-02-D123356-406- Construction Works Phasing Plan Nov 2011 ▪ PA24B Rev. B - A38 Weston Mill Junction slip roads - dated 19 October 2011 	<p>On 18th July applicants applied for a drawing variation with the following two drawings to supersede Drawing PA22: Clear Span Bridge Plan and Elevation:</p> <ul style="list-style-type: none"> ▪ PLY-KCL-CLD-0030020-P0UY0000000-05-KCL2: Access Bridge Plan GA at Road Level ▪ PLY-KCL-CLD-0030021-P0UY0000000-06-KCL2: Access Bridge Sections and Elevations <p><u>List of Approved Schemes</u></p> <ul style="list-style-type: none"> ▪ Scheme for surface water management for the Base Enhancement Works required by condition 9 approved 7th March 2012 : drawings 0060130-01; 0060230-03; 0060330-02; 0060430-03; 0060910-01 ; PA19D-A; PA20C-A and the drainage calculations and measures to prevent pollution of the water environment within the Pollution Prevention Plan; and the proposed maintenance and management of the drainage system and procedures C1005/014 PEFW-VMP –rev7 and drawing 2011 -11-01 ▪ CEMP required by condition 18 approved on the 10th May 2012, document 01-EC-11 pc 040512 doc x with the addendum received 4th May with addition of an attachment 13 --Vegetation and Clearance Plans dated 1st May (with areas coloured
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Approved
31st July 2012

Approved

Approved

Appendix I - Planning Permission for North Yard Energy from Waste Plan (11/00750)

Monitoring Compliance with Conditions and Clauses

	<p>green) and drawing 47031683-300 rev C (with hedge and tree removals identified).</p> <ul style="list-style-type: none"> ▪ Pollution minimisation Protocol document 090312 approved 13th March to comply with condition 22 ▪ Details of Acoustic barriers drawings 0060050-01; 0060920-02; PA18F-revB (and Acoustic Technical Note) approved to comply with condition 24. ▪ Street details approved to comply with condition 33 shown on drawings 0060100-01; 0060105-02; 0060115-01; 0060120-01; 0060121-01; 0060125-01; 0060126-01; 0060127-01; 0060130-01; 0060200-03; 0060205-02;0060215-01; 0060220-02; 0060221-03; 0060222-02; 0060225-02; 0060226-02; 0060227-02; 0060228-02; 0060230-03; 0060300-03; 0060305-02; 0060315-01 0060320-02; 0060321-02; 0060325-02;0060326-02; 0060330-02; 0060400-03;0060405-02; 0060415-01; 0060420-02; 0060421-02; 0060425-02;0060426-02; 0060427-02; 0060428-02; 0060430-03; 0060440-02; 0060452-02; 0060480- 03;0060900-02; 0060901-02; 0060910-01; 0060920-02; and 47031683-300 Rev C ▪ Construction Traffic Management Plan (required by conditions 35 and 48 approved) ▪ Construction site access details drawing KCL (approved -required by condition 36). ▪ HGV Route Plan during construction drawing 060212 (required by condition 42 approved) ▪ Improvement details at junction of the A38 Parkway with Weston Mill Drive drawing 	<p style="text-align: center;">Approved</p> <p style="text-align: center;">Approved</p> <p style="text-align: center;">Approved</p> <p style="text-align: center;">Approved</p> <p style="text-align: center;">Approved</p> <p style="text-align: center;">Approved</p> <p style="text-align: center;">Approved</p> <p style="text-align: center;">Approved</p>
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Appendix I - Planning Permission for North Yard Energy from Waste Plan (11/00750)

Monitoring Compliance with Conditions and Clauses

	<p>PA24RevB with Road Safety Study and Technical Note (required by conditions 44 and 46)</p> <ul style="list-style-type: none"> ▪ The Landscaping details shown on drawings D 123356-001-Z; 012-D; 013-B; 014; 015; 016; 200-A; 201-C; 202-D; 204-B; 205-B; 206-A; 301-F; 304; 305-B; 306; 307-A; 308-A; 309-A; 408-B; 500-A; 501-A; 502; 503; 504-A; 601; 602-A; 603; 604; 605-A; 606-A; 607-A; 608-A; 609; 610-A; 611; 612; 613; 614; 615A; 616; 617; 618; 619; and 620 (approved to comply with the requirements for such by condition 50) and the Camels Head Junction Sculpture Area Plan and section drawing 305-B was accepted to comply with condition 50 on 7th March and as part of the Entrance Sculpture scheme required by condition 3 (emails confirming agreements dated 22nd May 2012). ▪ Amenity Complaints Protocol documents MED/WI/Complaints/01 and VA-4.2-01MED (approved to comply with the requirements for such by condition 56). ▪ Measures to control pests/vermin/odours during construction (approved 30th May to comply with CEMP condition 18) ▪ Weekend/extended hours working 8th,9th,10th June (approved 1st June to comply with CEMP condition 18) ▪ Treatment of unforeseen land contamination (approved 8th June to comply with CEMP condition 18) 	<p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p>
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Appendix I - Planning Permission for North Yard Energy from Waste Plan (11/00750)

Monitoring Compliance with Conditions and Clauses

	<ul style="list-style-type: none"> ▪ Operational Odour, Litter and Dust Management Plan approved 10th August (condition 23) ▪ Local Employment Scheme approved 15th June 2012. ▪ Temporary site investigation works in the Stage 2 Main Construction area (approved 2nd July to comply with CEMP condition 18 and phasing plan condition 4) ▪ Reduction of piling programme and use of 7 rigs instead of 3 –variation of CEMP (approved 16th August 2012) ▪ Community Trust Scheme Plan approved 4th July 2012. ▪ Ecological mitigation Enhancement Management Plan approved 6th August ▪ Noise Management Plan approved 10th August. ▪ Air Quality Management Plan approved 10th August ▪ Surface Water and Swale Management Plans approved 13th August 	<p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p>
<p>COMMENCEMENT (2)The development hereby permitted shall be commenced before the expiration of three years from the date of this permission</p>	<p>Yes --Development commenced 20th February 2012</p>	

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<p>ENTRANCE SCULPTURE</p> <p>(3) The entrance sculpture shall be provided in the location shown on the approved Landscape Masterplan PA17R prior to the Energy from Waste plant becoming operational. It shall be provided in accordance with a 2 Stage 'Expression of Interest' Design Competition mechanism as suggested by the applicants in their submission of 8th December or in accordance with such other schemes as may be agreed with the Local Planning Authority</p>	<p>The base area for the sculpture will be part of stage 2 works and the Design Competition Brief and timetable and Panel needs agreement before operation –all within applicant's £30,000 budget. The 1:100 scale detailed Camels Head Junction Sculpture Area plan and section drawing 305-revB was accepted to comply with condition 50 on 7th March and as part of the Entrance Sculpture scheme required by condition 3 (emails confirming agreements to updated text and drawings dated 29th May). Other approved detailed landscape plans approved 7th March relating to this area are platform detail drawing 014 (also on the approved scheme document); general planting plan 500 rev A ; and hedge planting drawing 504 rev A.</p>	<p>Awaited</p>
<p>PHASING OF DEVELOPMENT</p> <p>(4) The works comprised within the area delineated as Stage 2 on drawing number 009-02-D123356-406 (the main construction works) of the development hereby permitted shall not be commenced before the works within the area delineated as Stage 1 on drawing number 009-02-D123356-406 (the Base Enhancement Works) are completed to the satisfaction of the local planning authority and the developer shall notify the Local Planning Authority in writing of the following dates:</p> <ul style="list-style-type: none"> a) 2 weeks in advance of the date of commencement of the construction of Base Enhancement works; b) 2 weeks in advance of the date when the main construction works commences. 	<p>Yes in respect of (a) --Notice given 03/02/2012 that date of commencement of the construction of Base Enhancement works would be <u>20/02/2012</u>;</p> <p>In respect of (b) Notice given 23/07/2012 that date of commencement of the construction of Main Development works would be 06/08/2012 subject to discharge of conditions/clauses and applicants indicated intention to commence stage 2 Main Construction Works on 14th August after receiving formal confirmation that Base Enhancement Works were satisfactory. Applicants reminded of need for condition 45 junction details to be discharged. Applicants indicated on 11th June that they would be submitting application for a revised Stage 1 area (and revision</p>	

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<p>DECISION NOTICE REQUIREMENTS (5) From the date of commencement of the development a copy of this planning permission and all documents approved in accordance with it shall be kept at the Site, made known to the person responsible for operations on the Site, and kept available for inspection during working hours.</p>	<p>to the approved CEMP –condition 18) to enable some site investigation earthworks to be undertaken on the main site as part of the Base Enhancement Works. Chairman of Planning rang 14th June and requested to see the details when submitted. Initial submission received 19th June required clarification and non-material change submitted 25th June (Chairman advised) and approved 2nd July for a temporary 6 week period following commencement. On the 13th and 23rd July applicants indicated that subject to the satisfactory discharge of the relevant planning conditions and section 106 agreement obligations, it was their intention to commence the construction of the Main Development Works on 6th August 2012. Site inspected on 25th July and following confirmation that part of re-aligned fence adjacent to North Yard Access Road would be completed in Autumn formal approval issued 14th August to completion of Base Enhancement Works. Applicants indicated intention to commence stage 2 Main Construction Works on <u>14th August</u> and reminded of need for condition 45 junction details to be formally discharged.</p>	<p style="text-align: center;">Approved</p>
	<p>Notified 8th March that site telephone number will be: 07786 626 515. Check carried out 25th July –copy of planning documents on site. Notified 13th August of email contact details for Construction Director, Site manager and Community Liaison Manager</p>	<p style="text-align: center;">Approved</p>

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<p>HEIGHT AND EXTERNAL MATERIALS OF MAIN BUILDING</p> <p>(6) No part of the main building (other than rib columns and the chimney stack) shall exceed 45m in height and the principal external materials and colours of the buildings shall be as shown on Drawings PA06; PA09B; PA10; PA11; PA12: unless otherwise agreed in writing by the Local Planning Authority:</p> <p>Plinth: Concrete panels with limestone colour render; East and West facade wall cladding: Kingspan Longspan in grey, green, blue and red with grey louvres at the base and white louvres at the top; Roofing and north and south wall cladding: Kalzip standing seam aluminium roofing material; Air cooled condensers: Kalwall opaque cladding on an angular frame</p>	<p style="color: red; text-align: center;">No check required yet</p>	
<p>WASTE CATEGORY AND PUBLIC SAFETY</p> <p>(7) No loads of hazardous waste material shall be accepted at the site for treatment and no high, medium or low or very low level radioactive waste shall be accepted for disposal in the EFW plant, except with regard to low level radioactive waste found typically within municipal waste.</p>	<p style="color: red; text-align: center;">No check required yet</p>	
<p>RECYCLING WASTE INDUSTRIAL BOTTOM ASH (IBA)</p> <p>(8) At least 95% of the IBA produced at the plant shall be recycled and not sent to landfill and records of this shall be kept and procedures for making this available to the Ipa shall be in accordance with details agreed in writing by the Ipa prior to development within the area delineated as Stage 2 on drawing number 009-02-D123356-406 (the Main Construction</p>	<p style="color: red;">Following legal challenge, the requirements and intentions of this condition (and the Committee report relating to it) have been considered by the Administrative Court and the Court of Appeal and have been found to be sound. Informal drafts received 15th May and 15th June and 13th July - informal responses given 12th June and 5th July.) Chairman of</p>	

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<p>Works). The details shall also include the procedures that will be followed to try to secure the use of treated bottom ash as an aggregate for local infrastructure and engineering projects and the mechanisms for ensuring a landfill diversion factor of at least 95%.</p>	<p>Planning rang 14th June and requested to see the details when submitted. Submitted 19th July and Chairman advised and EA comments sought. Suggestion given for statement to avoid stockpiling sent 1st August 2012 and Addendum received 2nd August 2012 and Chairman advised 3rd August 2012. Scheme approved 9th August.</p>	<p>Approved</p>
<p>SURFACE WATER MANAGEMENT STAGE I</p> <p>(9) No development within the area delineated as stage 1 on drawing number 009-02-D123356-406 (the Base Enhancement Works) shall be commenced until details of a scheme for the provision of surface water management for the Base Enhancement Works has been submitted to and approved in writing by the Local Planning Authority. The details shall include:-</p> <ul style="list-style-type: none"> ▪ details of the drainage during the relevant construction phase; ▪ details of the final sustainable drainage scheme; ▪ provision for exceedance pathways and overland flow routes; ▪ measures to prevent pollution of the water environment beyond the site ▪ a timetable of construction; ▪ a construction quality control procedure; ▪ a plan for the future maintenance and management of the system and overland flow routes. <p>Prior to operation of the site it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in accordance with the</p>	<p>These details were agreed 7th March subject to:</p> <ol style="list-style-type: none"> 1 Site office contact details being provided prior to commencement of development. (Notified 8th March that site telephone number will be: 07786 626 515.A site visit check was carried out by Jeremy Sable 17th May and applicants reminded of this requirement) 2 A detailed plan of the proposed green swales (within vicinity of 4 car park bays SW of the proposed weighbridge and SE of the proposed new bridge deck) being submitted to, and approved in writing by the <u>lpa, prior to the commencement of stage 2 works.</u> <p>Following informal comment –email 21st May to MVV re visitor parking area – revised details for this area submitted 18th July and approved 31st July.</p> <ol style="list-style-type: none"> 3 Existing trees along the creek side north of the 	<p>Approved</p>

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<p>details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.</p>	<p>proposed new access road being protected from damage during drainage and construction engineering works in that area. (site visit check carried out 17th May –OK)</p>	
<p>SURFACE WATER MANAGEMENT STAGE 2</p> <p>(10) No development within the area delineated as stage 2 on drawing number 009-02-D123356-406 (the main construction works) shall be commenced until details of a scheme for the provision of surface water management for the main construction works has been submitted to and approved in writing by the Local Planning Authority. The details shall include:-</p> <ul style="list-style-type: none"> • details of the drainage during the relevant construction phase; • details of the final drainage sustainable scheme; • a timetable of construction; • a construction quality control procedure; • a plan for the future maintenance and management of the system and overland flow routes. • measures to prevent pollution of the water environment beyond the site <p>Prior to operation of the site it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in accordance with the details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local</p>	<p>Details received by hand 19th June and EA suggested that further information needed 13th July and these were received 30th July then withdrawn as EA still had concerns. Additional information submitted 3rd August and scheme approved 13th August 2012 subject to:</p> <p>1) Records being kept during the construction phase to demonstrate to the written satisfaction of the local planning authority that the system has been constructed in accordance with the submitted details.</p>	<p>Approved</p>

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<p>Planning Authority.</p> <p>SURFACE WATER MANAGEMENT OF SWALE</p> <p>(11) No development within the area delineated as stage 2 on drawing number 009-02-D123356-406 (the main construction works) shall be commenced until details of the swale to be constructed along the western boundary of the site has been submitted to and approved in writing by the Local Planning Authority.</p> <p>Prior to operation of the site it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in accordance with the details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.</p>	<p>Details received by hand 19th June and EA suggested that further information needed 13th July and these were received 30th July then withdrawn as EA still had concerns. Additional information submitted 3rd August and scheme approved 13th August 2012 subject to:</p> <p>1) Records being kept during the construction phase to demonstrate to the written satisfaction of the local planning authority that the system has been constructed in accordance with the submitted details.</p>	<p style="text-align: center;">Approved</p>
<p>DESIGN OF ACCESS BRIDGE AND RELATED SECURITY SCREEN</p> <p>(12) No development within the area delineated as stage 2 on drawing number 009-02-D123356-406 (the main construction works) shall be commenced until details of the vehicular access bridge and related security screen has been submitted to and approved in writing by the Local Planning Authority.</p> <p>Prior to operation of the site it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in accordance with the details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved</p>	<p>Draft details received by hand 19th June and 13th July of proposed change to the detail design of the access bridge structure due to construction constraints. Applicants' formal submission 17th July approved 31st July (see also condition 1 and 9 and 33).</p>	<p style="text-align: center;">Approved</p>

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<p>details unless otherwise approved in writing by the Local Planning Authority.</p>		
<p>FLOOD EMERGENCY MANAGEMENT PLAN (13)No development approved by this permission shall be brought into use until a flood warning and evacuation procedure has been submitted to and agreed in writing by the Local Planning Authority.</p>	<p>No check required yet</p>	
<p>IMPLEMENTATION OF APPROVED REMEDIATION SCHEME FOR GROUND GAS (14)Prior to the commencement of the main construction works the applicant shall install the approved ground gas protection measures to a level of CS3 of BS8485:2007 (referring to tables 2 and 3) 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 ground gas 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. This report must include independent verification of remediation measures in accordance with the agreed terms.</p>	<p>On the 11th July applicants suggested that the condition should not have been drafted as a pre-main works condition as its implementation is actually part of the main construction works. Applicants require that the gas protection installation should be within 2 months of commencement. Positive conditional response given 30th July (following discussion with Senior lawyer legal services).</p>	
<p>SITE PREPARATION AND INVESTIGATION OF LANDSCAPED AREAS (15)Prior to the plant being brought into use, an investigation</p>	<p>No check required yet</p>	

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<p>and risk assessment of all landscaped areas within the site in addition to any assessment provided with the planning application, must be completed at final formation level. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to the Local Planning Authority for approval. In the event that the report identifies contamination, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority and any measures shall be implemented in accordance with the recommendations of the approved report, to the satisfaction of the Local Planning Authority, prior to the plant being brought into use.</p>		
<p>REPORTING OF UNEXPECTED CONTAMINATION (16) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, and be approved in writing by the Local Planning Authority</p>	<p>Report on discovery of some asbestos containing material (ACM) and remediation scheme received 30th May 2012 and agreed 8th June in accordance with condition 18 – approved CEMP. A Consignment note dated 29th June confirmed disposal at an approved disposal site (Deepmoor landfill site EX38 7JA).</p>	
<p>BLACKIES WOOD RISK ASSESSMENT (17) Use of the plant hereby permitted shall not commence until a scheme for regulating public access to Blackies Wood</p>	<p>No check required yet</p>	

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<p>shall be submitted to and approved in writing by the Local Planning Authority. The wood must not at any time be opened for general public access without written approval by the Local Planning Authority following robust risk assessment by the applicant and any necessary remediation.</p>		
<p>CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN</p> <p>(18). No development shall take place until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall set out the arrangements for managing all environmental effects of the development during the construction period, including but not limited to: traffic, temporary site security fencing, artificial site illumination, noise, vibration, control of vermin, dust including management of stockpiles, air pollution and odour, including those effects from any decontamination of the land, wheel wash facilities, the control of mud on roads and crushing and piling operations. The agreed CEMP shall be implemented in full throughout the duration of the construction works, unless a variation is agreed in writing by the Local Planning Authority, in advance.</p>	<p>These details were agreed 13th March and with revisions on the 10th May 2012, subject to:</p> <p>1) Details shall be submitted to the local planning authority of the control measures specified in Attachment 4 of the CEMP for each of the following phases prior to the commencement of development in that phase :</p> <ul style="list-style-type: none"> ▪ Earthworks and Excavations (Main construction months 1 & 2) ▪ Rotary Bored Piling (Main construction months 2-8) ▪ Reinforced Concrete Construction (Main construction months 2-13) ▪ Steelworks and Cladding Erection (Main construction months 14-21) <p>The development within each phase shall take place strictly in accordance with the approved detailed control measures.</p> <p>2) Throughout the construction period construction traffic shall follow routes away from the identified local sensitive receptors unless in accordance with temporary arrangements agreed in writing by the local planning authority.</p> <p>3) Excepting temporary emergency works there shall be no</p>	<p>Approved</p>

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	<p>use of equipment outside normal site working hours without the prior written approval of the local planning authority. (An application for works mainly over the weekend of 8th/9th/10th June received 28th May –with clarifications obtained 30th May -- approved 1st June and copy of neighbour notification received 8th June. Notice was also received on 31st August that someone would be on site overnight watching instruments linked with a couple of test piles -temporary lighting but no working - within the following 3 weeks.)</p> <p>4) Measures for the control of pests/vermin and odours shall be submitted to the local planning authority within two months of this decision notice and the approved scheme shall be carried out prior to the commencement of any Main Construction works.</p> <p>Reminder sent as details of these measures were required – received by email 16th May, and applicant confirmed 24th May in an additional formal statement that they will be setting up a local pest control contract –Approved 30th May 2012. (MVV stated in update on 6th September that two tenders had been received and on the 19th September confirmed that they had appointed Rentokill who would be on site).</p> <p>Applicants indicated on 11th June that they would be submitting application for a revised Stage 1 area (and temporary revision to the approved phasing - condition 4) to enable some site investigation earthworks to be undertaken on the main site as part of the Base Enhancement Works. Chairman of Planning rang 14th June and requested to see the details when submitted. Initial submission received 19th June</p>	<p>Approved</p>
		<p>Approved</p>

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	<p>required clarification and non-material change submitted 25th June (Chairman advised) and the proposal was approved 2nd July subject to compliance with the above conditions and for a temporary 6 week period following commencement.</p> <p>Notified by email on the 10th July that the applicants required a variation to the piling concept in the approved CEMP to reflect a revised methodology and programme for the piling works to be carried out in the Main Works Construction period .The applicants provided these details with revised noise implications on 17th July and informal comment response given 30th July. Formally received 1st August --Reduction of piling programme and use of 7 rigs instead of 3 --variation of CEMP (approved 16th August 2012) subject to:</p> <p>1) During the period when piling activities take place on the main construction site, 'rest periods' each of 30 minutes minimum duration shall take place between the hours of 10:00 and 11:00 (morning break) and 13:00 and 14:00 (lunch time break) . The location of piling rigs will be planned to avoid simultaneous operation in areas of the site near to the closest receptors but in the event that piling activities have to be concentrated in the 'intensive piling zone' shown in the location on the attached drawing Figure 1 an additional rest period of minimum 30 mins duration will take place between the hours of 15:30 and 16:30.</p>
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	<p>No piling rigs will be in use for the duration of these rest periods.</p> <p>2) No more than 7 piling rigs shall be operated on the site.</p>	
<p>NOISE LEVELS DURING CONSTRUCTION (19) The noise levels indicated within the submitted Acoustics Technical Note dated 28th July 2011 are the maximum permitted levels. If during the stage 1 and stage 2 construction phases of the development noise levels exceed the approved limits then the noisy activity shall cease until such time as noise reduction measures have been carried out. Noise monitoring shall then be carried out to verify that the noise levels do not exceed the approved limits.</p>	<p>Check when undertaking Site visits. PPS Unit have been monitoring noise. Advised on the 25th September that the Noise Monitoring Steering Group (required by the S106) is to meet shortly (includes representatives of the PPS Unit, the EA and MVV).</p>	
<p>COMMISSIONING MANAGEMENT PLAN (20) Prior to the commencement of the commissioning phase, a written Commissioning Management Plan and timetable of operation for the commissioning phase shall be submitted in writing to the Local Planning Authority for approval. This plan shall indicate each stage of the commissioning phase, any potential impact on residents, timetable of events, mitigation controls and consideration of weather conditions, and how the information will be made available to the public. The commissioning shall not commence without written approval of the Commissioning Management Plan by the Local Planning Authority. The approved Commissioning Management Plan shall be followed throughout. Any alteration to the plan shall</p>	<p>No check required yet</p>	

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<p>not be made without the prior written approval of the Local Planning Authority.</p>		
<p>OPERATIONAL NOISE AND START-UP NOISE PROTOCOL (21) During the operational phase of the development, prior to any planned noisy events (e.g. testing the operation of the emergency pressure valve, steam purging) the Local Planning Authority shall be given written notice of the events, which shall not be carried out other than between the following hours: 09:00 – 17:00 Monday to Fridays. No such planned noisy events shall take place on Saturdays, Sundays, Public or Bank Holidays. Prior to re-start of the facility after either breakdown or maintenance shut-down the re-start process should be planned so that all noisy events during the process, such as exhaust steam valve testing, will not occur outside the following hours: 0900-1700 Monday-Fridays and 1000-1600 Saturdays and Sundays. A protocol for the procedures to be followed to avoid noisy activities such as exhaust steam valve testing occurring at unsocial hours outside 0900-1700 Monday to Fridays shall be submitted to, and receive the written approval of the Local Planning Authority prior to the commissioning of the plant. Evidence of adherence to this protocol shall be maintained by the operator for inspection by the Local Planning Authority when requested.</p>	<p>No check required yet</p>	
<p>POLLUTION MINIMISATION PROTOCOL - SITE TRAFFIC (22) Prior to the commencement of site preparation works, a protocol for the procedures to be followed for minimising any</p>		

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<p>adverse impact that the warning signals emitted by reversing vehicles may have on residential amenity and for minimising noise and air pollution from any HGV traffic queuing on the access road shall have been submitted to and have had the written approval of the Local Planning Authority. The arrangements that are approved shall be implemented and maintained throughout the life of the site.</p>	<p>These protocol details were agreed 13th March</p>	<p style="text-align: center;">Approved</p>
<p>OPERATIONAL ODOUR, LITTER AND DUST MANAGEMENT PLAN (23)An Odour, Litter and Dust Management Plan shall be submitted in writing and approved by the Local Planning Authority prior to the works comprised within the area delineated as Stage 2 on drawing number 009-02-D123356-406 (the main construction works) and the approved Plan shall be adhered to at all times during the operation of the plant. This shall include but not be limited to:-</p> <ul style="list-style-type: none"> ▪ The restrictions over outdoor storage of waste and the waste sorting location ▪ The covering requirements of vehicles ▪ The control of doors to the tipping hall to ensure that they remain closed at all times when not in use, or not accepting deliveries of waste. ▪ The details of access road odour control measures. 	<p>Details requested by email 16th May and draft scheme received for informal comment on 14th June. Applicants met PPS Unit end of 27th June and submitted revised draft scheme on 12th July. PPS Unit considered draft scheme and applicant thereafter given informal responses on 30th July and 3rd August. Submission 3rd August, concerns expressed 9th August led to additional information received 10th August and plan approved 10th August 2012.</p>	<p style="text-align: center;">Approved</p>
<p>NOISE MITIGATION –ACOUSTIC BARRIERS AND LOUDSPEAKERS (24)Acoustic barriers shall be erected adjacent to the site access road in the locations to be agreed in writing by the Local Planning Authority as part of development within the</p>	<p>Details approved 7th March 2012</p>	<p style="text-align: center;">Approved</p>

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<p>area delineated as stage 1 on drawing number 009-02-D123356-406 (the Base Enhancement Works) and along the northern boundary of the proposed Maintenance Lay down Area (west of the Workshop building) as part of development within the area delineated as stage 2 on drawing number 009-02-D123356-406 (the Main Construction Works) in accordance with full detailed specifications having the prior written approval of the local planning authority. The barriers shall be maintained in place for the life of the plant. Any public address system or loudspeakers used within the site boundary shall not be audible beyond the site boundary.</p>	
<p>WORKSHOP OPERATION (25) The workshop shall not be operational between the hours of 23:01 to 06:59. Any opening (windows and doors) shall remain closed during use of the workshop.</p>	<p>Not built yet --No check required yet</p>
<p>NOISE MITIGATION DURING PERIODS OF SHUT DOWN (26) In accordance with section 14.6.64 of the ES, no balling or storage of wastes shall take place on the site other than during periods of breakdown, planned shutdown or maintenance at the facility.</p>	<p>Not built yet --No check required yet</p>
<p>OPERATIONAL TONAL NOISE (27) There shall be no tonal element to the noise emitted from the plant during operation at night (23:01hrs to 06:59hrs), as measured by the methodology set out within BS 7445.</p>	<p>Not built yet --No check required yet</p>
<p>OPERATIONAL NOISE LEVELS (28) The rating level of the noise emitted from the site shall</p>	<p>Not built yet --No check required yet</p>

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<p>not exceed the existing background noise level values reported at the receptors identified in the ES by more than 5 dBA at the relevant time of day (07:00 to 23:00) or night time (23:01 to 06:59). The noise levels shall be determined and the assessment shall be made according to BS 4142:1997. The application or otherwise of an acoustic character correction in order to determine the rating level shall be in line with the advice of BS 4142, with any discrete note assessed as per the advice on tonality of the note to section 4.1.2 of BS 7445:1994.</p>		
<p>HANDLING OF WASTE AND RECYCLABLE MATERIALS (29) No waste or recyclable materials shall be unloaded, or loaded other than within the building. Details of the layout and location of such loading/unloading areas within the building shall be submitted to and approved in writing by the LPA and thereafter those areas shall not be used for any other purpose unless a suitable alternative area is provided</p>	<p>Not built yet --No check required yet</p>	
<p>IMPORT/EXPORT HOURS (30) For the purpose of this condition the import/export hours are those hours where the facility is open to receive deliveries from refuse collection vehicles from any sources, local authority, commercial and industrial sources. This includes delivery of products (such as materials for normal operation and waste products) to the site and removal of bottom ash and APC residue from the site. Any exception to these hours shall only be with the prior written approval of the Local Planning Authority, and following a review which shall be carried out with the Local Planning Authority after a period of 2 years from the plant being first brought into use. The</p>	<p>Not built yet --No check required yet</p>	

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<p>procedures for this review shall have had the written agreement of the Local Planning Authority prior to the commencement of development. The opening hours are</p> <ul style="list-style-type: none"> ▪ Monday to Friday 08.00 – 19.00 ▪ Saturday 08.00 – 18.00 ▪ Sunday 10.00 – 16.00 ▪ Bank Holidays (except Christmas Day and Boxing 10.00 – 16.00 ▪ Christmas Day Closed ▪ Boxing Day 10.00 – 16.00 <p>No HGV vehicles shall enter or leave the Site outside times.</p>	<p>NOISE MONITORING ARRANGEMENTS</p> <p>(31)A schedule of proposed noise verification monitoring shall be submitted to, and agreed in writing by the Local Planning Authority prior to the plant being brought into use. The schedule shall include, but shall not be limited to, a requirement to monitor within three months of the completion of the commissioning phase of the Energy from Waste Facility and at regular intervals thereafter. Noise measurements during monitoring shall be undertaken at the site for a continuous 24 hour period by a competent person during suitable weather conditions. The results shall be submitted to the Local Planning Authority for consideration in</p>
<p>Not built yet --No check required yet</p>	

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<p>accordance with arrangements set out in the approved schedule.</p> <p>VEHICLE SHEETING REQUIREMENTS</p> <p>(32) No waste materials shall be imported to the Site and no waste or recyclable materials shall be exported from the Site other than in vehicles which are enclosed, sheeted, netted, or equipped with sealed containers. No Air Pollution Control Residue shall be exported from the Site other than in sealed containers. During the site preparation and construction phase of the development, all open-bodied HGVs carrying loose aggregate, cement, soil or other potentially loose or dust generating material into or out of the Site shall be sheeted.</p>	
<p>STREET DETAILS (STAGE 1)</p> <p>(33) No development within the area delineated as Stage 1 on drawing number 009-02-D123356-406 (the Base Enhancement Works) shall take place until details of the design, layout, levels, gradients, materials and method of construction and drainage of all roads and footways forming that part of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall take place in accordance with those approved plans.</p>	<p style="text-align: center;">Approved</p> <p>Details agreed 7th March and 14th May subject to:</p> <ol style="list-style-type: none"> 1. The proposed trees and hedges to be planted in the locations shown on drawing 47031683-300 Rev C shall be planted within the first planting season following the felling of any of the eight avenue trees identified for felling to facilitate the road widening scheme in this area and the trees identified for protection shall be fenced prior to the commencement of development in accordance with the details shown on the drawing. (Check protection measures when undertaking Site visits shortly) 2. A revised detailed plan of the proposed car park bays SW of the proposed weighbridge and SE of the proposed new bridge deck being submitted to, and approved in writing by the Lpa, prior to the commencement of stage 2 works. (Notice given on 13th July that the parking area in the vicinity

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<p>STREET DETAILS (STAGE 2)</p> <p>(34) No development within the area delineated as Stage 2 on drawing number 009-02-D123356-406 (the Main Construction Works) shall take place until details of the design, layout, levels, gradients, materials and method of construction and drainage of all roads and footways forming that part of the development have been submitted to and approved in writing by the Local Planning Authority. The Energy from Waste plant shall not be brought into use until all roads and footways forming part of the Stage 2 works have been completed in accordance with the approved details.</p>	<p>of the weighbridge would be reconfigured and revised layout submitted 17th July. It was approved 31st July 2012.</p> <p>Details received by hand 19th June and applicants advised of Transport Unit concerns on 28th June. Reminder sent 17th July and response received 30th July and clarification was sought about revised plans 30th July. Details approved 3rd August 2012 subject to:</p> <p>1) All footways within the site beyond the bridge (and in particular the combined footway/cycleway) shall be a minimum of 2m in width.</p> <p>2) Detailed measures shall be taken to make it clear to drivers that there is a change in vehicular priority at the junction between the HGV vehicles leaving the tipping hall and cars leaving the car park. Such measures shall include at least a red stop sign together with white lining and STOP lettering on the road surface and such shall be laid out to the satisfaction of the local planning authority prior to the plant being brought into use.</p>	<p>Approved</p>
<p>CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)</p> <p>(35) The construction of the development hereby proposed shall not commence until there has been submitted to and approved in writing by the Local Planning Authority (who shall consult with the Highways Agency) a Construction Traffic Management Plan (CTMP). The said CTMP shall be submitted within 1 month of the commencement of the Base</p>	<p>Details approved 7th March 2012 – (see S106 S3 for Construction Workers Travel Plan details)</p>	<p>Approved</p>

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<p>Enhancement Works (Stage 1) and shall include details of construction vehicle movements including number, type and size of vehicle; construction operation hours; routes being used by construction traffic; contractors car parking arrangements and details of the consideration of the use of alternative modes of transport for the delivery of bulky items. The construction of the development hereby permitted shall be carried out strictly in accordance with the approved CTMP.</p>	
<p>ACCESS – CONTRACTORS (36) Prior to the commencement of works within the area delineated as Stage 1 (Base Enhancement Works), an adequate road access for use by contractors with an appropriate standard of visibility shall be formed to the satisfaction of the Local Planning Authority and connected to any adjoining highway in a position and manner to be agreed in writing with the Local Planning Authority.</p>	<p style="text-align: center;">Details approved 7th March 2012</p> <p style="text-align: center;">Approved</p>
<p>PEDESTRIAN/CYCLE ACCESS (37) The Energy from Waste plant shall not be brought into use until a means of access for both pedestrians and cyclists has been constructed in accordance with the approved plans.</p>	<p style="text-align: center;">Not built yet --No check required yet</p>
<p>CAR PARKING PROVISION (38) The Energy from Waste plant shall not be brought into use until space for a maximum of 51 cars to be parked has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority Reason. The car parking spaces shall thereafter be retained for that purpose and shall not be used for any other purpose.</p> <p>CYCLE PROVISION</p>	<p style="text-align: center;">Not built yet --No check required yet</p>

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<p>(39) The Energy from Waste plant shall not be brought into use until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority in order to allow a total of 10 bicycles to be parked.</p>	<p style="color: red;">Not built yet --No check required yet</p>
<p>CYCLE STORAGE (40) The secure area for the storage of cycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.</p>	<p style="color: red;">Not built yet --No check required yet</p>
<p>LOADING AND UNLOADING PROVISION (41) The Energy from Waste plant shall not be brought into use until adequate provision has been made to enable delivery/collection vehicles to be loaded and unloaded within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority.</p>	<p style="color: red;">Not built yet --No check required yet</p>
<p>HGV ROUTE PLAN (42) No development shall commence until a scheme showing the details of the HGV routes that will be used by HGVs during the construction period and MSW and C&I waste vehicles delivering to the plant (including from within the Dockyard) has been submitted to the Local Planning Authority for approval. The plant shall thereafter operate in accordance with the approved scheme.</p>	<p style="color: red;">Details approved 7th March 2012. The temporary HGV Route signing for the construction phase accepted by email on 17th July.</p>
<p>C&I WASTE DELIVERY VEHICLES (43) No waste delivery vehicles of less than 4 tonnes nett payload will be permitted to deliver Commercial & Industrial waste to the EfW plant.</p>	<p style="color: red;">Not built yet --No check required yet</p>
<p>GRAMPIAN CONDITION - A38 WESTON MILL JUNCTION</p>	

Approved

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<p>(44)No works shall commence on-site until details of a scheme of improvements to the junction of the A38 Parkway with Weston Mill Drive have been submitted to both the Secretary of State for Transport and Local Highway Authority for approval. The said improvements to both the East and Westbound off-slips (as indicated on SW/URS Drg. No. PA24B Rev.B) are required to address known accident problems and shall be delivered within 6 months of the commencement of the Stage I Construction Works (Base Enhancement Works as shown on Drg. No. 009-02-D123356-406).</p>	<p>Details approved 7th March 2012 (On 13th July e-mail received stating that the Highways Agency had confirmed completion of the S6 Agreement for Weston Mill Junction and that the PCC Local Highway Authority had completed the associated Section 278 Agreement for the works to the Highway. Checked and agreed 10th August 2012).</p>	<p>Approved</p>
<p>GRAMPIAN CONDITION - WESTON MILL DRIVE/WOLSELEY ROAD JUNCTION</p> <p>(45)No works shall take place on the area identified as Stage 2 of the construction phase (Main Construction Works as indicated on Drg. No. 009-02-D123356-406) until alterations/improvements have been undertaken to the signalised junction of Wolseley Road with Weston Mill Drive in order to allow it to be operationally linked to the new signalised right turn on the Dockyard Access Road North in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Such improvements to the junction shall include the provision of pedestrian crossing facilities across the south western arm of the junction and modifications to existing kerbed islands to create 2 no. 3m wide approach lanes.</p>	<p>Letter dated 14th August with list of previously submitted and approved drawings of 10th and 23rd February 2012 and explanation of an oversight relating to the previous submissions --approved 15th August subject to:</p> <p>1) The signals shall be in operation to the satisfaction of the local planning authority for the use of all site construction vehicle traffic within 6 weeks of this consent. In the event that the connection is not operational to the local planning authority's satisfaction by that date there shall be no further construction vehicle traffic to the site until such time as the local planning authority gives its written approval.</p> <p>Advised by PCC Transport Unit that the linked traffic signals were operational by the 26th September deadline.</p>	<p>Approved</p>
<p>HIGHWAYS AGENCY DIRECTION I</p>		

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<p>(46) No works shall commence on-site until details of a scheme of improvements to the junction of the A38 Parkway with Weston Mill Drive as generally shown on URS/Scott Wilson's Drawing no. PA24B Rev. B dated 19 October 2011 have been submitted to and approved in writing by Plymouth City Council as local planning authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport). The "Main Construction Works" on the site shall not commence until the approved improvement scheme has been constructed and completed to the satisfaction of Plymouth City Council as local planning authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport). The "Main Construction Works" shall comprise all other works except those referred to as the "Base Enhancement Works". The "Base Enhancement Works" shall comprise the construction of the main access road; the Bull Point Access Road; the perimeter security fence; and the establishment of the site compound on "Table Top Mountain"; fencing around the site compound; and the provision of a construction electricity supply cable from the DLCCP sub station.</p>	<p>Details approved 7th March 2012 (On 13th July e-mail received stating that the Highways Agency had confirmed completion of the S6 Agreement for Weston Mill Junction and that the PCC Local Highway Authority had completed the associated Section 278 Agreement for the works to the Highway. Checked and agreed 10th August 2012 and copy sent to HA and the applicants then agreed that the basework of a sign is to be finished properly—then confirmed 6th September that this had happened).</p>	<p>Approved</p>
<p>HIGHWAYS AGENCY DIRECTION 2 (47) The development hereby proposed shall not be permitted to generate more than 290 two-way heavy goods vehicles movements per 24 hr period on the Local or Strategic Road Networks without the prior consent of the Local Planning Authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport).</p>	<p>Not built yet --No check required yet</p>	
<p>HIGHWAYS AGENCY DIRECTION 3</p>		

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<p>(48) No part of the development hereby approved shall commence until a Site Construction Method Statement or Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport). The method statement/management plan shall include details of the following:</p> <ul style="list-style-type: none"> ▪ on-site construction worker parking; ▪ anticipated number, frequency and size of construction vehicles entering/exiting the site; ▪ delivery times of construction material; ▪ construction operating hours <p>Such details shall be implemented or phasing agreed in writing, prior to the commencement of works on site and thereafter retained for the duration of the work.</p>	<p style="color: red;">Details approved 7th March 2012</p>	<p style="color: green;">Approved</p>
<p>HIGHWAYS AGENCY DIRECTION 4</p> <p>(49) No part of the development hereby approved shall be occupied or brought into its intended use until a comprehensive Travel Plan has been submitted to and approved in writing by the Local Planning Authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport), developed for all elements of the development hereby permitted.</p> <p>The Travel Plan will need to be prepared for all elements of the development hereby approved and shall be prepared in line with prevailing policy and best practice and shall include as a minimum:</p>	<p style="color: red;">No check required yet</p>	

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<ul style="list-style-type: none"> ▪ The identification of targets for trip reduction and modal shift ▪ The methods to be employed to meet these targets ▪ The mechanisms for monitoring and review ▪ The mechanisms for reporting ▪ The penalties to be applied in the event that targets are not met ▪ The mechanisms for mitigation ▪ Implementation of the travel plan to an agreed timescale or timetable and its operation thereafter ▪ Mechanisms to secure variations to the Travel Plan following monitoring and reviews <p>A review of the travel plan targets shall be undertaken within 3 months of occupation of the development and on an annual basis thereafter at the time of submission of the Annual Travel Plan Report.</p>	
<p>LANDSCAPING</p> <p>(50) Prior to the commencement of the development hereby permitted, a detailed landscaping and aftercare scheme for the Site (the scheme), based on the approved Landscape Masterplan Revised – Sep 2011 plan PA17 R (and landscape drawings PA 18A,B,C,D and E) and the Landscape Strategy in the approved Design and Access Statement shall be submitted for the written approval of the Local Planning Authority. These details shall include detailed planting plans noting species and plant size and proposed numbers for all areas ;proposed finished levels, means of enclosure, hard surface materials and minor artefacts such as the terrace sculptures and furniture.</p>	<p>Approved</p> <p>Details approved 7th March 2012 subject to :</p> <p>The programme of landscape works shall be carried out in accordance with the strategy agreed with the local planning authority and the notes on the drawings 009/02/D123356-500 Rev A and -001 rev Z which broadly refer to the timing of planting works except that the proposed shrubs, trees and hedges to be planted east of the railway embankment in the locations shown on drawings 009/02/D123356-001-Z and 500 - A shall be planted within the first planting season following</p>

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<p>C022LANDSCAPE WORKS IMPLEMENTATION</p> <p>(51) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.</p>	<p>the felling of any of the existing creek-side trees to facilitate the construction of the new access road (or at an alternative early stage as agreed in writing by the local planning authority) and the trees identified for protection shall be protected in accordance with the details shown on the submitted drawings. (Check when undertaking Site visits shortly)</p>	
<p>APPEARANCE OF THE SITE</p> <p>(52) The buildings, structures, perimeter security fencing, gates and hard-surfaces shall be completed in accordance with the approved plans before the date when commissioning commences except for the roof terrace which shall be laid in accordance with the approved plans no later than the first planting season following the date when commissioning commences. Thereafter the buildings, structures, perimeter security fencing, gates, hard-surfaces and roof terrace shall be retained for purpose for the duration of the development hereby permitted.</p>	<p>Check when undertaking Site visits</p>	
<p>LIGHTING</p> <p>(53) Permanent lighting on the Site shall be installed and maintained in accordance with the Lighting Scheme described in the Design and Access Statement and thereafter retained.</p>	<p>No check required yet</p>	
	<p>Not built yet --No check required yet</p>	

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<p>Details of any floodlighting shall be submitted to and approved in writing by the Local Planning Authority before the use hereby permitted commences Development shall be carried out in accordance with the approved details.</p>		
<p>TELECOMMUNICATIONS SYSTEMS (54) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no structures, satellite antennae, apparatus or any plant in connection with telecommunication systems shall be installed on the Site, without the prior written approval of the Local Planning Authority.</p>	<p>Not built yet --No check required yet</p>	
<p>CESSATION AND DECOMMISSIONING ENVIRONMENTAL MANAGEMENT PLAN (DEMP) (55) Not less than 2 years prior to the planned cessation of the operations hereby permitted, written notice of the planned cessation shall be given to the Local Planning Authority. Not less than 18 months prior to the planned cessation of the operations hereby permitted, a Decommissioning Environmental Management Plan (DEMP) shall be submitted for the written approval of the Local Planning Authority. The DEMP shall include the following details: a) the demolition/dismantling and removal of the plant and buildings; b) site waste management including measures to recycle materials on the Site c) hours of working;</p>	<p>Not built yet</p>	

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<p>d) car parking arrangements; e) traffic management; f) decommissioning worker accommodation and support facilities and their means of enclosure; g) measures to control lighting, noise, dust, odours and fumes in order to minimise the adverse effects on the amenity of neighbours; h) temporary storage compounds and stockpile areas; i) measures to prevent mud and debris being deposited on the highway; j) measures to protect trees and hedgerows; k) temporary fencing; l) measures to minimise the pollution of surface and ground water m) measures to inform visitors and liaise with neighbours; n) a restoration scheme; and o) a programme for implementation.</p> <p>Decommissioning shall not commence until the DEMP has been approved in writing and the Site shall be decommissioned and restored in accordance with the approved DEMP.</p>		
<p>AMENITY COMPLAINTS PROTOCOL (56) No development shall take place at the site until a protocol for the recording and investigation of all noise and nuisance complaints associated with the development has been submitted to and have had written approval of the Local Planning Authority. The approved protocol shall be implemented and maintained throughout the life of the development in full accordance with the approved details.</p>	<p>Details approved 13th March 2012</p>	<p>Approved</p>

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<p>MARINE LITTER MONITORING AND REMOVAL</p> <p>(57)A scheme of marine litter monitoring and removal shall be submitted to and approved by the Local Planning Authority 3 months following the commencement of the main constructional works. This scheme is to periodically record the levels of litter within zone identified between Points A, B and C inclusive within Weston Mill Creek as identified on the attached condition plan one. Twice yearly a comprehensive clearance of all ecologically undesirable debris shall take place from the defined area. Records of marine litter quanta shall be maintained at the EFW CHP facility and made available to the Local Planning Authority on request. A marine litter annual report shall be provided for the Local Planning Authority summarising the outputs and this shall be provided on the dedicated community web site (see schedule 5 in the I06 Agreement). It is understood that the developer may not be solely responsible for all or any occurrence of marine litter within the blue area here indicated.</p>	<p style="color: red;">Details in respect of potential submission received 22nd August for informal comment responded 30th August.</p>	<p>Awaited</p>
<p>SURFACE WATER RUNOFF</p> <p>(58)A scheme of monitoring the surface water runoff shall be submitted to and approved by the Local planning Authority prior to the commencement of the main constructional works. This scheme is to periodically record the levels of suspended solids, pH, biochemical oxygen demand and visual appearance of the surface water runoff from the development site for a period of one year from commencement of operation. Records shall be maintained at the EFW CHP facility and made available to the local Planning Authority and the Environment Agency on request. Any variations from the norm shall be</p>	<p style="color: red;">(Draft monitoring scheme submitted for informal comment 22nd June and EA consulted and applicants advised informally of acceptability on 13th July). Formal submission made 17th July, views of EA awaited and approval issued 3rd August 2012.</p>	<p>Approved</p>

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<p>notified to the Local Planning Authority and the Environment Agency and the EFW CHP facility. Data shall be provided on the community web site (see schedule 8 of the I06 Agreement).</p> <p>During the main constructional works development the developer is to carry out daily visual observations of the boundary of the construction site in order to monitor the quality of the water runoff from the site. In the case of any pollution from the construction site being seen, steps must be taken immediately to prevent the water from entering the drainage system and the Environment Agency must be informed.</p>	
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<p>STANDARD OF DEVELOPMENT</p> <p>(59)The Energy from Waste plant shall achieve a quality index score of no less than 100 under normal operating conditions to qualify as Good Quality CHP (under the current Department of Energy and Climate Change Quality Assurance Certification programme). Records shall be kept by the applicants from the commencement of operations to demonstrate that this quality is being achieved in accordance with statements of performance validated under the Quality Assurance Programme (or such other scheme that may subsequently supersede this programme as approved by the Local Planning Authority). The certification records shall be made available to the Local Planning Authority within 7 days of a written request from the Local Planning Authority.</p>	<p>Certification records approved by email 13th March but future certification records would be needed when the plant is built.</p>	<p>Approved</p>
<p>SI06 PAYMENTS</p> <p>Schedule 2 Clause 1.1 -£500,000 First Low Carbon Infrastructure Contribution Paid</p> <p>Schedule 2 Clause 6.5a -£3,000 MVV Construction Trade Apprenticeship (per year)</p>		<p>STATUS</p>
<p>COMMENTS</p> <p>PAID (next payment to be April 2013)</p> <p>MVV confirmed 3rd September that they had sent the first annual payment of £3k to the City College</p>		

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<p>Schedule 2 Clause 6.5b - £3,000 Supplier Construction Trade Apprenticeship (every subcontractor > £20m, if the sub-contractor agrees) (per year).</p> <p>Schedule 2 Clause 7.1 - £5,000 Operational Apprenticeships (per year)</p> <p>Schedule 2 Clause 8.2 - £5,000 Bursary for local student (per year during operational life of the facility)</p> <p>Schedule 3 Clause 1.1 - £100,000 Initial Weston Mill Drive Contribution paid</p> <p>Schedule 3 Clause 2.1 - £68,000 Low Noise Surface Contribution PAID</p> <p>Schedule 3 Clause 3.1 - £14,000 Travel Plan Sum (bank deposit)</p> <p>Schedule 3 Clause 4.2 - £20,000 Construction Works Travel Plan Sum (bank deposit)</p> <p>Schedule 4 Clause 1.6 Savage Road land maintenance £96,000</p> <p>Schedule 4 Clause 2.1 - £390,000 Visual Impact Mitigation Contribution PAID</p> <p>Schedule 4 Clause 3.1 - £100,000 First Biodiversity Contribution PAID</p> <p>Schedule 5 Clause 2.5 - £5,000 Weston Mill School Air Quality Protection paid</p> <p>Schedule 5 Clause 4.1 - £1,000 Computer Facilities Sum paid</p> <p>Schedule 5 Clause 2.4 - £10,000 NO2 diffusion tubes</p> <p>Schedule 5 Clause 2.4- £65,000 Air Quality Monitoring Equipment</p> <p>Schedule 5 Clause 3.1 £5,000 complaint administration and attendance costs (£200/meeting – PPS Unit)</p>	<p>PAID</p> <p>PAID</p> <p>PAID</p> <p>PAID</p> <p>Due 24th December 2013</p> <p>PAID (Scheme to be agreed by NYCT)</p> <p>PAID</p> <p>PAID</p> <p>PAID</p> <p>Due from commissioning date</p> <p>Due from operational date</p>	
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<p>Schedule 6 Clause 2.1 - £10,000 North Yard Community Trust Administration Contribution Paid</p> <p>Schedule 6 Clause 3.1 - £150,000 First Community Fund Contribution PAID</p> <p>Schedule 8 Clause 1.1 - £24,210 Management Fee Paid</p>	<p>PAID</p> <p>PAID</p> <p>PAID</p> <p>Payment monitoring procedures still being improved following email to MVV 24th May.</p>	
SI06 SCHEMES		
<p>S2 Clause 2 District Heating Network - Awaited</p> <p>S2 Clause 4 Devonport Dockyard Naval Base Energy Monitoring Scheme Awaited before operational date (includes connections to Fleet accommodation Centre and Help for Heroes swimming pool)</p> <p>S2 Clause 6 Local Employment Scheme- (includes requirement for annual summary report)</p>	<p>Doc.110512- clean submitted 3rd May in accordance with 6.1 and revised 11 May – Applicants agreed 28th May to revise it further (with statements addressing some concerns) and it was revised by applicants following comments and re-submitted 7th June 2012. (LPA confirmed that reasonable endeavors were being taken by the applicant to finalise the scheme in accordance with clause 6.2. Discussed with local members 12th June). Approved 15th June 2012.</p>	Approved
<p>S3 Clause 4 Construction Workers Travel Plan</p>	<p>The procedures and plan in document 080212 approved 7th March 2012. An informal update submitted 10th May – response given 22nd May –shuttle bus details still Awaited</p>	Approved

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<p>S3 Clause 5 Variable Pricing Structure Awaited</p> <p>S4 Clause 1 Savage Road Land Works and Management Plan Awaited (by February 2013)</p> <p>S4 Clause 2 Visual Impact Mitigation Scheme</p> <p>S4 Clause 4 Ecological Mitigation Enhancement Management Plan –</p> <p>S5 Clause 1 Noise Management Plan</p> <p>S5 Clause 2 Air Quality Management Plan</p> <p>S6 Clause 1 North Yard Community Trust Scheme</p> <p>S7 Clause 1 Education Programme Awaited</p>	<p>Required by February 2013 in consultation with NYCT Draft received 14th May (CD) -- response given 23rd May and revised draft received 15th June and response given 19th June. Formal submission received 16th July and Addendum received 3rd August. Approved 6th August 2012..</p> <p>Draft received 14th May (CD) – response given 23rd May and meeting took place with PPS Unit 27th June Applicants submitted informal draft of scheme 17th July and response to it given 1st August. Received 2nd August and approved 10th August. Noise Management Steering Group currently being set up Air Quality monitoring –operational stage</p> <p>submitted 4th May – Discussed with local members 12th June and the applicants were advised how they might revise their formal submission on 18th June.)Re-submission received 26th June approved 4th July.</p>	<p>Approved</p> <p>Approved</p> <p>Approved</p>
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**Appendix I - Planning Permission for North Yard Energy from Waste Plan
(11/00750)**

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<p>OTHER S106 REQUIREMENTS S6 Clause 2 North Yard Community Trust Venue S7 Clause 2 Appointment of Community Liaison Manager -</p>	<p>Appointed 5th March 2012</p>	<p>Appointed</p>

NORTH YARD PROPOSED ENERGY FROM WASTE PLANT
(11/00750)
Monitoring Compliance with conditions and S106 Clauses

Monitoring and progress report timetable over the initial 12 months.

1. **October 2012 (update note and agreement to timetable)**
2. **November 2012 – progress with Construction Traffic and roadworks / drainage improvements.**
3. **December 2012- (short update note)**
4. **January 2013 – progress with provision of landscaping, public open space and ecological mitigation**
5. **February 2013 -(short update note)**
6. **March 2013- progress with noise mitigation measures and complaints protocol**
7. **April 2013- (short update note)**
8. **May 2013 – progress of the North Yard Community Trust and well-being initiatives.**
9. **June 2013- (short update note)**
10. **July 2013 –progress with the local employment scheme, apprenticeships and use of local goods and services.**
11. **August 2013 - (short update note)**
12. **September 2013 – progress with the sustainability measures, Naval Dockyard connections and heating supply agreements.**
13. **October 2013- (short update note)**
14. **November 2013 –progress with provision of Entrance Sculpture**

(Other topics thereafter relate more to the completion of the main building and the commissioning and operational stages such as Air Quality and IBA monitoring that commence in 2014)

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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.

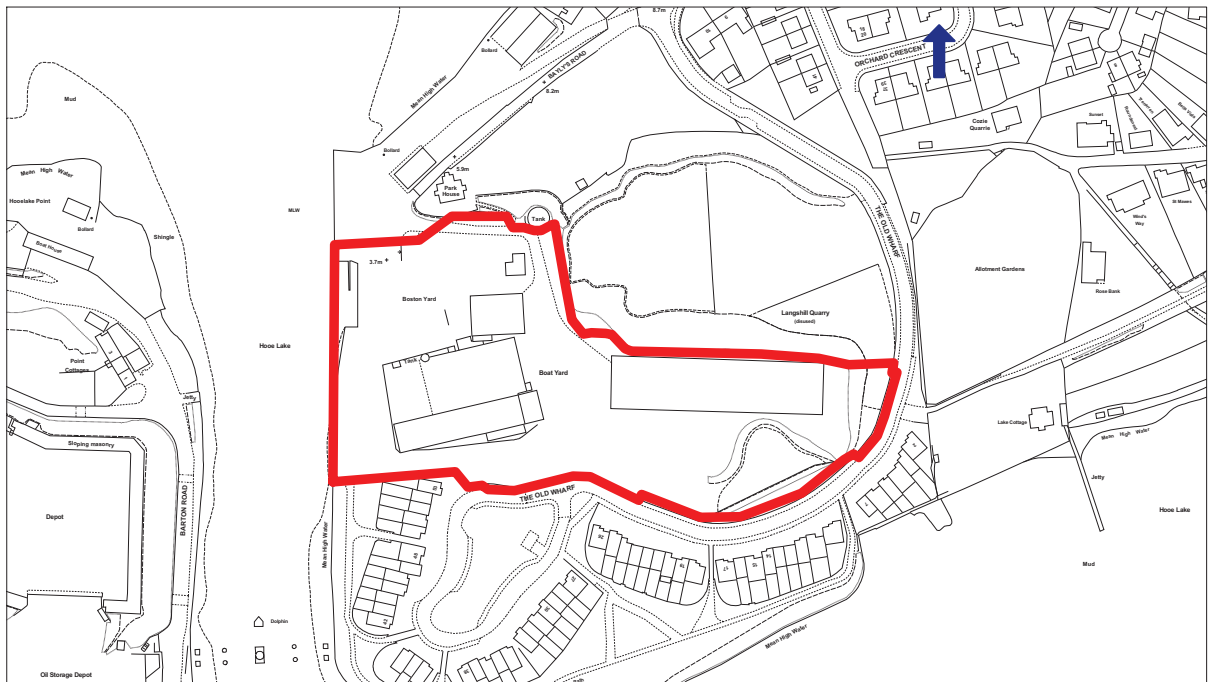
Where necessary Officers will advise Members of any other relevant planning issues to assist them with their decision.

PLANNING APPLICATION REPORT



ITEM: I

Application Number:	12/01180/FUL
Applicant:	Mr I Pugsley
Description of Application:	Re-develop site by erection of 53 dwellings with new access from the old wharf and associated roads and footways, parking and landscaping (demolition of existing buildings)
Type of Application:	Full Application
Site Address:	BOSTONS BOAT YARD, BAYLYS ROAD PLYMOUTH
Ward:	Plymstock Radford
Valid Date of Application:	26/07/2012
8/13 Week Date:	25/10/2012
Decision Category:	Major - More than 5 Letters of Representation received
Case Officer :	Robert Heard
Recommendation:	Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 24 October 2012
Click for Application Documents:	www.plymouth.gov.uk



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This application is presented to the committee at the request of Councillor Ken Foster, and due to it generating more than 5 letters of representation.

Site Description

The site is located within the residential area of Oreston, to the south east of the City Centre. It is close to the eastern edge of the Cattewater and overlooks Hooe Lake.

It is situated within the former Langshill quarry / timber sawmill and has some distinguishing features, with a water frontage onto Hooe Lake to the west and north-west, and the steep quarry face and hill to the east and north east. To the south lies an existing residential development known as the Old Wharf.

The area between the quarry face and the quayside is relatively level, although it does rise gently towards the north. The site also rises gently from its western boundary adjacent to the lake, to its eastern boundary which lies adjacent to the loop road that leads to the Old Wharf. The sole access to the site is currently from Baylys Road, to the north.

The site proposed for redevelopment forms most of the former Baylys Yard site, with a small part of the former boatyard retained by Captain Boston for his Geosa business. This retained element lies adjacent to the northern boundary of the site to which this application relates and contains a detached residential Victorian House, an office building and some workshops. This small retained area, still used by Captain Boston for his existing business, will remain in Marine Employment Use and does not form part of the site to which this application relates.

In its wider context, the site is situated on a promontory of coastal land between Cattewater and Hooe Lake, to the South of Oreston Village. It shares the promontory with 52 modern two/three storey terraced townhouses, known as 'The Old Wharf'. These were built in the 1990s and are accessed only from the Old Wharf Road which sweeps down from Baylys Road in an arch encompassing virtually the whole landside perimeter of the site. The top of the quarry is a small nature reserve, closed to the public.

The wider area, to the north and east, is established residential in character with local facilities clustered around Plymstock Road and Orchard Crescent in the centre of Oreston. Traffic, visiting the site, and the Old Wharf development, has to pass through narrow roads in this area, some without pavement / pedestrian refuge, to join the main road network A379, Billicombe Road, at Pomphett roundabout 1km to the north.

Heavy industrial uses, including the Chevron fuel terminal and Origin (formerly IWAS) fertiliser plant, occupy the opposite shore of Cattewater to the north. They provide a gritty industrial panorama, broken only by the Sterling prize shortlisted TR2 propos building.

Proposal Description

This application proposes to redevelop the site by erecting 53 dwellings with new access from the Old Wharf and associated roads and footways, parking and landscaping, and includes demolition of the existing buildings on the site.

A new access is proposed from the Old Wharf through the southern boundary of the site and the areas of the site that are currently part of the Plymouth Biodiversity Network are proposed to be retained. The application provides 37 four bed houses, 9 three bed houses and 7 two bed houses. Five of the proposed 2 bed houses are proposed to be affordable and the application provides 9 Lifetime Homes.

Pre-Application Enquiry

MA/221/PRE - Residential development for up to 60 dwellings including 30% affordable homes at Bostons Boatyard.

Final comments issued following negotiation on a proposed development of 54 dwellings. Comments generally supportive of the proposal and this application has been submitted in accordance with the advice given.

Relevant Planning History

Appeals

The site has a complex planning history. Two recent planning applications(09/01060 and 08/02268 – details given below) were the subject of appeals and a public inquiry in March 2010.

Both appeals were heard at the same time at a Public Inquiry that took place between 21 – 23 March 2010. Both appeals were against the refusal of outline planning permission, with all matters reserved, for residential led redevelopments of the site (details given below). The main issues considered at the inquiry were whether the site should be reserved wholly or mainly for marine related employment and whether the development of the site as envisaged in the applications would result in an increase in vehicular movements giving rise to prejudice to public safety and convenience or to interference with the free flow of traffic.

The Inspector's Decision was issued on the 1st April 2010. The appeal was dismissed on highways grounds only, with the Inspector stating that '*I am not persuaded that the site should be reserved wholly or mainly for marine related employment or that the current proposals would be contrary to Core Strategy CS05. A more efficient use of the land would accord with government guidance. However, I consider that the development of the site as envisaged in the applications would result in a substantial increase in vehicular movements giving rise to prejudice to public convenience and to interference with the free flow of traffic, and that this would outweigh the benefits which would accrue. The extra congestion would be contrary to Core Strategy Policies CS28 and CS34, and I conclude that I should dismiss both appeals on these grounds.*'

In conclusion, whilst the appeals were dismissed, this was on highways grounds only, with the Inspector stating that the site is not a viable employment site and should not be retained by the Council for employment use. However, whilst the Inspector stated that the site should not be retained by the Council for employment use and that a more efficient use of the land (ie for residential purposes) would accord with government advice, no indication was given with regards to the amount of residential development that would be acceptable at the site with regards to highway issues. However, the Inspector did state that *'some modest increase in overall traffic generation should be permitted notwithstanding that it may result in some increase in congestion of the surrounding streets.'*

Discussions with the owner of the site and his agents have continued since the appeals decision was released (under the pre-app reference listed above) and this current application is made following the conclusion of pre-app discussions under the Council's Development Enquiry Service for residential development at the site.

Planning Applications

09/01060/OUT - Outline application (with all matters reserved for future consideration) for the erection of 96 residential units, BI (A and B) units, DI units, new buildings for existing geosa oceanographic business and new water taxi pontoon with ancillary café (A3). REFUSED

08/02268/OUT - Outline application (with all matters reserved for later consideration) for the erection of 118 residential units, A2 (offices), A3 (restaurants/cafes) and BI (business) units, water taxi pontoon and new buildings for existing GEOSA Oceanographic busines. REFUSED.

Consultation Responses

Highways Department

Support subject to conditions.

Public Protection Service

Support subject to conditions.

Environment Agency

Support subject to conditions.

Representations

57 letters of representation received. The main grounds of objection are listed below:

- Objections to the proposed footway as it is felt it is not feasible and not needed. The footpaths through the narrowest part of the village are generally inadequate or non-existent.

- Objections to the increased traffic along Oreston Road and Oreston village being narrow. The 53 dwellings will generate up to 200 extra traffic movements each day through Oreston village and The Old Wharf. Congestion is already a major problem in & around Oreston, on Plymstock Road and out to Morrisons roundabout. Increase in traffic movements would give rise to prejudice to public convenience and interfere with the free flow of traffic.
- The infrastructure of Oreston will be unable to maintain such a development, increasing the number of vehicles on already heavily congested roads, both in the village and suburb of Plymstock and subsequently significantly increasing the problem of access for the emergency services.
- Overcrowding of a small residential area (the Old Wharf), loss of privacy, overlooking of existing properties, increased noise and general negative impact on the psychological wellbeing of existing residents (by overcrowding etc.). As well as extra noise and environmental pollution for affected residents.
- The play areas on the Old Wharf should be preserved and enhanced. Currently children play unencumbered by traffic, dog walkers walk their dogs and walkers enjoy the traffic-free zone. The proposed main entrance to the development is opposite an area where children play on a daily basis and is currently a safe green space and this would become a very dangerous place with so many additional cars using this area.
- The design and layout is inconsiderate. This development will put an extra burden on existing public facilities including doctors, dentists and school places in the Oreston area which are already overstretched.

Analysis

This application raises a number of key planning issues: the principle of the development; density; design and layout matters; residential amenity standards; contaminated land issues; affordable housing; transport; nature conservation (impact on ecology and protected species); renewable energy; and section 106 obligations and measures to mitigate the impacts of the development.

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.

Relevant national policy guidance comprises of the recently Adopted National Planning Policy Framework. The main Core Strategy policies relevant to the application are: CS01 Development of Sustainable Linked Communities, CS02 Design, CS15 Overall Housing provision, CS16 Spatial Distribution of Housing Sites, CS18 Plymouth's Green Space, CS19 Wildlife, CS20 Sustainable Resource Use, CS21 Flood Risk, CS22 Pollution, CS28 Local Transport Considerations, CS32 Designing Out Crime, CS33 Community Benefits/Planning Obligations and CS34 Planning Application Considerations. The guidance in the adopted Development Guidelines and Design Supplementary Planning Documents (SPD) and the adopted Planning Obligations and Affordable Housing SPD First Review apply.

Principle of Development

The appeals referred to above in the planning history section of this report established that the site was no longer suitable to be retained for employment uses and that alternative uses such as residential should be considered at the site. This establishes the principle of residential development at the site.

The Sustainable Neighbourhood Assessment (SNA) for Hooe, Turnchapel and Oreston identifies a need to increase the range of different housing types and the amount of social housing in the area. It specifically shows a need for more terraced houses and higher density development, to counter balance the low average density of the area which is 17.7 dwellings per hectare and characterised predominantly by semi detached houses.

The proposal contains a mix of housing types, at an average density of 30.4 dph which is significantly higher than existing density levels in the area, and would meet the requirements of future developments in the area as outlined in the Hooe, Turnchapel and Oreston Sustainable Neighbourhood Assessments. It would also provide 9% of dwellings as Affordable Housing, which is similar to the area average which is under 10%. The Affordable Housing offer is explained further in the main Analysis section of this report, under the heading 'Affordable Housing'.

It is considered that the principle of residential development at the site is acceptable and that the application would comply with the requirements of Policy CS01 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) by helping to meet the needs of the neighbourhood (as identified in the SNA) and by contributing to the provision of a sustainable linked community.

Density

Density calculations can be a crude measurement in determining the quality of schemes but do provide a broad benchmark in their assessment. The density of development surrounding the site is low, at an average of just 17.7 dph, as identified in the Hooe, Turnchapel and Oreston SNA. This compares with the applications density level of 32dph (excluding the fairly large undeveloped area of protected biodiversity network in the south and east parts of the site). If including this protected area the density level drops to 26dph. Density alone cannot be a reason for refusal unless it gives rise to manifest shortcomings.

The previous broad brush reference to a density of 30 – 50 dwellings per hectare (dph) in PPS3 has been removed and superseded by the NPPF which states that LPAs should set out their own approach to housing density to reflect local circumstances. Core Strategy policy CS01.2 states that development must be delivered at the appropriate type form, scale, mix and density in relation to its location relative to the neighbourhood's centre.

The existence of the cliff face and the importance of ecology issues, in particular the protection of the biodiversity network at the site, make this a difficult site to develop. These constraints further affect the density at which the site can be developed. Given the low density of the surrounding development and the established pattern of development in the area and also the lack of demonstrable harm associated with the amount of development proposed, the density proposed within this application is considered acceptable and in compliance with Strategic Objective 10.2 and Core Strategy policy CS01.2.

Design, Massing and Layout

The NPPF states that good design is indivisible from good planning and that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Core Strategy policy CS02 promotes well designed developments to promote the image of the city through enhanced city and local gateway locations and key approach corridors.

Layout

Access to the site is proposed from The Old Wharf, creating one vehicular access point into the site from the southern boundary. The new access road travels north into the site before then splitting west to the water frontage and east into the site, providing a single vehicular access street that serves as a shared surface and stretches from the eastern end of the site to the western end. There is no vehicular connectivity through the site and the proposed development is designed as a cul de sac with a single vehicular access point from The Old Wharf.

The whole approach to the layout of the proposed development has been designed to provide active frontages facing all of the main public spaces and routes within the site, and to ensure there is clear distinction between public and private space within the site. The layout therefore provides a continual street frontage to the new shared surface access road. At the western end of the site the height of the built form is increased to maximise views of Hooe Lake and to define this prominent area adjacent to the water frontage with a localised increase in building height.

The development within the site has been designed around the access road and all dwellings face onto the proposed shared surface. There is a small mews court off the proposed access road in the northern part of the site and the dwellings at the western end of the site overlook Hooe Lake.

There is clear distinction between public and private spaces within the site and the proposed layout has been designed so that the rear gardens of the proposed new dwellings either back onto the rear gardens of the other dwellings located within the site or areas that are not publicly accessible. This ensures the provision of a safe and secure environment, omitting the need for small back lanes, and is in accordance with the principles of Secured by Design.

The layout of the site has been designed to ensure that pedestrian permeability is improved and the development includes defined pedestrian links through the site providing easily identifiable pedestrian routes around the development and linking it with the surrounding areas, reflecting the evidence collected within the Hooe, Turnchapel and Oreston Sustainable Neighbourhoods Assessment which encourages developments to be permeable, especially for pedestrians and cyclists. The existing coast path at the western end of the site is safeguarded and a new pedestrian and cycle access only is proposed at the eastern end of the site.

The layout proposed creates a clear street hierarchy which will be easily legible, being reinforced by building height and form, continuity of facades and the structure of landscaping and boundary treatments. It is considered that the layout has achieved a balance between providing an appropriate density and ensuring residents will enjoy a decent level of private amenity space and a good quality public realm.

In summary, it is your Officer's view that the proposals will provide a well thought out development that is easy to get to and move through and around (for both vehicles and pedestrians) and has public and private spaces that are safe, attractive, easily distinguished and accessible. The layout of the development is therefore considered acceptable and in accordance with Core Strategy policy CS02, CS34 and part 4 of the Design SPD.

Design and Appearance

The street scenes within the development are characterised by 2 and 3 storey dwellings, which reflects the scale of the majority of the surrounding development. The mix of 2 and 3 storey dwellings help to provide some variation to the street frontage and massing of the development whilst providing continuity of building height so that the proposal has balance and uniformity with regards to building heights across the site.

The whole site follows the same design approach and the different dwelling types contain some similar features that ensure that the scheme has balance and symmetry, through subtle repetition of features and materials. The contemporary approach is highlighted by the use of simple porches and canopies to define entrances whilst timber clad projecting bay windows add variation to the materials palette and depth to the elevations, helping to give the facades rhythm and distinction. In terms of detailing and materials, the development will use locally recognizable materials including slate, natural stone and render in muted colours. Glazed balconies and terraces are provided to some of the houses in order to introduce further variation to the elevations and to provide views over the waterfront and overlooking of the central square.

It is considered that the proposed development provides a high quality contemporary housing development that in terms of scale, massing and design is sensitive to the existing surrounding development. It blends traditional elements of building design with a contemporary twist that ensures the proposal is not a slavish copy of the local style. The general arrangement of buildings on the site is considered to be the correct approach and is a pragmatic response to the constraints of the site. The development is therefore considered to make a positive contribution to local visual amenity and is compliant with Policy CS02 (Design) of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) and the Design SPD.

Residential Amenity

It is important that all new residential development should be designed to ensure that the degree of privacy enjoyed by existing nearby properties is not unacceptably reduced and that new problems of overlooking are not created. It is also imperative that the relationship between the new dwellings proposed is acceptable and that each property has an adequate level of privacy and natural light.

With regards to the relationships created between the new dwellings proposed within the site, the layout has been designed so that all new dwellings will benefit from adequate levels of residential amenity, in accordance with the guidance contained within the Council's adopted Development Guidelines SPD. All of the proposed dwellings that are positioned back to back are more than 21 metres apart and all houses have private amenity space that in terms of area is in excess of the minimum guidelines contained within the SPD.

Most of the existing properties on The Old Wharf are a significant distance from the site and will not be affected by this proposal, with regards to over shadowing or loss of daylight. The closest property to the site is no. 53 The Old Wharf, which is situated close to the southern boundary southern of the site and separated from the site by an existing 2.5 metre high boundary wall, which is proposed to be retained. The closest proposed plots to no. 53 The Old Wharf are plots 51 and 53 and due to the orientation of these dwellings and the separation distances between them and no.53 The Old Wharf, it is considered that the proposed development will not have a significant impact upon the existing dwelling, with the relationships created being in accordance with the advice contained with Council's adopted Development Guidelines SPD.

It is considered that the proposed development provides a good standard of accommodation for future occupiers and that the layout of the site has been arranged so that the relationship between the proposed dwellings within the site is not unacceptable. Each dwelling has its own private rear garden and there is open space within the proposed development for future occupiers of the proposed apartments to use. The application is therefore considered to be in accordance with Policies CS14 and CS34 of the City of Plymouth Local Development Framework Core Strategy (2007) and the guidance contained within the Development Guidelines SPD.

Highways Issues

As explained above in the Planning History section of this report, the site has a complex history, and the existing local highway network has previously been a barrier to the sites development.

A key issue therefore when considering this application is the suitability of the local highway network to accommodate additional significant development. As stated above, access to this site had been an issue for many years; a network of narrow historic streets connects the site with the rest of the highway network namely Orchard Crescent, Plymstock Road, and Oreston Road. These roads contain sections which are narrow and/or lacking in footways, restricting the amount of development that can be accommodated at the site due to the impact that additional trips in the area would have on the local highway network.

Two previous Planning Applications for this site referenced 08/02268/OUT for 118 residential units, other smaller uses laboratory space for the existing occupier (GEOSA Ltd), and 09/01060/OUT 96 residential units, a marine sciences block, the offices and laboratory space for GEOSA Ltd, were refused planning permission in 2008 and 2009 respectively.

The resulting Appeals by the developer were dismissed by a Planning Inspector on 4 March 2010 who noted that *“the development of the site as envisaged in the applications would result in a substantial increase in vehicular movements giving rise to prejudice to public convenience and to interference with the free flow of traffic”*. He also noted that *“development on the site should to some degree be constrained by the standard of its approach roads”* and that *“a level of development such as that now proposed in both appeals ... would not support convenient traffic movement or provide for a satisfactory access”*.

However, no limit was set by the Inspector on what future development should be permitted on the site but he noted that *“some modest increase in overall traffic generation should be permitted notwithstanding that it may result in some increase in congestion of the surrounding streets”*. Also he considered that the historical approach of only allowing the equivalent of 70 houses-worth of traffic generation should not necessarily be rigidly applied in the future.

Since the Appeal in 2010 the Applicant has sought to establish what a suitable level of traffic generation might be, which has been assumed to be less than the 118 and 96 dwellings proposed within the previous applications at the site. The current proposal is for substantially less than the 96 and 118 units previously refused planning permission in 2008 and 2009. It is accepted that the residual part of the site occupied by the GEOSA business would still generate some smaller amounts of traffic but, unlike previous proposals, this area is not included as part of the current application.

It is noted that objections to the proposal have been made by residents of Old Wharf on the basis that the Old Wharf access road is unsuitable for the increased levels of traffic. However this road is a relatively new road, conforming to modern standards of design with continuous footways. It is also a much higher standard than other roads in the area particularly Plymstock Road, over which the Inspector noted

that some increase in traffic might be acceptable. In addition the levels of traffic proposed by the development would be in the order of an additional vehicle every 2 minutes which would be difficult to argue constitutes a safety hazard or significantly impacts upon congestion. It is therefore considered that the proposal strikes a balance between the previously refused permissions and that level recommended in the past whilst conforming to the level of development inferred by the Inspectors report.

The Council's Transport Officer has stated support for the application, recommending approval subject to conditions, and commenting that *'In terms of site layout at least two car parking spaces per unit are proposed which is considered sufficient. The site would be accessed by vehicles from Old Wharf and a footway/cycleway connection would be provided at the eastern end of the site which in turn connects with a new footway/cycleway which connects to wider Plymstock area.'*

The construction and surfacing arrangements of the estate road will be agreed under the provisions of the Section 38 process but the submitted plans give an indication of the mix between adopted and unadopted areas and tarmac and block paved streets. It is requested that the eastern half of the site be similarly block paved as this area is a shared space.

The proposal should make provision for sustainable modes of transport and some covered, secure cycle parking should be provided on site to encourage residents to cycle and use sustainable transport for local journeys. This is particularly appropriate for those dwellings without garages.

The site lies within walking distance to local shops, services and Public Transport routes. It is considered that there are good opportunities for future residents to use alternative modes of transport to and from the site.'

The application makes provision for the existing coastal footpath to be continued from the Old Wharf into the site and safeguards a link at the western end of the site next to the waters edge, should the adjacent site ever come forward for development. A pedestrian and cycle link is also provided at the eastern boundary of the site, to improve connectivity. It is not considered appropriate to seek contributions from this development to fund a future foot bridge link across Hooe Lake due to the high development costs that the proposal incurs, which have a significant impact upon the schemes viability.

For the reasons stated above, it is considered that the application would not have a significant detrimental impact upon the local highway network, and that the application is compliant with Policy CS28 (Local Transport Considerations) of the Core Strategy.

Public Protection Issues

The Council's Public Protection Service (PPS) has been consulted with regards to the impacts that the development may have on existing residents and also any impact that existing features may have on the proposed development. They have considered impacts from noise, air quality and contaminated land.

Although potential adverse impacts have been identified, PPS has advised that these can be mitigated during the course of development.

During the construction phase the applicant will be required to abide by a Code of Practice for Construction and Demolition, this will address all of the environmental impacts from the development during the construction.

The issue of contaminated land has been subject of a number of technical reports and PPS Officer's have visited the site previously to advise on the best way to ensure that the site is cleansed before development is undertaken. The site is heavily contaminated due to previous uses and the reports submitted with this application identify areas of contamination that will need to be investigated in more detail and outline the most appropriate remedial measures that will be necessary to mitigate the impacts of any previous contamination. In order to secure the necessary mitigation pre-commencement conditions are recommended.

Affordable Housing

The delivery of Affordable Housing development is one of the top priorities for Plymouth City Council. The policy context is set out in paras.10.17-10.24 of the Core Strategy which supports policy CS15. With such high levels of Affordable Housing need, consistent delivery of Affordable Housing units can cumulatively make a big difference to catering for the City's overall housing need.

The proposed development will provide 53 homes. The applicant has submitted a viability report for consideration, due to the abnormal development costs at this site, which include cleansing due to former uses and netting of the cliff face. Following an initial appraisal, it has been accepted that the scheme can deliver 9% affordable housing, which is below the City's Market Recovery Initiative level, equating to 5 units of intermediate tenure (shared ownership).

Given the location of the development site and limited affordable housing provision in this area, the Housing Delivery Team is keen to seek on site provision in an effort to create a balanced, mixed, sustainable community. However it is also mindful of the need to ensure affordability having regard to local income and house prices. Working with the Registered Provider, residents of the affordable housing units will be able to meet their housing costs.

Whilst the level of affordable housing proposed at this site is slightly less than desired, it is considered that the provision of 5 affordable units on site is acceptable when considering the high abnormal costs associated with the development, which has a significant impact upon the developments viability.

Letters of Representation

The issues raised in the letters of representation received, which are listed in the Representations section of this report, are considered in the sections above, under the main analysis section of the report and under the relevant sub headings.

Other Issues

Policy CS20 (Sustainable Resource Use) of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) requires all new residential developments of 10 units or more to incorporate onsite renewable energy production equipment to off set at least 15% of predicted carbon emissions for the period 2010 – 2016.

The application proposes the use of Air Source Heat Pumps to ensure compliance with policy CS20 and the energy savings that this requires. Air Source Heat Pumps help to eliminate the need for fossil fuel heating systems and are highly efficient with 1 kw of electricity consumption generating 3-5 kw of renewable heat throughout the year. The main advantage of a Heat Pump is that heat energy is extracted from the outside air (even down to -20deg C) and brought inside the dwelling to provide low-cost heat. A heat pump is up to 5 times more efficient than traditional fossil fuel heating methods and can be fitted outside a house or in the roof space.

Heat Pumps are recognised as a renewable heating technology by the European Union and UK Renewable Energy Strategy. They have been classified by BERR as a renewable low carbon technology and 3 manufacturers are listed on the BRE's Green Book as providing "approved products". Air Source Heat Pumps are recognised for ENEC CSH which means it is a credible and recognised Energy Saving device that helps to reduce CO2 emissions. At this site, the savings equate to 15.37%, compared to the policy requirement of 15%, which is compliant with Policy CS20 of the Core Strategy.

Policy CS19 (Wildlife) requires that the application makes provision for protected species at the site and that it delivers a net biodiversity gain. Currently, the site is mainly hard surfaced and has little biodiversity value, so biodiversity enhancement at the site is relatively easy to achieve. The site does contain protected areas that form part of the Plymouth Biodiversity Network and these are retained. The provision of bird and bat boxes within the development, plus the landscaping shown on the submitted drawings would provide a net biodiversity gain at the site, in accordance with the requirements of Policy CS19. A condition is recommended to secure the details of the ecological improvements proposed, in order to bring about a net biodiversity gain at the site.

Section 106 Obligations

Planning obligations have been sought in order to help mitigate the infrastructure impacts of the development and satisfy the policy requirements for the proposal, pursuant to Core Strategy Policy CS33 and the Planning Obligations & Affordable Housing Supplementary Planning Document.

Infrastructure impacts

1. Primary schools. The development provides for family accommodation which will generate a demand for school places. The Council's Children's Services have provided evidence that there is a deficiency of school places in the locality given projected population growth. The development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £69, 000.

2. Local health infrastructure. The development will create an additional demand upon local health facilities. The Primary Care Trust has provided evidence that capacity in the locality of the development is substantially deficient for meeting the needs of the population growth in this area. The development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £11, 300.

3. Libraries. Library Services advise that development in this area will generate a pressure on existing library facilities which are already in need of additional capital investment as a result of the cumulative impact of population growth. The development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £5, 699.

4. Local green space. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact on existing local green space, most specifically through the need for green space improvements. The estimated cost of mitigating this impact is £16, 600.

5. Playing Pitches. The development is in a location that is deficient in terms of access to playing pitches. There is therefore an impact on infrastructure requirement that arises as a result of the development, namely the provision of improved access to playing pitches. The estimated cost of mitigating this impact is £30, 100.

6. Local play space. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact on existing play facilities, most specifically through the need for play facility improvements. The estimated cost of mitigating this impact is £11, 900.

7. Strategic green space. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the quality of environmental sites protected by legislation, particularly through increased recreational demands. The Council has an obligation through the Habitats Regulations Assessment of the LDF Core Strategy and relevant Development Plan Documents to seek mitigation for such cumulative impacts. The estimated cost of mitigating this impact is £37, 000.

8. European Marine Site. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the environmental quality of European Marine Site particularly through increased recreational demands. The Council has an obligation through the Habitats Regulations Assessment of the LDF Core Strategy and relevant Development Plan Documents to seek mitigation for such cumulative impacts. The estimated cost of mitigating this impact is £876.

9. Strategic sports facilities. By reason of the increased population facilitated by the development and the increased demand for use of sports facilities, it will contribute to the cumulative impact of development on the city's sports infrastructure. The estimated cost of mitigating this impact is £23, 600.

10. Transport. By reason of the increased population facilitated by the development and the increased demand for journeys, the development will have a cumulative impact on the city's strategic transport infrastructure. This will bring the likelihood of increased congestion and pollution unless there is adequate mitigation. The estimated cost of mitigating the impacts on the strategic highway network is £116,600

11. Strategic public realm. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the City Centre's public realm. This is because there will be a greater level use of the City Centre which itself generates extra pressure on the existing infrastructure. The estimated cost of mitigating this impact is £2,800.

Policy requirements

In addition to these infrastructure impacts, consideration needs to be given to the seeking of planning obligations in relation to relevant policy requirements, most particularly:

1. Provision of affordable housing, in accordance with Core Strategy Policy CS15. The application provides for 5 affordable homes, which represents 9% of the total development.

Other considerations

The applicants have asked for the application to be considered under the Council's Market Recovery Scheme, which allows reductions to the contributions required to mitigate the impacts of the proposal and for Affordable Housing levels to be reduced from 30%, subject to the findings of a viability report. The applicants submitted a viability report that demonstrated that the site incurred abnormal development costs and this was found to be sound by the Local Planning Authority.

The abnormal costs associated with cleansing the site and netting the cliff face have severely impacted upon the proposed developments ability to return a profit.

Whilst discussions are ongoing with regards to viability, in particular the proposed phasing of payments, there is considered to be a strong case for relaxing the level of mitigation sought to be able to secure delivery of this project. In such circumstances, it is necessary to consider prioritising the obligations having regard to evidence of key issues in the neighbourhood and the strategic impacts generated by development. In this context the most significant impacts and policy needs are considered to be in relation to affordable housing, local schools, sport facilities (in particular in relation to swimming) and transport. In addition, it is important to address the Council's legal responsibilities relating to the growth of the city particularly in relation to the European Marine Site. The recommended head of terms set out below reflect these priorities.

Recommended heads of terms

The Heads of Terms have been agreed with the applicant. This section sets out the agreed position. The following Heads of Terms are proposed, each of which have been tested against Regulation 122 of the Community Infrastructure Levy Regulations 2010, to enable appropriate mitigation of the impacts identified above:

a. Local schools: £45, 000 to be allocated to the provision of additional school places within the vicinity of the application site.

b. Playing pitches: £20, 500 to be allocated to the provision of improved playing pitch facilities in the Central and North Eastern sub-area, as identified in the Playing Pitch Strategy.

c. Local health: £11, 300 to be allocated to improvement of primary care health capacity in Plymstock.

d. Strategic green space: £25, 000 to be allocated to the provision of strategic green spaces that help to take pressure off the designated environmental sites, as identified in the Plymouth Green Infrastructure Delivery Plan.

e. European Marine Site: £876,.00 to be allocated to appropriate management measures for the Tamar Estuaries as identified in the Tamar Estuaries Management Plan.

f. Strategic sports facilities: £17, 750 to be allocated to the delivery of priority strategic sports facilities as identified in the Sports Facilities Strategy.

g. Transport: £90, 000 to be allocated to the delivery of priority strategic transport interventions as identified in the LTP3 Transport Implementation Plan - Eastern Corridor Whole Route Implementation Plan (specifically the Eastern Gateway Project). £13, 250 (£250 per dwelling) which can be used towards the purchase of either, a bicycle, a bus ticket or a ferry concession ticket.

h. The provision of 5 Affordable Housing units.

The applicant's provision of 5 affordable housing units is welcome. The type, size and location will be finalised as part of the section 106 agreement. The other agreed mitigation measures equate to £210, 426.

Each planning obligation sought has been tested to ensure that it complies with the three tests set out in Regulation 122 of the Community Infrastructure Levy Regulations April 2010.

Local Finance Considerations

Local finance considerations are now a material consideration in the determination of planning applications by virtue of the amended section 70 of the Town and Country Planning Act 1990. This development will generate a total of approximately £544,849 in New Homes Bonus contributions for the authority. However, it is considered that the development plan and other material considerations, as set out elsewhere in the report, continue to be the matters that carry greatest weight in the determination of this application.

Equalities & Diversities issues

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

Conclusions

The proposal supports the city's ambitious growth agenda in providing 53 new dwellings, much needed homes of different sizes including 5 affordable dwellings. This would increase the catchments for the local centres and help in part in creating sustainable linked communities, in order to comply with Core Strategy policies CS01, CS15 and CS16.

The applicant has agreed to sign up to a Section 106 Agreement to mitigate the impacts of the development on the local and strategic infrastructure. These include contributions of nearly £ to comply with Core Strategy policy CS33.

There are difficulties developing the land given the site's constraints, being a restrictive local road network, significant contamination of the site and the cliff face which requires netting in order to be made safe. The applicant has worked with officers to address these areas of concern. The principles of the design, layout and appearance have been agreed. Highways issues have now been resolved. On-site renewable energy production will be provided in compliance with Core Strategy policy CS20.

For these reasons the application is recommended for approval. However, if the Section 106 agreement is not completed by 12th May 2012, delegated authority to refuse is recommended because the application would not mitigate the infrastructure impacts of the development.

Recommendation

In respect of the application dated **26/07/2012** and the submitted drawings 0435 - 100, 0435 - 101, 0435 - 102 H, 0435 - 103 A, 0435 -104-1 D, 0435 -104-2 C, 0435 - 105 D, 0435 - 106, 0435 - 107 D, 0435 - 108 D, 0435 - 109 A, 0435 - 110 F, 0435 - 111 D, 0435 - 112 D, 0435 - 113 D, 0435 A, 5048, 5048 L-02, 11-05-151 - 051 P02, 11-05-151 - 100 P04, 11-05-151 - 110 P02 and accompanying Housetype Drawings, Design and Access Statement, Flood Risk Statement, Archaeological Report, Planning Statement, Ecological Impact Assessment, Ecological Mitigation and Enhancement Strategy, Energy Report, Rock Face Report, Waste Management Plan and Arboricultural Report.,it is recommended to: **Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 24 October 2012.**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 2 YEARS

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

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004, and due to concessions in Planning Obligation contributions/requirements under Plymouth's temporary Market Recovery measures.

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 0435 - 100, 0435 - 101, 0435 - 102 H, 0435 - 103 A, 0435 - 104-1 D, 0435 -104-2 C, 0435 - 105 D, 0435 - 106, 0435 - 107 D, 0435 - 108 D, 0435 - 109 A, 0435 - 110 F, 0435 - 111 D, 0435 - 112 D, 0435 - 113 D, 0435 A, 5048, 5048 L-02, 11-05-151 - 051 P02, 11-05-151 - 100 P04, 11-05-151 - 110 P02.

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.

SITE CHARACTERISATION

(3) An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

- (ii) an assessment of the potential risks to:
- human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors to comply with policies CS34 and CS22 of the Adopted Plymouth Core Strategy Development Plan Document.

SUBMISSION OF REMEDIATION SCHEME

(4) A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as 2009 contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors to comply with policies CS34 and CS22 of the Adopted Plymouth Core Strategy Development Plan Document.

IMPLEMENTATION OF APPROVED REMEDIATION SCHEME

(5) 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 to comply with policies CS34 and CS22 of the Adopted Plymouth Core Strategy Development Plan Document.

REPORTING OF UNEXPECTED CONTAMINATION

(6) 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 3, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 4, 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 5.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors to comply with policies CS34 and CS22 of the Adopted Plymouth Core Strategy Development Plan Document.

NOISE

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

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

NOISE VERIFICATION

(8) Prior to any occupation of dwellings, the developer should submit, for written approval by the LPA, a verification report proving that the dwelling meets the aforementioned criteria.

Reason: To ensure that the above noise insulation standards are met to comply with policies CS22 and CS34 of the adopted City of Plymouth Core Strategy Development Plan Document 2007.

CODE OF PRACTICE

(9) Prior to the commencement of the development hereby approved, a detailed management plan for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall comply with the relevant sections of the Public Protection Service, Code of Practice for Construction and Demolition Sites, with particular regards to the hours of working, crushing and piling operations, control of mud on roads and the control of dust. The development shall be constructed at all times in accordance with the approved management plan.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

STREET DETAILS

(10) Development shall not begin until details of the design, layout, levels, gradients, materials and method of construction and drainage of all roads and footways forming part of the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved details.

Reason:

To provide a road and footpath pattern that secures a safe and convenient environment and to a satisfactory standard in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

ACCESS

(11) Before any other works are commenced, an adequate road access for contractors with a proper standard of visibility shall be formed to the satisfaction of the Local Planning Authority and connected to the adjacent highway in a position and a manner to be agreed with the Local Planning Authority.

Reason:

To ensure an adequate road access at an early stage in the development in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

DETAILS OF NEW JUNCTION

(12) Development shall not begin until details of the junction between the proposed service road and the highway have been approved in writing by the Local Planning Authority; and the building shall not be occupied until that junction has been constructed in accordance with the approved details.

Reason:

To ensure that an appropriate and safe access is provided in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CYCLE PROVISION

(13) No dwelling shall be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for 20 bicycles to be parked.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CYCLE STORAGE

(14) The secure area for storing cycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

To ensure that there are secure storage facilities available for occupiers of or visitors to the building, in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

DETAILS OF NEW JUNCTION

(15) Development shall not begin until details of the junction between the proposed service road and the highway have been approved in writing by the Local Planning Authority; and the building shall not be occupied until that junction has been constructed in accordance with the approved details.

Reason:

To ensure that an appropriate and safe access is provided in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

TRAVEL PLAN

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

Reason:

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

PROVISION OF PARKING AREA

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

Reason:

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

GRAMPIAN

(18) No dwelling shall be occupied until the proposed access and improvements to the existing highway shown on the approved plans have been completed.

Reason:

In the interests of highway and pedestrian safety in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LANDSCAPE DESIGN PROPOSALS

(19) No development shall take place until full details of both hard and soft landscape works and a programme for their implementation for the whole site including the woodland area have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc., indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant].

Reason:

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

SOFT LANDSCAPE WORKS

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

Reason:

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

LANDSCAPE WORKS IMPLEMENTATION

(21) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason:

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

LANDSCAPE MANAGEMENT PLAN

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

Reason:

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

SUSTAINABLE RESOURCE USE

(23) Unless otherwise agreed previously in writing with the Local Planning Authority, the development shall be completed in accordance with the Carbon Reduction Strategy by Stuart Milne dated 31st May 2012. This identifies and proposes the use of Air Source Heat Pumps as the preferred method of incorporating onsite renewable energy production.. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations.

Unless otherwise agreed in writing, the approved on-site renewable energy production methods (in this case Air Source Heat Pumps) shall be provided in accordance with details to be submitted and approved in writing by the Local Planning Authority prior to the first occupation of the development and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to off-set at least 15% of predicted carbon emissions for the period 2010-2016 in accordance with Policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and relevant Central Government guidance contained within PPS22.

EXTERNAL MATERIALS

(24) No development shall take place until a schedule of materials to be used in the construction of the external surfaces of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

BOUNDARY TREATMENT

(25) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable to be agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the details of the development are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

FURTHER DETAILS

(26) No work shall commence on site until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz:-

Further details of the proposed anchoring and netting required to stabilize the rock face as outlined in the report produced by Vertical Technology dated 15th March 2012.

The works shall conform to the approved details and be permanently retained.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they 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.

BIODIVERSITY

(27) Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Ecological Mitigation Strategy for the site. Prior to development on site commencing, a Construction Environment Management Plan (CEMP) and Ecological Management Plan (EMP) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken strictly in accordance with the approved details.

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Core Strategy policies CS01, CS19, CS34 and Government advice contained in the NPPF.

EXTERNAL LIGHTING

(28) Prior to development on site commencing, details of any proposed external lighting/floodlighting shall be submitted to and agreed in writing with the Local Planning Authority. The agreed details shall be strictly adhered to during the course of development and thereafter so retained unless the written agreement of the LPA is provided to any alternative external lighting/floodlighting.

Reason:

To minimise the impact of light pollution on foraging bats in the locality in accordance with the provisions of Core Strategy policies CS01, CS02, CS19, CS22, CS34 and relevant Government advice in the NPPF.

LIFETIME HOMES

(29) The development shall be constructed strictly in accordance with drawing no. 0435 - III D showing 11 units within the development to be constructed to Lifetime Homes standards. The layout of the floor plans hereby approved shall be permanently retained for so long as the development remains in existence, unless a further permission is granted for the layout of these units to change.

Reason:

In order to provide 20% Lifetime Homes at the site, in accordance with Policy CS15 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

INFORMATIVE: SECTION 38 AGREEMENT

(1) Any of the roadworks included in the Application for adoption as highways maintainable at public expense will require further approval of the highway engineering details prior to inclusion in an Agreement under Section 38 of the Highways Act 1980.

INFORMATIVE: SECTION 278 AGREEMENT

(2) No work within the public highway should commence until engineering details of the improvements to the public highway have been approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into. The Applicant should contact Plymouth Transport and Highways for the necessary approval.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be the impact of the proposal on the local highway network and local visual amenity, 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 (1) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

- CS28 - Local Transport Consideration
- CS32 - Designing out Crime
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS19 - Wildlife
- CS20 - Resource Use
- CS21 - Flood Risk
- CS01 - Sustainable Linked Communities
- CS02 - Design
- CS15 - Housing Provision
- CS16 - Housing Sites
- NPPF - National Planning Policy Framework March 2012

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PLANNING APPLICATION REPORT



ITEM: 2

Application Number: 12/01339/FUL

Applicant: Mr Andrew Preston

Description of Application: Re-develop site by erection of new 4 storey building containing commercial unit on ground floor and 7 apartments on upper floors with associated car parking, refuse and cycle storage (demolition of existing building)

Type of Application: Full Application

Site Address: SEAWINGS, 101 LAWRENCE ROAD PLYMOUTH

Ward: Plymstock Radford

Valid Date of Application: 30/07/2012

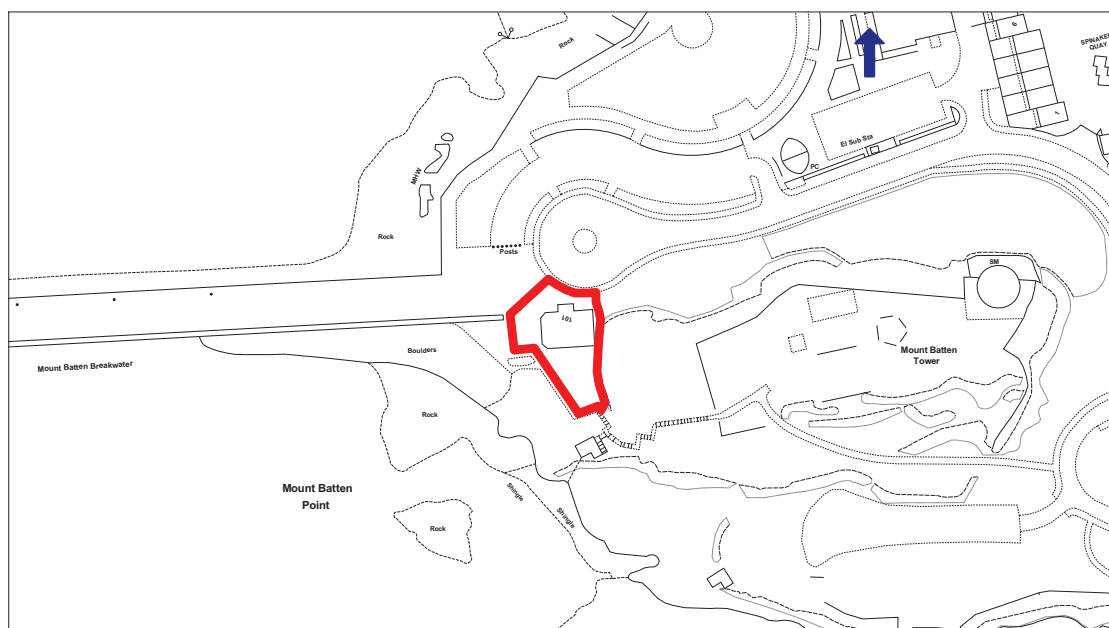
8/13 Week Date: **24/09/2012**

Decision Category: Member Referral

Case Officer : Robert Heard

Recommendation: Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 18 January 2013.

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



This application is being presented to the Planning Committee at the request of Councillor Ken Foster who is concerned about the effects of the development

Site Description

The site is located in a prominent position on the headland at the western promontory of the Mount Batten peninsula, directly overlooking the Mount Batten breakwater. It sits beneath the secured rock face that rises to approximately 26m AOD. It overlooks Mount Batten Point, the eastern waters of Plymouth Sound, and the Cattewater, which forms the mouth of the River Plym.

The site is characterised by its irregular boundaries and together with the topography, exposure, and the imposing backdrop of the cliff, it is constrained. It occupies a footprint of approximately 780m² and rises from a road level of around 4.0m AOD to roughly 6.0m AOD on the southern boundary, where it meets the public footpath. This leads to a cliff top amenity area, which is the setting for the historic Mount Batten artillery tower (1652, Grade II* listed), and is a scheduled ancient monument. The site also includes an external seating area to the south.

There is no immediate surrounding development, the closest existing building to the site is the Mount Batten Hotel. Spinnaker Quay, a small development of 22 modern townhouses, is the closest residential development to the site.

Proposal Description

It is proposed to redevelop the site and erect a new 4 storey building containing a commercial unit on the ground floor and 7 apartments on the upper floors with associated car parking, refuse and cycle storage. It is proposed to demolish the existing building on the site.

The development provides 7 no. apartments arranged in three wings around a central service and access core. The apartments vary in size ranging from approximately 105m² to 137m² gross internal area, all offering two double bedrooms and open plan living space. The residential accommodation is raised over a screened and secure, on-site parking area providing 10 car spaces for the use of the residents (11 spaces provided in the car park area), which is accessed from the turning head. Within the ground floor of the building, and associated with the residences, is a secure cycle store with 3 stands (Sheffield type or similar approved) providing 6 spaces, bin store, plant and utilities meter rooms.

One small commercial outlet, or another potential active use is proposed at ground floor level. This will provide approximately 67m² of gross internal area. A dedicated bin store has also been allocated for the use of this commercial unit. 1 cycle stand (Sheffield type or similar approved) providing 2 secure spaces is shown on the ground floor adjacent to the unit's street-facing entrance and under cover of the building, for the use of the commercial unit staff and customers. The car park area will also have 1 car parking space allocated for the commercial unit.

Pre-Application Enquiry

MI/44/PRE - Development Enquiry Service Pre-app Enquiry for 10 apartments at Seawings, Lawrence Road, Plymouth.

Discussions held regarding the development of the site for residential purposes, leading to the submission of a formal planning application (see below for details).

Relevant Planning History

11/01980/FUL - 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). WITHDRAWN.

Consultation Responses

Environment Agency

No objection subject to conditions.

Highways Officer

No objection subject to conditions.

English Heritage

No objections.

Public Protection Service

No objection subject to conditions.

Queens Harbour Master

No objection.

Representations

One hundred and eleven (111) letters of representation received. One Hundred and ten (110) are in objection, on grounds summarised below:

- Objections to inappropriate design and use.
- Proposed development is on a Site of Special Scientific Interest and includes several scheduled ancient monuments deemed to be of national importance. The proposed development is totally out of context and offends each and every one of the above criteria, in particular, style, layout, scale, height and views. The development is in the proximity of two designated heritage sites and Second World War two remains. It will dominate the area and is therefore out of character for a historic environment of national importance.

- This is an attractive site provided by central national government for the benefit of local people and for visitors to enjoy. Residential use would create parking problems in an area already full with visitors cars most of the year. The whole vista would be destroyed if this building project were to be allowed, and the large scale nature of the complex would bring an unprecedented level of traffic to this small area of the peninsula, having a detrimental effect on parking, traffic flow and bus access.
- This latest proposal will mean the loss of more wildlife habitat completely alien to the historical ethos of the area.

One letter of support has been received.

Analysis

It is considered that the main issues in the determination of this application are the principle of the proposed development; the design of the building and the impact that it will have on the character and appearance of the area and nearby Mount Batten Tower; impact upon nearby properties residential amenities and impact upon the surrounding highway network. These issues will now be addressed in turn:

Principle of Development

The site is not constrained by any restrictive planning policies. It does not lie within a Conservation Area and there are no protected trees on the site. At present there is an existing late 19th century building on the site that has been converted to residential and catering facilities (Seawings restaurant). The building and its external, terraced, timber decks together with the rear access ways occupy the whole site area. The site has been previously developed and is thus considered to be a brownfield site.

With regards to planning policy, paragraph 10.25 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) states that *'In order to optimise the use of available sites and to reduce the pressure on Greenfield sites, the Government has set minimum density targets of between 30 and 50 dwellings per hectare. The priority will be on the re-use of previously developed sites'* and goes on to state that *'City Centre or urban sites can achieve quality development with densities significantly above the upper target level, as such sites would normally consist of flats and apartments'*.

Whilst the previous broad brush reference to a density of 30 – 50 dwellings per hectare (dph) in PPS3 has been removed and superseded by the NPPF, which states that LPA's should set out their own approach to housing density to reflect local circumstances, the proposal is on previously developed brownfield land and would provide a development that, in terms of density, would be consistent with other residential schemes for apartments.

It is considered that the principle of residential development at the site is acceptable and that the application would comply with the requirements of Policy CS01 of the adopted City of Plymouth Local Development Framework Core Strategy (2007).

Design Issues/Impact upon character and appearance

The NPPF states that good design is indivisible from good planning and that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Core Strategy policy CS02 promotes well designed developments to promote the image of the city through enhanced city and local gateway locations and key approach corridors.

Although the existing building occupies a dramatic setting, it is undistinguished and has little architectural or historic value. There is also no predominant architectural language for the buildings that exist throughout the peninsula. They echo the utilitarian requirements of the military and have been sporadically sited to meet functional criteria and access to the water at Clovelly Bay. More recent developments, mainly as a result of the initiatives by the Plymouth Development Corporation, have resulted in buildings of variable architectural merit.

The buildings in closest proximity to this site are the 22 modern town houses at Spinnaker Quay, the conversion of an existing building to the Hotel Mount Batten, and new public toilets adjacent.

Layout

With regards to the proposed layout, the residential accommodation is raised above ground level to design out flood risk, respond to the rising ground levels, and to accommodate onsite car parking. The close proximity of the cliff face has also impacted upon the layout, and the proposal has been oriented to maximise views from the south-east to the north-west.

The site layout is arranged to address the irregular boundary conditions of the site in a rational design. The ground floor commercial space has a direct and legible access from Lawrence Road. The vehicular entrance is screened and on the northern boundary at the Lawrence Road turning head, which due to the constraints of the site is the only natural vehicular access point.

The physical constraints of the site have had a significant impact upon the layout and design. The application proposes to create three residential blocks grouped around a central and pivotal circulation core. This offers the potential for a form that can respond in section to the change in level across the site and the landform of the backdrop. The layout is therefore a direct response to the physical constraints of the site.

Scale and Massing

Concerning the massing of the building, it has been heavily faceted. This ensures that the building respects the rigorous setting and has the effect of breaking down the overall massing so that the building sits appropriately within its context when viewed from a distance. There are four main elements to the overall building; three residential blocks of varying roof heights, grouped around a higher, pivotal stair core and lift shaft. A series of projecting bays and recessed balconies, together with a stepped profile, add variation to the overall composition of the building. It is considered that the scheme's massing has been articulated successfully to respond to the particular prominence of the site when viewed from the Hoe, and that it sits

comfortably within the context of the natural landforms and rock bluff that form a dramatic backdrop to its setting.

Design and Appearance

With regards to external appearance, the building occupies a prominent location that is also a gateway waterfront site. A landmark building of high quality is thus required in order to make a positive contribution to the unique setting of the site. There is no dominant architectural language within the area and an opportunity therefore exists to design an object building that stands alone in this location.

The building is predominantly residential and its impact on the character and appearance of the surrounding area will be determined by the quality of its facades above ground level. The ground floor appears as plinth and is formed with a random rubble, limestone enclosure, with grouped and framed openings. This ensures that at ground level, the building sits neatly within the street scene, providing a robust plinth that is finished in materials that are respectful to the context in this exposed location.

Above ground floor level, the apartment wings project over the proposed commercial space and parking area. The north wing contains two storeys above ground, the west wing contains three above the ground floor, and the south wing has two storeys above the first floor. This is due to the ground levels at the site and this approach provides a building that responds to the landscape and natural features of the site.

The north façade in particular, has been developed to present a highly articulated elevation when viewed from the Hoe and Barbican. Large framed bay window openings are used to strengthen the articulated form of the building adjacent to the face of the cliff. They create shadow and shelter by using projecting glazed bays and recessed balconies.

The central block has been framed where the full height glazing elements face west. Openings to balconies are placed to protect against the prevailing wind wherever possible.

The penthouse accommodation on the third floor is expressed as a recessed element, further breaking down the scale and mass of the building and helping it relate more successfully to the profile of the cliff when viewed from the Plymouth seafront.

A key feature of the buildings design is the stair core and lift shaft on the west elevation. This introduces a circular element to what is a faceted angular building, and provides a key curved element that references the rugged, organic setting of the building.

Materials

It is paramount that the materials proposed in this location are rugged to reflect the setting but also durable as the location is exposed and robust materials will be required to withstand the natural elements. The ground floor is mainly a mix of stone and glazing. The proposed glazing will ensure that the ground floor use is visually permeable and that any new use will provide surveillance of the areas immediately outside of the building. The stone is a robust material that reflects the setting of the rock outcrop.

There is limited render, used to frame the ends of the building. The applicant is proposing to use a high quality, acrylic render system, designed to perform where there is less air movement and where the building is predominantly in shadow. The north and west/south-west façades contain predominantly glazed elements, designed to maximise solar orientation, and take advantage of the stunning views over Plymouth Sound and the waterfront. For the glazing, the applicant is proposing to use aluminium framed windows, treated with a powder coating to a dark grey. Dark grey, acrylic backed, obscure glass spandrel panels are used to link the windows to hide servicing between floors and simplify the lateral openings in the limestone cladding and the rendered elevations.

The penthouse flat, located atop the west wing, is visually separated from the bulk of the building by being set back and clad in a tinned, pre-patinated copper system to reflect the green/grey hues of the higher slopes. It will weather further into its surroundings and is applied in standing seam construction with a randomised vertical rhythm.

Heritage Issues

The site is positioned approximately 122 metres to the west of the existing Mount Batten Tower, which is a scheduled Ancient Monument. The Plateau on which the tower sits is also protected due to its archaeological value. The Heritage Asset therefore corresponds to the surviving limestone plateau that forms the top of the limestone rock outcrop, upon which at its eastern end sits the 17th century artillery tower, and includes land and features to the south and southwest.

The Tower is located to the east of the plateau and is visually remote from the development site. It is not dominant in the context of the wider panorama of the Sound, having more impact when viewed from the harbour and those parts of the Barbican, which are in closest proximity. Within the Mount Batten peninsula itself, the Tower is most visible from the eastern approaches, whilst from the west in the areas close to the development site and from the pier it is shielded from view by the rock outcrop.

Consultation with English Heritage (EH) has been ongoing since an earlier application at the site (11/01980/FUL – see planning history section for full details) was withdrawn due to concerns EH had in relation to the scale of the proposal. The proposed development, as a result of the discussions with EH, is now for a 4 storey building and not a 5 storey building, as originally proposed. This has had the affect of significantly reducing the proposed buildings impact upon the Artillery Tower and its setting, and has resulted in a reduction in the number of apartments proposed from 10 to 7.

In its consultation letter dated 31st August 2012, EH have commented that *'It is apparent that the applicant has taken on board EH's concerns in the revised scheme. The reduction in building height, scale & mass now demonstrates a clear subordination to the designated 17th Century defences on the adjacent plateau. Although this would still be likely to have some impact upon the setting of the heritage assets, we do not believe that this would constitute substantial harm to the significance of the Mount Batten defences in the same way that the original scheme clearly did. It would not therefore be reasonable for EH to maintain an objection to this planning application.'*

It is thus considered that the application does not have a significant detrimental impact upon the Artillery Tower or Plateau, and that the scale and massing of the proposal is of an acceptable form and is not harmful to the setting of the heritage assets.

In conclusion, it is considered that the proposed development provides a high quality and innovative contemporary development that in terms of scale and massing is sensitive to the existing surrounding development and heritage features, whilst providing a modern urban design solution to the development of this gateway waterfront site. The development is therefore considered to make a positive contribution to local visual amenity and is compliant with policies CS02 (Design) and CS03 (Historic Environment) of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

Highways Issues

Vehicular access onto the site is proposed from the northern boundary, off the existing turning head on Lawrence Road, via a dropped kerb. There are 11 car parking spaces proposed on-site to serve the 7 apartments proposed. Due to the small scale of this development, there will not be a significant impact on the local highway network in terms of additional trips. The Highways Officer has stated support for the proposal and the application is considered compliant with Policy CS28 (Local Transport Considerations) of the adopted City of Plymouth Local Development Framework Core Strategy (2007).

Residential Amenity

It is important that all new residential development should be designed to ensure that the degree of privacy enjoyed by existing nearby properties is not unacceptably reduced and that new problems of overlooking are not created. It is also imperative that the relationship between the new dwellings proposed is acceptable and that each property has an adequate level of privacy and natural light.

The proposed building has been designed so that future occupiers will benefit from a full range of amenities. Bin and cycle stores are provided, as well as adequate levels of car parking. Each flat is spacious, light and airy and fitted to a high specification. The apartments have been arranged so that no conflict with regards to residential amenity standards is created between them.

There are no existing dwellings in close enough proximity to the site to be affected with regards to residential amenity impact. The proposed development is therefore considered compliant with Policy CS34 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

Other Issues

110 letters of objection have been received. These are mostly based around the impact that the development will have on visual amenity and the nearby heritage assets. These issues are discussed in detail above in the main Analysis section of this report, with the conclusion being that the proposed development is acceptable with regards to its impact upon visual amenity and the nearby heritage assets.

Although not a Policy requirement, the application provides two apartments that are fitted to Lifetime Homes standard. Although all apartments could comply as designed currently, or could be easily adjusted to comply, not all parking spaces within the development are capable of being adjusted to suit the requirements, without decreasing the number of parking spaces.

Consultation with the Environment Agency has revealed that despite the site being located in flood zone 1 (and thus there being no statutory requirement to consult the EA with regards to flood issues), discussions were required to ensure that the building is not at risk to flooding in the future. In order to meet the EA's requirements the proposed ground floor level of the building has been raised. The EA have confirmed in their letter of the 5th October that *'we consider that the proposed development will be acceptable (and we will not object) if subsequent planning permission includes conditions to manage the flood risks to the ground floor commercial unit and ensure the provision of a secure emergency egress route for the occupants of the residential units. Furthermore, as highlighted in our letter of 12 September 2012 we also recommend the inclusion of conditions to ensure the appropriate investigation and remediation of contaminated land and the management of any unsuspected contamination which might be encountered'* The conditions referred to are attached. .

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

Section 106 Obligations

Planning obligations have been sought in order to help mitigate the infrastructure impacts of the development and satisfy the policy requirements for the proposal, pursuant to Core Strategy Policy CS33 and the Planning Obligations & Affordable Housing Supplementary Planning Document.

The impacts relate to the following areas:

1. Primary schools. The development provides for family accommodation which will generate a demand for school places. The Council's Children's Services have provided evidence that there is a deficiency of school places in the locality given projected population growth. The development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £12, 250.

2. Local health infrastructure. The development will create an additional demand upon local health facilities. The Primary Care Trust has provided evidence that capacity in the locality of the development is substantially deficient for meeting the needs of the population growth in this area. The development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £1, 860.

3. Libraries. Library Services advise that development in this area will generate a pressure on existing library facilities which are already in need of additional capital investment as a result of the cumulative impact of population growth. The development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £936.

4. Local green space. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact on existing local green space, most specifically through the need for green space improvements. The estimated cost of mitigating this impact is £2, 731.

5. Playing Pitches. The development is in a location that is deficient in terms of access to playing pitches. There is therefore an impact on infrastructure requirement that arises as a result of the development, namely the provision of improved access to playing pitches. The estimated cost of mitigating this impact is £4, 955.

6. Local play space. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact on existing play facilities, most specifically through the need for play facility improvements. The estimated cost of mitigating this impact is £1, 955.

7. Strategic green space. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the quality of environmental sites protected by legislation, particularly through increased recreational demands. The Council has an obligation through the Habitats Regulations Assessment of the LDF Core Strategy and relevant Development Plan Documents to seek mitigation for such cumulative impacts. The estimated cost of mitigating this impact is £6, 000.

8. European Marine Site. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the environmental quality of European Marine Site particularly through increased recreational demands. The Council has an obligation through the Habitats Regulations Assessment of the LDF Core Strategy and relevant Development Plan

Documents to seek mitigation for such cumulative impacts. The estimated cost of mitigating this impact is £143.

9. Strategic sports facilities. By reason of the increased population facilitated by the development and the increased demand for use of sports facilities, it will contribute to the cumulative impact of development on the city's sports infrastructure. The estimated cost of mitigating this impact is £3, 890.

10. Transport. By reason of the increased population facilitated by the development and the increased demand for journeys, the development will have a cumulative impact on the city's strategic transport infrastructure. This will bring the likelihood of increased congestion and pollution unless there is adequate mitigation. The estimated cost of mitigating the impacts on the strategic highway network is £5, 600

11. Strategic public realm. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the City Centre's public realm. This is because there will be a greater level use of the City Centre which itself generates extra pressure on the existing infrastructure. The estimated cost of mitigating this impact is £462.

Other considerations

The applicants have asked for the application to be considered under the Council's Market Recovery Scheme, which allows reductions to the contributions required to mitigate the impacts of the proposal. The applicants have agreed to the Council's substantial start clause to ensure that the development is delivered quickly.

Recommended heads of terms

The Heads of Terms have been agreed with the applicant. The section sets out the agreed position.

The following Heads of Terms are proposed, each of which have been tested against Regulation 122 of the Community Infrastructure Levy Regulations 2010, to enable appropriate mitigation of the impacts identified above:

- a. Local schools: £6, 100 to be allocated to the provision of additional school places within the vicinity of the application site.
- b. Local health: £900 to be allocated to improvement of primary care health capacity in Plymstock.
- c. Libraries: £469 to be allocated to improvement of local library facilities in Plymstock.
- d. Local Green Space: £1, 300 to be allocated to the provision of improved green space in the area.
- e. Playing pitches: £2, 450 to be allocated to the provision of improved playing pitch facilities in the area, as identified in the Playing Pitch Strategy.

- f. Local play space: £970 to be allocated to the improvement of local play facilities.
- g. Strategic green space: £3000 to be allocated to the provision of strategic green spaces that help to take pressure off the designated environmental sites, as identified in the Plymouth Green Infrastructure Delivery Plan.
- h. European Marine Site: £71 to be allocated to appropriate management measures for the Tamar Estuaries as identified in the Tamar Estuaries Management Plan.
- i. Strategic sports facilities tariff. £1, 900 to be allocated to the delivery of priority strategic sports facilities as identified in the Sports Facilities Strategy.
- j. Transport: £2, 800 to be allocated to the delivery of priority strategic transport interventions as identified in the LTP3 Transport Implementation Plan - Eastern Corridor Whole Route Implementation Plan.
- k. Public realm: £230 to be allocated to the delivery of priority City Centre public realm improvements as proposed in the City Centre & University Area Action Plan.

Each planning obligation sought has been tested to ensure that it complies with the three tests set out in Regulation 122 of the Community Infrastructure Levy Regulations April 2010. The other agreed mitigation measures equate to £20, 190.

Equalities & Diversities issues

No negative impact to any equality group is anticipated. The existing public footpath at the site is not affected and financial contributions to mitigate the impact of the proposed development have been agreed.

Local Finance Considerations

Local finance considerations are now a material consideration in the determination of planning applications by virtue of the amended section 70 of the Town and Country Planning Act 1990. This development will generate a total of approximately £40, 292 in New Homes Bonus contributions for the authority. However, it is considered that the development plan and other material considerations, as set out elsewhere in the report, continue to be the matters that carry greatest weight in the determination of this application.

Conclusions

The application site occupies a prominent location at a gateway waterfront site, close to a Scheduled Ancient Monument. The scale, design and appearance of the proposed development is thus a key issue in the determination of this application. As explained in the main analysis section of this report, it is considered that the application proposes a high quality, modern and innovative design solution to what is an unusual site. It will make a positive contribution to local visual amenity and will complement the landscape and context in which it sits.

Access and parking levels are acceptable and there are no properties in close enough proximity to the development to be affected with regards to residential amenity standards. The application is therefore recommended for approval subject to conditions and the completion of a Section 106 Agreement within 3 months of the date of the planning committee, with delegated authority to refuse sought if the S106 is not completed within this timescale.

Recommendation

In respect of the application dated **30/07/2012** and the submitted drawings I423-PL-001C, I423-PL-004B, I423-PL-002D, I423-PL-003B, I423-PL-010C, I423-PL-011C, I423-PL-012C, I423-PL-013C, I423-PL-005D, I423-PL-006D, I423-PL-007D, I423-PL-016C, I423-PL-017C, I423-PL-015C, and accompanying Design and Access Statement, Flood Risk Assessment and Phase I Desk Study, it is recommended to:

Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 18 January 2012.

Conditions

DEVELOPMENT TO COMMENCE WITHIN 2 YEARS

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

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004, and due to concessions in Planning Obligation contributions/requirements under Plymouth's temporary Market Recovery measures.

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: I423-PL-001C, I423-PL-004B, I423-PL-002D, I423-PL-003B, I423-PL-010C, I423-PL-011C, I423-PL-012C, I423-PL-013C, I423-PL-005D, I423-PL-006D, I423-PL-007D, I423-PL-016C, I423-PL-017C, I423-PL-015C.

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.

SITE CHARACTERISATION

(3) An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors to comply with policies CS34 and CS22 of the Adopted Plymouth Core Strategy Development Plan Document.

SUBMISSION OF REMEDIATION SCHEME

(4) A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as 2009 contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors to comply with policies CS34 and CS22 of the Adopted Plymouth Core Strategy Development Plan Document.

IMPLEMENTATION OF APPROVED REMEDIATION SCHEME

(5) 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 to comply with policies CS34 and CS22 of the Adopted Plymouth Core Strategy Development Plan Document.

REPORTING OF UNEXPECTED CONTAMINATION

(6) 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 3, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 4, 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 5.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors to comply with policies CS34 and CS22 of the Adopted Plymouth Core Strategy Development Plan Document.

DELIVERIES AND REFUSE COLLECTION

(7) Deliveries and refuse collections are restricted to the following times: -

- Monday to Saturday No deliveries or refuse collection between 6pm and 8am
- Sundays and Bank Holidays No deliveries or refuse collection

Reason: To protect the residential and general amenity of the area from noise emanating from delivery and waste collection activities and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

NOISE FROM COMERCIAL PREMISES

(8) Prior to the commencement of any occupation of the development building, details of the specification and design of any air conditioning or kitchen extraction equipment shall be submitted to and approved by the Local Planning Authority. The applicant should include details of noise data associated with regard to the any system that is to be put in place. The approved scheme shall be implemented in accordance with the approved details. Any alteration or variation to the equipment should receive the prior written approval of the Local Planning Authority.

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

CONTROL OF NOISE

(9) The noise emanating from the fans/ventilation equipment/air conditioning/ plant (LAeqT) should not exceed the background noise level (LA90) by more than 5dB, including the character/tonalities of the noise, at anytime as measured at the façade of the nearest residential property.

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

ODOUR

(10) Before the occupation and use hereby permitted is first implemented, details of the specification and design of equipment to control the emission of fumes and smell from the premises shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the use first commences and shall be retained at all times thereafter. Any alteration or variation to the equipment should receive the written approval of the Local Planning Authority. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

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

REFUSE STORAGE

(11) The development shall not be commenced until details of dustbin enclosures showing the design, location and external appearance have been submitted to and approved by the Local Planning Authority. The approved enclosures shall be provided before the commencement of the use and thereafter permanently retained.

Reason: To provide satisfactory refuse storage provision in the interests of the appearance of the site and locality.

ACCESS

(12) Before any other works are commenced, an adequate road access for contractors with a proper standard of visibility shall be formed to the satisfaction of the Local Planning Authority and connected to the adjacent highway in a position and a manner to be agreed with the Local Planning Authority.

Reason:

To ensure an adequate road access at an early stage in the development in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CAR PARKING PROVISION

(13) The development shall not be occupied until space has been laid out within the site in accordance with the Approved plan for a maximum of 11 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear.

Reason:

In the opinion of the Local Planning Authority, although some provision needs to be made, the level of car parking provision should be limited in order to assist the promotion of sustainable travel choices in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CYCLE PROVISION

(14) No dwelling shall be occupied until space has been laid out within the site in accordance with the approved plan for 6 bicycles to be parked.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CYCLE STORAGE

(15) The secure area for storing cycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

To ensure that there are secure storage facilities available for occupiers of or visitors to the building. in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LOADING AND UNLOADING PROVISION

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

Reason:

To enable such vehicles to be loaded and unloaded off the public highway so as to avoid:- (i) damage to amenity; (ii) prejudice to public safety and convenience; and (iii) interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

USE OF LOADING AREAS

(17) The land indicated on the approved plans for the loading and unloading of vehicles shall not be used for any other purposes unless an alternative and equivalent area of land within the curtilage of the site is provided for loading and unloading with the prior consent in writing of the Local Planning Authority.

Reason:

To ensure that space is available at all times to enable such vehicles to be loaded and unloaded off the public highway so as to avoid:- a. damage to amenity; b. prejudice to public safety and convenience, and c. interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CODE OF PRACTICE

(18) Prior to the commencement of the development hereby approved, a detailed management plan for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the management plan.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

EXTERNAL MATERIALS

(19) No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

BOUNDARY TREATMENT

(20) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is first occupied. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the details of the development are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

FLOOD RISK MANAGEMENT

(21) No development approved by this permission shall be commenced until a detailed scheme to minimise flood damage and provide flood warning to the proposed commercial unit has been submitted to and approved in writing by the Local Planning Authority. These details shall include design of the wave protection wall, details of the flood resistance and resilience measures and a related warning and operation procedure. Prior to use of the building the agreed measures shall be implemented and thereafter maintained in accordance with the approved details.

Reason

To minimise the risk of damage to the commercial unit during coastal flood events, in accordance with Policy CS21 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

EMERGENCY ACCESS AND EGRESS

(22) The development hereby permitted shall not be occupied until such time as a scheme for the installation of a door and provision of signage for the alternative egress shown on drawing I423-SK-008 has been submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

To ensure safe access and egress to and from the residential units in times of flood, in accordance with Policy CS21 of the Plymouth Local Development Framework Core Strategy (22) 2007.

INFORMATIVE: KERB LOWERING

(1) Before the access hereby approved is first brought into use it will be necessary to secure dropped kerbs [and footway crossings] with the consent of the Local Highway Authority. The applicant should contact Plymouth Transport and Highways for the necessary approval. Precise details of all works within the public highway must be agreed with the Highway Authority.

Statement of Reasons for Approval and Relevant Policies

Having regard to the planning considerations, which are: the design of the proposed development and its impact upon nearby heritage assets, highways and issues of flood risk, 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 signs are acceptable and comply with (1) 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 (b) relevant Government Policy Statements and Government Circulars, as follows:

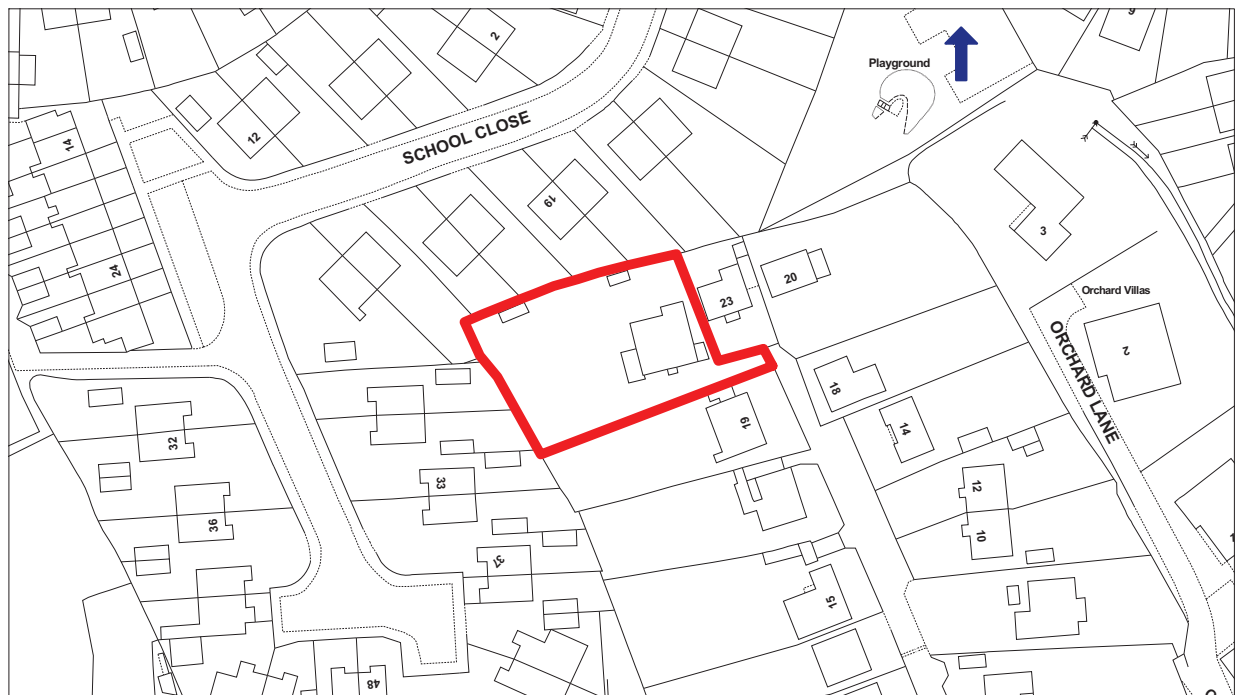
- CS28 - Local Transport Consideration
- CS32 - Designing out Crime
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS21 - Flood Risk
- CS03 - Historic Environment
- CS01 - Sustainable Linked Communities
- CS02 - Design
- CS15 - Housing Provision
- NPPF - National Planning Policy Framework March 2012

PLANNING APPLICATION REPORT



ITEM: 3

Application Number:	12/01520/FUL
Applicant:	James Dean and Kerry Everson
Description of Application:	Retrospective application for replacement dwelling with attached double garage
Type of Application:	Full Application
Site Address:	21 DEAN ROAD PLYMOUTH
Ward:	Plympton St Mary
Valid Date of Application:	24/08/2012
8/13 Week Date:	19/10/2012
Decision Category:	Member Referral
Case Officer :	Liz Wells
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



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Committee Referral

This application has been referred to Planning Committee by Ward Member Cllr Nicholson for the following reasons: inappropriate to delegate given the site history and inappropriate form and design of this development.

Site Description

The site is an established residential plot which until recently has been occupied by a bungalow known as 21 Dean Road, with an attached flat roof single private motor garage and garden with various outbuildings. The site rises up gently to the west.

The site is bounded all sides by the gardens of the following residential properties:

- to the east by 23 Dean Road – at slightly lower ground level
- to the south by 19 Dean Road– at slightly lower ground level
- to the north 17-25 (odd) School Close – at lower ground level
- to the west 29 and 31 School Close - at higher ground level

The properties in the vicinity are a mixture of two storey properties and bungalows (predominantly in Dean Road).

The site is located at the end of Dean Road, accessed from the hammerhead at the end of the cul-de-sac. Dean Road is a private road accessed from Lucas Lane in Plympton, an established residential area.

Proposal Description

Retrospective application for replacement dwelling with attached double garage

Pre-Application Enquiry

None but applicant queried if revised permission was required following removal of wall.

Relevant Planning History

12/00728/FUL - Extension and alterations including raise in roof height with dormer windows, two storey side extension (existing garage to be removed), and single storey front extension to form double-width private motor garage – GRANTED CONDITIONALLY

12/01170/CDM - Condition 3 – CONDITION DETAILS DISCHARGED

Consultation Responses

Public Protection Service - Objection: Public Protection Service recommends refusal to the proposed development because there is insufficient information to demonstrate that the risk of contaminated land or that the risk of pollution to controlled waters is acceptable. Having consulted the online details for the above application PPS notes that an appropriate contamination assessment has not been submitted with the application. The applicant has not acknowledged in section 14 of the form that the proposed development is sensitive and a use that would be particularly vulnerable to contamination and so it does not appear that the appropriate documentation has been submitted with the application. Given the retrospective nature of the application, this is particularly significant.

Representations

8 letters of representation have been received in response to this application, of which 7 object to and raise queries with the application, and one states that two occupants of Dean Close have no objection. There is some duplication in the letters of objection – one objector written in twice, and another property has letters from the occupants and representatives on their behalf. In summary, the letters represent the concerns of occupants of 33, 31, 17 and 28 School Close and the Plympton & District Civic Society. In response to the letters, the planning agent has submitted a letter responding to many of these points.

Letters object to the application on the following grounds:

- impact on 29, 31 and 33 School Close – loss of privacy, loss of aspect, loss of visual amenity / outlook and enjoyment of garden, overbearing, and loss of view of Newnham Valley and Hemerdon Ball and reduction in value of these properties
- loss of privacy to 17 School Close not going to be solved by fencing
- size and height / massing out of keeping with surrounding houses and area (includes some analysis of footprint and volume increase)
- approach of builders to development previously permitted
- misleading information and descriptions
- garage roof potential for conversion to room – lesser pitched roof requested
- discrepancy in site plan – building closer to boundaries than indicated

All letters can be viewed in full on the webpage relating to this application.

The previous application attracted just 2 letters of representation from 15 and 17 School Close, raising concerns about loss of privacy, loss of value and precedent for dormer windows.

Analysis

Background:

In June 2012, a householder application for extension and alterations including raise in roof height to the property was approved. Works to implement the permission are understood to have commenced shortly afterwards. During works, the applicant rang to advise that after removing the roof of the original bungalow, it was found that the original walls were unstable, and after discussion with the Building Control Officer were removed. The result is that the development will be a replacement dwelling, rather than an extension, and therefore the applicant was advised to submit a new planning application to reflect this change.

Differences from previous permission:

The plans submitted for this application are the same as the previous approved application, with the exception of one ground floor window at the rear, which has been repositioned and enlarged. As works have already started on site, this application is described as 'retrospective'.

Planning Compliance Investigation:

The applicant has been advised that works carried out without the appropriate planning permission are done so at his own risk. The Council is aware that development has continued, although the letter from the agent, dated 4 October 2012 states that works have now ceased .

Complaints have been received about the height/size of the development. An inspection was undertaken on 18 and 28 September 2012. From the on site observations and measurements, the height of the building appears to accord with the plans.

Main planning considerations:

The main considerations and relevant policies of the Core Strategy in assessing this application are:

- principle of replacement dwelling / overall housing provision - policy CS15
- impact on character of area and neighbouring residential amenities – policy CS34 and Development Guidelines SPD

Principle of replacement dwelling:

There is no objection in principle to the replacement dwelling within this established residential area in Plympton. Policy CS15 states all new dwellings must be of sufficient size to provide satisfactory levels of amenity and respect the privacy and amenity of existing occupiers.

Impact:

The form of development was considered in detail under the previous application (12/00728/FUL) and the impact of the development is considered to be acceptable, being in line with the guidelines set out in the Development Guidelines SPD. The larger and repositioned window in the ground floor rear elevation is not considered to result in any loss of amenity to neighbouring properties.

The previous application was subject to a condition for privacy screening, the details of which are shown on the plans submitted. A condition relating to this screen to be retained after construction is recommended.

Issues raised in letters of representation:

Addressing the issues in turn:

- impact on 29, 31 and 33 School Close – loss of privacy, loss of aspect, loss of visual amenity / outlook and enjoyment of garden, overbearing, and loss of view of Newnham Valley and Hemerdon Ball and reduction in value of these properties

Response: the impact on these properties is considered acceptable (as with the previous application) due to the separation distance and in line with the Development Guidelines SPD. Loss of a view from a private property and loss of property values are not a material planning consideration. The more distant view of the hill is retained above the roof under construction when viewed from the road of School Close.

- loss of privacy to 17 School Close not going to be solved by fencing

Response: issues considered under previous application. Condition requiring privacy screening to be retained after development complete recommended.

- size and height / massing out of keeping with surrounding houses and area (includes some analysis of footprint and volume increase)

Response: As the site is located at the end of a cul-de-sac and in an area of mixed property designs, including bungalows and two storey properties, the size and height is not considered to result in any demonstrable harm to the surrounding area. The planning application considerations are not prescriptive to size or volume increase, so whilst the proposal represents a larger single dwelling than previously occupied the site, the scale of the development sits comfortably within the available curtilage and area. The letter from the planning agent also comments in detail on this issue which is displayed on the website for interested parties to read.

- approach of builders to development previously permitted

Response: Having discussed this matter with the Building Control Officer, he has advised that there is nothing about the way work was carried out to implement the previous approval that could be challenged. As such, objections on this ground appear unfounded and this does not effect the main 'material planning' consideration for assessing this application. The letter from the planning agent responds to this matter in detail, including photographs, to support the intention to retain part of the outside wall of the former bungalow.

- misleading information and descriptions

Response: it is appreciated that residents may feel misled, but the submitted plans are clear and have been fully considered. The letter from the planning agent responds to this matter in detail and is displayed on the website for interested parties to read.

- garage roof potential for conversion to room – lesser pitched roof requested

Response: given the form of the development have previously been approved, no amendments to this application have been sought during the course of this application.

- discrepancy in site plan – building closer to boundaries than indicated

Response: this will be given further consideration through the current planning compliance investigation (described above). The Committee will be given a further evaluation of this aspect in an Addendum Report

Other issues:

The Public Protection Service (PPS) have objected to this application on the basis of lack of information submitted. Whilst the concerns they have raised are noted, as this development is for residential development on a previously residential site and the works are not significantly different to those permitted by the previous approval to extend the former bungalow, the lack of information in this instance is not considered to warrant the application being recommended to be refused. In addition, the comments in the letter from the planning agent are noted.

The proposed dwelling has adequate off-street parking.

The comments in the letter from the planning agent emphatically deny allegations that the developer intended to replace the bungalow from the start. The letter does not raise any additional planning considerations to those addressed above.

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

Section 106 Obligations

No S106 recommended for this application.

Equalities & Diversities issues

None

Conclusions

The application is recommended for approval, subject to a condition to ensure the privacy screen, detail of which have been submitted, are retained after the development is complete.

Recommendation

In respect of the application dated **24/08/2012** and the submitted drawings 62501/01b, 62501/02b, 62501/03b, 62501/06c, 62501/07c, 62501/08c, 62501/09b, 62501/10b and drawing A and B relating to privacy screen, it is recommended to:

Grant Conditionally

Conditions

APPROVED PLANS

(1) The development hereby permitted shall be carried out in accordance with the following approved plans: 62501/01b, 62501/02b, 62501/03b, 62501/06c, 62501/07c, 62501/08c, 62501/09b, 62501/10b and drawing A and B relating to privacy screen.

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.

FURTHER DETAILS: SCREEN

(2) The privacy screen on the boundary with 17 School Close shown in drawings A and B hereby approved shall be provided prior to occupation of any first-floor level accommodation and thereafter retained at all times.

Reason:

To protect the privacy currently enjoyed by neighbouring property, specifically the garden of No.17 School Close, in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the impact on the character and appearance of the area and the impact on the neighbouring residential amenities, 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 (1) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

CS28 - Local Transport Consideration

CS34 - Planning Application Consideration

CS22 - Pollution

CS02 - Design

CS15 - Housing Provision

SPD1 - Development Guidelines

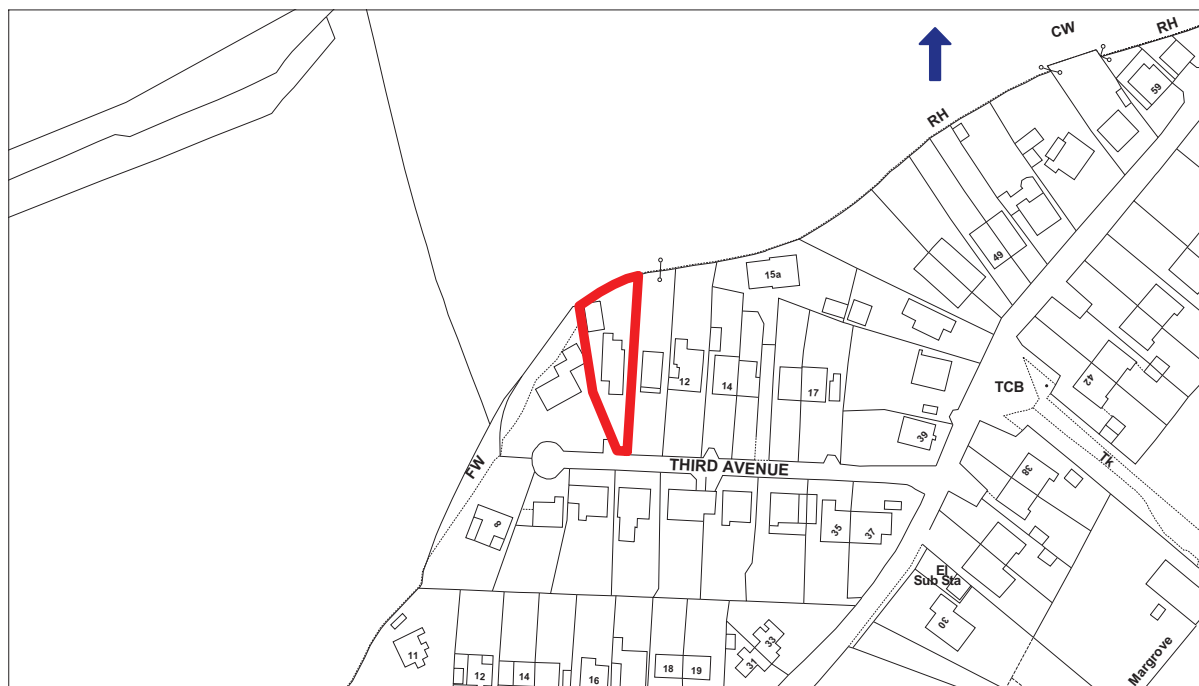
NPPF - National Planning Policy Framework March 2012

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PLANNING APPLICATION REPORT

**ITEM: 4**

Application Number:	12/01425/FUL
Applicant:	Mr P McMullin
Description of Application:	Extension to bungalow to provide a first-floor, forming a two-storey dwellinghouse, including front first floor balconies and rear first floor Juliet balconies.
Type of Application:	Full Application
Site Address:	10 THIRD AVENUE BILLACOMBE PLYMOUTH
Ward:	Plymstock Dunstone
Valid Date of Application:	17/08/2012
8/13 Week Date:	12/10/2012
Decision Category:	Member Referral
Case Officer :	Mike Stone
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



This householder application has been referred to committee by Cllr Nigel Churchill following concerns from local residents about loss of light and overdevelopment of the site.

Site Description

10, Third Avenue is a detached bungalow located on a wedge shaped plot in the Elburton and Dunstone neighbourhood. The bungalow is located in a small cul-de-sac and has a long front hardstanding and large rear garden containing a detached garage. The neighbouring property to the west is a large two storey detached house with side extensions while the one to the east is a detached bungalow.

Proposal Description

Extension to bungalow to provide a first-floor, forming a two-storey dwellinghouse, including front first floor balconies and rear first floor Juliet balconies.

Pre-Application Enquiry

None.

Relevant Planning History

9, Third Avenue

89//02650/FUL - first floor extension to form two storey dwelling and erection of replacement private motor garage – Grant Conditionally.

02/00355/FUL - Single-storey front extension including provision of windows in the sides of the existing house – Grant Conditionally.

06/00609/FUL - Single-storey rear extension – Grant Conditionally.

Consultation Responses

Transport – no objection to permission being granted.

Representations

Three letters of objection have been received raising the following concerns;

Overdevelopment of the site

- The property could eventually become a three storey house
- Lack of greenspace
- Loss of light to neighbouring properties
- Plans not accurate
- Too close to the boundary
- Out of character
- Loss of privacy
- Property is sub divided into self contained units
- Burden on road network.

Analysis

The application turns upon policies CS02 (Design) and CS34 (Planning application considerations) of the Adopted Core Strategy of Plymouth's Local Development Framework 2006-2021 and the aims of the Council's Development Guidelines Supplementary Planning Document (2010), and the National Planning Policy Framework. The primary planning considerations in this case are the impact on neighbour amenity and the impact on the character and appearance of the area.

The application seeks consent to convert the bungalow into a two-storey dwellinghouse by adding a second storey. At the front of the house a recessed balcony and a Juliet balcony is proposed and at the rear two Juliet balconies.

Impact on the character and appearance of the area.

The property is located towards the end of a cul-de-sac and visible from the road. The neighbouring property to the west is a former bungalow that received consent to be converted to a two storey dwelling house in 1989. The property to the east is a detached bungalow. The current application at no. 10 would increase the ridge height of the property from 5.1 to 7 metres and the eaves height from 2.6 to 5 metres. The application adds a Juliet balcony and a recessed balcony to the front of the house and, while these are not features of the neighbouring properties, there is no uniform architectural style in the immediate area. The ridge roof level would be below that of the neighbouring house and above that of the bungalow and in appearance the new two storey house would not, in the officer's opinion, appear out of keeping in with the street scene. The front of the bungalow would be approximately 15 metres away from the road. For these reasons it is considered that the development would not have a detrimental impact on the character and appearance of the area. Letters of representation have raised the issue of possible over-development of the site; however the new dwelling house would easily meet the recommended minimum standards for outdoor amenity provision and internal space set out in the Development Guidelines SPD.

Impact on neighbour amenity.

The two storey house to the west is set at 45 degrees to the subject property and it is not felt by officers that there would be a significant impact. The main impact on neighbour amenity would be at no. 11, the detached bungalow to the east. A letter of objection has been received from the owner of no. 11. The properties are approximately 5 metres apart. Concern has been expressed in letters of objection that the property could eventually become a three storey house. It was felt by officers that the original design would have appeared overbearing when viewed from the rear garden of no. 11 and the applicant has agreed to reduce the roof height by 1 metre and to remove the proposed rooflights. On the first floor east elevation there would be two new windows, one to illuminate the stairwell and an obscure glazed window for an en-suite bathroom. It is not felt by officers that this would result in any significant increase in overlooking. In his letter of objection the owner of no. 11 has expressed concern about possible loss of privacy resulting from the new Juliet balconies at the rear of the house but it is not considered that the impact here would be any worse than from a large rear window. The subject property is to the west of no. 11 and therefore overall loss of light would be minimal. It is accepted

that the new house would result in the loss of light to a side window of the dining area of no 11.

This forms part of a larger open plan layout with the main lounge. This area is dual aspect with windows at the front of the property. A dining room is not classified as a habitable room in the SPD and this combined with the dual aspect of the larger space means that the loss of light to the side window is not considered sufficient to warrant refusal.

Other concerns raised in letters of objection were the possible self containment of the property and the impact on the road network. In March this year a Planning Compliance Officer visited the property following a complaint about possible subdivision. He concluded that the property was occupied as a single dwelling house and that no further action should be taken. With regard to the road network transport colleagues have not raised any objections to the application.

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

Section 106 Obligations

Not applicable.

Equalities & Diversities issues

None.

Conclusions

It is not considered that the proposal would have an adverse impact on the character and appearance of the area or neighbour amenity and is recommended for approval subject to the removal of permitted development rights.

Recommendation

In respect of the application dated **17/08/2012** and the submitted drawings I207_PL01, I207_PL02, I207_PL03, I207_PL04, I207_PL05, I207_FC04A, I207_FC05A

Reduction in proposed roof height, it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: I207_PL01, I207_PL02, I207_PL03, I207_PL04, I207_PL05, I207_FC04A, I207_FC05A

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.

RESTRICTIONS ON PERMITTED DEVELOPMENT

(3) 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 Class(es) [A] 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 protect neighbour amenity, in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the impact on neighbour amenity and the impact on 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:

CS34 - Planning Application Consideration

CS02 - Design

SPDI - Development Guidelines

NPPF - National Planning Policy Framework March 2012

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PLANNING COMMITTEE

Decisions issued for the following period: 10 September 2012 to 8 October 2012

Note - This list includes:

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

Item No 1

Application Number: 10/01882/OUT **Applicant:** English Cities Fund

Application Type: Outline Application

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

Site Address LAND AT MILLBAY ROAD PLYMOUTH

Case Officer: Mark Evans

Decision Date: 01/10/2012

Decision: Grant Subject to S106 Obligation - Outline

Item No **2**

Application Number: 11/01570/FUL **Applicant:** Sutton Harbour Services Ltd
Application Type: Full Application
Description of Development: Construction of 179 berth marina with associated two storey facilities building (comprising marina offices, shower and toilet facilities, storage areas and either first floor marina yacht club restaurant (class A3) or retail unit (class A1) or office unit (class B1 or A2)) and associated vehicular parking (75 spaces) and cycle spaces
Site Address INNER BASIN, MILLBAY DOCKS, MILLBAY ROAD
PLYMOUTH
Case Officer: Mark Evans
Decision Date: 18/09/2012
Decision: Grant Subject to S106 Obligation - Full

Item No **3**

Application Number: 12/00028/FUL **Applicant:** Geosa Limited
Application Type: Full Application
Description of Development: Retention of slipway (including alterations)
Site Address FORMER BAYLYS YARD, BAYLYS ROAD ORESTON
PLYMOUTH
Case Officer: Robert Heard
Decision Date: 03/10/2012
Decision: Grant Conditionally

Item No **4**

Application Number: 12/00116/FUL **Applicant:** Hadley Property Group
Application Type: Full Application
Description of Development: Mixed use development comprising 73 dwellings and 100sqm of commercial use
Site Address POTTERY QUAY, POTTERY ROAD PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 03/10/2012
Decision: Grant Subject to S106 Obligation - Full

Item No 5

Application Number: 12/00503/FUL **Applicant:** Mr R Tuckwell
Application Type: Full Application
Description of Development: Vehicle hardstanding in front garden (with associated vehicle access)
Site Address 187 SOUTHWAY DRIVE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 21/09/2012
Decision: Refuse

Item No 6

Application Number: 12/00811/FUL **Applicant:** Senate Properties (SW) Ltd
Application Type: Full Application
Description of Development: Erection of 24 dwellings, with new access from Springfield Close and associated access road, car parking, public open space and biomass boiler (demolition of 27 Springfield Close)
Site Address LAND AT 27 SPRINGFIELD CLOSE PLYMOUTH
Case Officer: Robert Heard
Decision Date: 03/10/2012
Decision: Application Withdrawn

Item No 7

Application Number: 12/00852/FUL **Applicant:** Urban Splash
Application Type: Full Application
Description of Development: Change of use to allow uses within use classes: A3 (restaurants and cafes)
Site Address SLAUGHTERHOUSE, ROYAL WILLIAM YARD PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 05/10/2012
Decision: Grant Subject to S106 Obligation - Full

Item No 8

Application Number: 12/00860/FUL **Applicant:** Mr Jonathan Wilson
Application Type: Full Application
Description of Development: Change of use and conversion of shop, flatlet and first-floor flat to a nine-bedroom student house in multiple occupation
Site Address 19-21 SEYMOUR AVENUE LIPSON PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 10/09/2012
Decision: Grant Conditionally

Item No 9

Application Number: 12/00868/FUL **Applicant:** Mr Adam Willets
Application Type: Full Application
Description of Development: The development of a new 150 parking space surface car park on the site of the Officers' walled garden, together with associated access and landscape screening works
Site Address OFFICERS WALLED GARDEN, ROYAL WILLIAM YARD PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 24/09/2012
Decision: Grant Conditionally

Item No 10

Application Number: 12/00869/LBC **Applicant:** Mr Adam Willets
Application Type: Listed Building
Description of Development: Listed building consent for the development of a new 150 parking space surface car park on the site of the Officers' walled garden, together with associated access and landscape screening works
Site Address OFFICERS WALLED GARDEN, ROYAL WILLIAM YARD PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 24/09/2012
Decision: Grant Conditionally

Item No 11

Application Number: 12/00872/FUL **Applicant:** South West Hire and Sales Ltd
Application Type: Full Application
Description of Development: Change of use from training centre (Class D1) to tool hire store (Class B8) with Trade counter and new entrance doorway
Site Address ROYAL NATIONAL INSTITUTION FOR THE BLIND, 2
STONEHOUSE STREET PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 20/09/2012
Decision: Grant Conditionally

Item No 12

Application Number: 12/00945/FUL **Applicant:** Mr David Penn
Application Type: Full Application
Description of Development: Construction of workshop to include partial demolition of existing building and associated earthworks and landscaping
Site Address PLYMOUTH COLLEGE OF ART & DESIGN, TAVISTOCK
PLACE PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 12/09/2012
Decision: Grant Conditionally

Item No 13

Application Number: 12/00946/FUL **Applicant:** Mr Keith DeBruin
Application Type: Full Application
Description of Development: Change of use from 11-bed guest house to one 6-bed house in multiple occupation and one 5-bed house in multiple occupation with reinstatement of front doorway on No. 40
Site Address SMEATONS TOWER HOTEL, 40 to 42 GRAND PARADE
PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 12/09/2012
Decision: Grant Conditionally

Item No 14

Application Number: 12/00999/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Additional fencing (retrospective application)
Site Address MOUNT WISE COMMUNITY PRIMARY SCHOOL, JAMES STREET DEVONPORT PLYMOUTH
Case Officer: Adam Williams
Decision Date: 10/09/2012
Decision: Grant Conditionally

Item No 15

Application Number: 12/01001/FUL **Applicant:** Mr A Rogers
Application Type: Full Application
Description of Development: Change of use from hotel to house in multiple occupation for student accommodation
Site Address SWINTON HOTEL, 43 SUTHERLAND ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 08/10/2012
Decision: Grant Conditionally

Item No 16

Application Number: 12/01002/FUL **Applicant:** Mrs J Lang-Bradley
Application Type: Full Application
Description of Development: Retention of single storey rear extension
Site Address 34 GOODWIN AVENUE SOUTHWAY PLYMOUTH
Case Officer: Cheryl Stansbury
Decision Date: 03/10/2012
Decision: Grant Conditionally

Item No 17

Application Number: 12/01011/FUL **Applicant:** Mr Daryl Conyers
Application Type: Full Application
Description of Development: Change of use to 16-bedroom student house in multiple occupation
Site Address 6 QUEENS GATE LIPSON PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 04/10/2012
Decision: Application Withdrawn

Item No 18

Application Number: 12/01022/FUL **Applicant:** St Josephs RC Primary School
Application Type: Full Application
Description of Development: Single-storey extension to create two additional classrooms and three small group teaching rooms
Site Address ST JOSEPH'S CATHOLIC PRIMARY SCHOOL, CHAPEL STREET OPE PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 20/09/2012
Decision: Grant Conditionally

Item No 19

Application Number: 12/01054/FUL **Applicant:** Mr Andrew Harbutt
Application Type: Full Application
Description of Development: Front porch
Site Address 64 PATTINSON DRIVE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 24/09/2012
Decision: Grant Conditionally

Item No 20

Application Number: 12/01071/FUL **Applicant:** Plymouth Methodist Church
Application Type: Full Application
Description of Development: Single-storey extension and associated access ramp
Site Address PLYMOUTH METHODIST CHURCH, EASTLAKE STREET
PLYMOUTH
Case Officer: Janine Warne
Decision Date: 19/09/2012
Decision: Grant Conditionally

Item No 21

Application Number: 12/01086/FUL **Applicant:** Plymouth University
Application Type: Full Application
Description of Development: Reuse high quality hoardings from Marine building to improve appearance of Brunel laboratories by fixing to north and west elevations
Site Address UNIVERSITY OF PLYMOUTH, DRAKE CIRCUS PLYMOUTH
Case Officer: Mike Stone
Decision Date: 12/09/2012
Decision: Grant Conditionally

Item No 22

Application Number: 12/01090/FUL **Applicant:** Mr Chris Shorey
Application Type: Full Application
Description of Development: Dormer window extension on rear roof, installation of two roof windows on front and change of use from 7 flats (not self-contained) to 5 1-bed self-contained flats
Site Address 9 GARDEN CRESCENT PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 14/09/2012
Decision: Grant Conditionally

Item No 23

Application Number: 12/01091/FUL **Applicant:** Toshiba Carrier Ltd
Application Type: Full Application
Description of Development: Installation of roller shutter door and erection of single-storey extension to house compressor and battery charger
Site Address TOSHIBA CARRIER LTD, PORSHAM CLOSE PLYMOUTH
Case Officer: Janine Warne
Decision Date: 19/09/2012
Decision: Grant Conditionally

Item No 24

Application Number: 12/01104/FUL **Applicant:** Brunswick Ltd
Application Type: Full Application
Description of Development: Change of use of building from offices (business class B1) to student accommodation, construction of two additional storeys and associated structural changes to external façade to create 67 student bedrooms (in 9 cluster flats), together with associated vehicular drop-off area, cycle and refuse storage areas
Site Address BUCKWELL HOUSE, 2 BUCKWELL STREET PLYMOUTH
Case Officer: Robert Heard
Decision Date: 27/09/2012
Decision: Grant Conditionally

Item No 25

Application Number: 12/01160/FUL **Applicant:** Tesco Stores Limited
Application Type: Full Application
Description of Development: Temporary variation of planning condition 2 (opening hours) of planning consent 01/00248/FUL "Variation of condition 10 of Notice No.4228/83 to now allow new Tesco store to open between 8am - 10pm Monday to Saturday (Sunday unchanged (10.00am - 5.00pm)" to now enable the store to be open to customers on Sundays within the hours of 09:00 to 20:00 from 22 July 2012 until 9 September 2012 (for the period of the Olympic Games)
Site Address TESCO STORE, TRANSIT WAY PLYMOUTH
Case Officer: Mark Evans
Decision Date: 21/09/2012
Decision: Application Withdrawn

Item No 26

Application Number: 12/01163/FUL **Applicant:** Mr Ian Holloway
Application Type: Full Application
Description of Development: Creation of 2 bedroom basement flat with insertion of 2 new windows at basement level and removal of window at ground floor level
Site Address 41 STATION ROAD KEYHAM PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 12/09/2012
Decision: Refuse

Item No 27

Application Number: 12/01182/FUL **Applicant:** Threadneedle Property Investme
Application Type: Full Application
Description of Development: Conversion and alteration, including new shop fronts, to form three retail units
Site Address 66 NEW GEORGE STREET PLYMOUTH
Case Officer: Janine Warne
Decision Date: 01/10/2012
Decision: Grant Conditionally

Item No 28

Application Number: 12/01205/FUL **Applicant:** E-On Energy Solutions
Application Type: Full Application
Description of Development: Installation of external wall insulation and render
Site Address 1-108 AND 110-115 FURSE PARK PLYMOUTH
Case Officer: Janine Warne
Decision Date: 17/09/2012
Decision: Grant Conditionally

Item No 29

Application Number: 12/01208/FUL **Applicant:** E-On Energy Solutions
Application Type: Full Application
Description of Development: Installation of external wall insulation and render
Site Address 1-34, 36-50, 52-64 AND 66-172 (EVEN NO.S ONLY) KELLY CLOSE PLYMOUTH
Case Officer: Janine Warne
Decision Date: 17/09/2012
Decision: Grant Conditionally

Item No 30

Application Number: 12/01209/FUL **Applicant:** E-On Energy Solutions
Application Type: Full Application
Description of Development: Installation of external wall insulation and render
Site Address 2 AND 4 BERTHON ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 17/09/2012
Decision: Grant Conditionally

Item No 31

Application Number: 12/01211/FUL **Applicant:** E-ON Energy Solutions
Application Type: Full Application
Description of Development: Installation of external wall insulation and render
Site Address 13-30 SAVAGE ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 17/09/2012
Decision: Grant Conditionally

Item No 32

Application Number: 12/01213/ADV **Applicant:** A Company
Application Type: Advertisement
Description of Development: New signage to building:1 high level internally illuminated signs on front and side elevation, 2 high level projecting sign, 4 pink LED lights on top of canopy, 1 internally illuminated fascia sign on canopy and 1 internally illuminated sign above front entrance door
Site Address MECCA BINGO, 111 FORE STREET DEVONPORT PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 10/09/2012
Decision: Grant Conditionally

Item No 33

Application Number: 12/01217/FUL **Applicant:** ReSound Health
Application Type: Full Application
Description of Development: Conversion of staff restaurant to coffee lounge for use by staff only, together with new external decked seating area and new doors and windows, including enclosure of existing open alcove
Site Address PLYMOUTH PRIMARY CARE TRUST, MOUNT GOULD HOSPITAL, MOUNT GOULD ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 05/10/2012
Decision: Grant Conditionally

Item No 34

Application Number: 12/01221/FUL **Applicant:** Mr Neil Clemson
Application Type: Full Application
Description of Development: Rear conservatory (removal of existing out house)
Site Address 69 FLETEMOOR ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 12/09/2012
Decision: Grant Conditionally

Item No 35

Application Number: 12/01227/FUL **Applicant:** Mrs Sandy Dobbie
Application Type: Full Application
Description of Development: Retrospective application for retention and completion of rear conservatory
Site Address 22 GANNA PARK ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 25/09/2012
Decision: Refuse

Item No 36

Application Number: 12/01234/FUL **Applicant:** Ice Angels Events Ltd
Application Type: Full Application
Description of Development: Erection of temporary ice rink, ancillary equipment and associated benches, skate hire facilities, Santa's grotto and refreshment stalls for a 5 month period (from October 2012 until March 2013)
Site Address ROYAL PARADE PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 17/09/2012
Decision: Grant Conditionally

Item No 37

Application Number: 12/01244/FUL **Applicant:** Colesbourne Asset Management
Application Type: Full Application
Description of Development: Change of use of first and second floors from offices to eleven single student bedrooms (in two cluster units), with associated communal student facilities
Site Address 1-4 DERRYS CROSS PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 08/10/2012
Decision: Grant Conditionally

Item No 38

Application Number: 12/01249/FUL **Applicant:** Mr V Rosson
Application Type: Full Application
Description of Development: Change of use of dwelling to six-bedroom student house
Site Address 62 GLEN PARK AVENUE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 13/09/2012
Decision: Refuse

Item No 39

Application Number: 12/01256/FUL **Applicant:** Affinity Sutton
Application Type: Full Application
Description of Development: Installation of multi use games area with associated fencing
Site Address WILLIAM SUTTON MEMORIAL HALL, SHELLEY WAY
PLYMOUTH
Case Officer: Janine Warne
Decision Date: 27/09/2012
Decision: Grant Conditionally

Item No 40

Application Number: 12/01262/ADV **Applicant:** Compton Methodist Church
Application Type: Advertisement
Description of Development: 2x temporary canvas signs
Site Address COMPTON METHODIST CHURCH, REVEL ROAD
PLYMOUTH
Case Officer: Adam Williams
Decision Date: 14/09/2012
Decision: Grant Conditionally

Item No 41

Application Number: 12/01264/FUL **Applicant:** Mr Harry Heslop
Application Type: Full Application
Description of Development: Creation of 1-bedroom self-contained basement flat
Site Address 39 BAYSWATER ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 14/09/2012
Decision: Grant Conditionally

Item No 42

Application Number: 12/01273/FUL **Applicant:** M Place Ltd
Application Type: Full Application
Description of Development: Alterations and change of use of single-storey workshop to form one-bedroom single-storey dwelling (resubmission of 11/00513/FUL)
Site Address THE DAIRY, 6 DAIRY LANE PLYMOUTH
Case Officer: Janine Warne
Decision Date: 14/09/2012
Decision: Grant Conditionally

Item No 43

Application Number: 12/01277/LBC **Applicant:** Devonport High School for Boys
Application Type: Listed Building
Description of Development: Internal alterations to the ground floor to create a new reception area and new offices
Site Address DEVONPORT HIGH SCHOOL FOR BOYS, PARADISE ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 24/09/2012
Decision: Grant Conditionally

Item No 44

Application Number: 12/01285/FUL **Applicant:** Ms Kerri Piper
Application Type: Full Application
Description of Development: Retrospective application for raised decking at rear and partially covered by polycarbonate roof
Site Address 1 HONCRAY PLYMOUTH
Case Officer: Liz Wells
Decision Date: 14/09/2012
Decision: Grant Conditionally

Item No 45

Application Number: 12/01286/FUL **Applicant:** Platinum Man Ltd
Application Type: Full Application
Description of Development: Change of use from office (B1) to male grooming parlour (sui generis use) to provide hairdressing, sunbeds and waxing treatments
Site Address UNIT 13, 6 HOBART STREET PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 17/09/2012
Decision: Grant Conditionally

Item No 46

Application Number: 12/01291/FUL **Applicant:** Mr James Meeson
Application Type: Full Application
Description of Development: Single-storey rear extension
Site Address 4 SOUTH HILL STOKE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 10/09/2012
Decision: Grant Conditionally

Item No 47

Application Number: 12/01294/FUL **Applicant:** Urban Splash
Application Type: Full Application
Description of Development: Retention of 130 residential units with café/bar and restaurant units on the ground floor of the Brewhouse building: Variation of condition 15 of 02/01683/FUL to state that the café/bar and restaurant uses on the ground floor shall only be used for hot food retail (A3) or general retail (A1) and for no other purpose
Site Address BREWHOUSE, ROYAL WILLIAM YARD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 19/09/2012
Decision: Application Withdrawn

Item No 48

Application Number: 12/01297/FUL **Applicant:** Cooldigs
Application Type: Full Application
Description of Development: Change of use from A1 to a mixed use of A2 with ancillary coffee shop
Site Address IMAGE HOUSE, ST TERESA HOUSE, BEAUMONT ROAD PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 19/09/2012
Decision: Grant Conditionally

Item No 49

Application Number: 12/01298/PRD **Applicant:** Riversea Ltd
Application Type: LDC Proposed Develop
Description of Development: Rear extension, side porch, installation of roof lights, removal of rear dormer and re-tile roof, replacement windows and other alterations
Site Address 33 WHITLEIGH VILLAS PLYMOUTH
Case Officer: Janine Warne
Decision Date: 18/09/2012
Decision: Issue Certificate - Lawful Use

Item No 50

Application Number: 12/01299/EXD **Applicant:** Mr Andrew Jones
Application Type: LDC Existing Develop
Description of Development: Single-storey rear extensions, rear conservatory and rear dormer
Site Address 33 WHITLEIGH VILLAS PLYMOUTH
Case Officer: Janine Warne
Decision Date: 17/09/2012
Decision: Issue Certificate - Lawful Use

Item No 51

Application Number: 12/01300/OUT **Applicant:** Millfields Community Economic
Application Type: Outline Application
Description of Development: Outline application for construction of a new, four-storey young persons' enterprise centre, 9 live-work units and incubation workspace units, associated ancillary accommodation and revised car parking
Site Address PLYMOUTH PLAY ASSOCIATION BUILDING, UNION STREET PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 27/09/2012
Decision: Grant Conditionally

Item No 52

Application Number: 12/01306/ADV **Applicant:** Superdrug
Application Type: Advertisement
Description of Development: 1 internally illuminated fascia sign and 1 internally illuminated projecting sign
Site Address 26 CORNWALL STREET CITY CENTRE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 14/09/2012
Decision: Grant Conditionally

Item No 53

Application Number: 12/01307/FUL **Applicant:** Mr and Mrs A Thomas
Application Type: Full Application
Description of Development: Develop part of garden by erection of detached bungalow with rooms in the roof and integral private motor garage (demolition of existing private motor garage) with variation of condition 2 of planning permission 12/00347/FUL to allow alterations to elevations and raising in height of middle roof section by 175mm
Site Address 57 SHERFORD ROAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 20/09/2012
Decision: Grant Conditionally

Item No 54

Application Number: 12/01311/FUL **Applicant:** Mr Matthew Conyers
Application Type: Full Application
Description of Development: Change of use to house in multiple occupation for student accommodation
Site Address 6 CLIFTON STREET PLYMOUTH
Case Officer: Jon Fox
Decision Date: 24/09/2012
Decision: Grant Conditionally

Item No 55

Application Number: 12/01312/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Single storey rear extension
Site Address 7 PENDEEN CLOSE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 25/09/2012
Decision: Grant Conditionally

Item No 56

Application Number: 12/01315/FUL **Applicant:** Mr James Tasker
Application Type: Full Application
Description of Development: Two storey side extension incorporating private motor garage and rear single storey extension (removal of existing conservatory and lean-to accommodation)
Site Address 1 ERNESETTLE CRESCENT PLYMOUTH
Case Officer: Liz Wells
Decision Date: 27/09/2012
Decision: Grant Conditionally

Item No 57

Application Number: 12/01328/FUL **Applicant:** Stoke Damerel Primary School
Application Type: Full Application
Description of Development: 4 new small extensions to school to incorporate extra classroom, cloaks and wcs
Site Address STOKE DAMEREL PRIMARY SCHOOL, COLLINGWOOD ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 25/09/2012
Decision: Grant Conditionally

Item No 58

Application Number: 12/01342/PRD **Applicant:** Mr Robert Bennett
Application Type: LDC Proposed Develop
Description of Development: Hip to gable extension and rear dormer
Site Address 2 BREAAN DOWN CLOSE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 20/09/2012
Decision: Issue Certificate - Lawful Use

Item No 59

Application Number: 12/01343/FUL **Applicant:** Toshiba Carrier Ltd
Application Type: Full Application
Description of Development: Replacement fence to part of existing perimeter fence and proposed wall to washdown area
Site Address TOSHIBA CARRIER LTD, 15 PORSHAM CLOSE
PLYMOUTH
Case Officer: Adam Williams
Decision Date: 20/09/2012
Decision: Grant Conditionally

Item No 60

Application Number: 12/01345/FUL **Applicant:** Mr John Deacon
Application Type: Full Application
Description of Development: Two storey side extension (renewal of 09/00898/FUL)
Site Address 1 LALEBRICK ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 28/09/2012
Decision: Grant Conditionally

Item No 61

Application Number: 12/01346/FUL **Applicant:** Mr Andrew Haggart
Application Type: Full Application
Description of Development: Alterations and extensions to existing garage/workshop/store to form new two-storey dwelling (separate existing single private motor garage to be removed) (renewal of application 09/00599/FUL)
Site Address 25 SHERFORD ROAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 25/09/2012
Decision: Grant Conditionally

Item No 62

Application Number: 12/01347/TPO **Applicant:** Plymouth City Council
Application Type: Tree Preservation
Description of Development: 2 Lime trees: Crown raise to 5 metres above ground level and remove deadwood up to 10cm diameter over highway
Site Address R/O 28 WAIN PARK PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 14/09/2012
Decision: Grant Conditionally

Item No 63

Application Number: 12/01348/TPO **Applicant:** Riversea Ltd
Application Type: Tree Preservation
Description of Development: Various tree works
Site Address 33 WHITLEIGH VILLAS PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 27/09/2012
Decision: Grant Conditionally

Item No 64

Application Number: 12/01349/FUL **Applicant:** Mr D Weeks
Application Type: Full Application
Description of Development: Front porch
Site Address 60 LONGSTONE AVENUE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 13/09/2012
Decision: Refuse

Item No 65

Application Number: 12/01350/FUL **Applicant:** Mr G Morris
Application Type: Full Application
Description of Development: Rear balcony and associated external staircase
Site Address 12 LOCKYER ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 17/09/2012
Decision: Grant Conditionally

Item No 66

Application Number: 12/01359/PRD **Applicant:** Mrs K Murdoch
Application Type: LDC Proposed Develop
Description of Development: Hip to gable extension and rear dormer
Site Address 3 EFFORD CRESCENT PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 20/09/2012
Decision: Issue Certificate - Lawful Use

Item No 67

Application Number: 12/01360/FUL **Applicant:** Mr C Mathew and Ms J Robinso
Application Type: Full Application
Description of Development: Side conservatory (east elevation)
Site Address 177 DUNRAVEN DRIVE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 12/09/2012
Decision: Grant Conditionally

Item No 68

Application Number: 12/01363/FUL **Applicant:** Neil Satchwell
Application Type: Full Application
Description of Development: Replace and extended pitched roof, first floor extensions, including rooms in roofspace to extend landlords accommodation and provide 7 lettable rooms (amended scheme)
Site Address THE FERRY HOUSE INN,888 WOLSELEY ROAD PLYMOUTH
Case Officer: Carly Kirk
Decision Date: 26/09/2012
Decision: Grant Conditionally

Item No 69

Application Number: 12/01364/FUL **Applicant:** Mr Chris Cook
Application Type: Full Application
Description of Development: Single-storey rear extension and associated works
Site Address 33 LYNWOOD AVENUE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 26/09/2012
Decision: Grant Conditionally

Item No 70

Application Number: 12/01365/FUL **Applicant:** City College Plymouth
Application Type: Full Application
Description of Development: Two storey classroom building and ancillary facilities for autistic students (site adjacent to ramped road, off Paradise Road)
Site Address CITY COLLEGE PLYMOUTH, KINGS ROAD DEVONPORT PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 04/10/2012
Decision: Grant Conditionally

Item No 71

Application Number: 12/01366/TCO **Applicant:** Millfields Estate Management
Application Type: Trees in Cons Area
Description of Development: Tree maintenance programme
Site Address THE MILLFIELDS PLYMOUTH
Case Officer: Jane Turner
Decision Date: 10/09/2012
Decision: Grant Conditionally

Item No 72

Application Number: 12/01367/TPO **Applicant:** Mrs Lawrence
Application Type: Tree Preservation
Description of Development: Sycamore crown lift to 4 metres above ground level
Site Address 112 LOOSELEIGH LANE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 27/09/2012
Decision: Grant Conditionally

Item No 73

Application Number: 12/01368/ADV **Applicant:** Miss Howe
Application Type: Advertisement
Description of Development: Erection of new branded signage to shopping centre and car park including fascia signs, wayfinding signs, banners and 1 x illuminated frontage sign
Site Address THE BROADWAY SHOPPING CENTRE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 04/10/2012
Decision: Grant Conditionally

Item No 74

Application Number: 12/01371/FUL **Applicant:** Mr & Mrs K Batchelor
Application Type: Full Application
Description of Development: First floor extension
Site Address 122 PLYMSTOCK ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 13/09/2012
Decision: Refuse

Item No 75

Application Number: 12/01373/FUL **Applicant:** Mr Anthony Teague
Application Type: Full Application
Description of Development: Retrospective application for decking and shed
Site Address 30 FORE STREET PLYMPTON PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 03/10/2012
Decision: Grant Conditionally

Item No 76

Application Number: 12/01374/FUL **Applicant:** Mr & Mrs Lawler
Application Type: Full Application
Description of Development: Extension and alterations including raising roof with front dormer windows, first floor rear extension and infill front extension (amended scheme)
Site Address 74 SHERFORD ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 11/09/2012
Decision: Refuse

Item No 77

Application Number: 12/01376/FUL **Applicant:** Mrs Lisa Compton
Application Type: Full Application
Description of Development: Single storey rear extension, two storey side extension and alterations to front garden including the formation of a vehicle hardstanding (amended scheme)
Site Address 93 COMPTON AVENUE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 12/09/2012
Decision: Grant Conditionally

Item No 78

Application Number: 12/01379/FUL **Applicant:** Mr M Lincoln
Application Type: Full Application
Description of Development: Two storey side extension
Site Address 9 PARKFIELD DRIVE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 03/10/2012
Decision: Grant Conditionally

Item No 79

Application Number: 12/01388/FUL **Applicant:** Mr R Thomas
Application Type: Full Application
Description of Development: Re-profiling of garden to form level area (partly retrospective) by importation of clean material and increase in height of gabbion baskets by 1 metre
Site Address 25 COLTNESS ROAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 05/10/2012
Decision: Grant Conditionally

Item No 80

Application Number: 12/01391/FUL **Applicant:** Mr Cole
Application Type: Full Application
Description of Development: Two storey rear and single storey side extension
Site Address 98 ELGIN CRESCENT PLYMOUTH
Case Officer: Mike Stone
Decision Date: 13/09/2012
Decision: Grant Conditionally

Item No 81

Application Number: 12/01401/PRD **Applicant:** Mr & Mrs R Yeates
Application Type: LDC Proposed Develop
Description of Development: Erection of rear dormer
Site Address 74 HERMITAGE ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 25/09/2012
Decision: Issue Certificate - Lawful Use

Item No 82

Application Number: 12/01403/FUL **Applicant:** Mr A Mills
Application Type: Full Application
Description of Development: Alterations for disabled person including front porch and access ramp, rear extension and roof alterations including new pitched roof (removal of existing conservatory)
Site Address 76 SHERFORD ROAD PLYMSTOCK PLYMOUTH
Case Officer: Liz Wells
Decision Date: 26/09/2012
Decision: Grant Conditionally

Item No 83

Application Number: 12/01404/FUL **Applicant:** Mr T Magee
Application Type: Full Application
Description of Development: Erection of detached garage and garden room/store
Site Address 4 HEMERDON VILLAS, BORINGDON ROAD PLYMPTON PLYMOUTH
Case Officer: Mike Stone
Decision Date: 20/09/2012
Decision: Grant Conditionally

Item No 84

Application Number: 12/01410/FUL **Applicant:** Mr Robert Simpson
Application Type: Full Application
Description of Development: Formation of roof balcony and window on front elevation
Site Address 838 WOLSELEY ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 27/09/2012
Decision: Grant Conditionally

Item No 85

Application Number: 12/01422/ADV **Applicant:** Mr D Smith
Application Type: Advertisement
Description of Development: Replacement large roof banner sign
Site Address BUILDING N217 DEVONPORT DOCKYARD, SALTASH ROAD KEYHAM PLYMOUTH
Case Officer: Adam Williams
Decision Date: 19/09/2012
Decision: Grant Conditionally

Item No 86

Application Number: 12/01423/FUL **Applicant:** Mr David Piper
Application Type: Full Application
Description of Development: Rear extension with balcony above existing rear tenement and rear conservatory at garden level
Site Address 17 BISHOPS PLACE, WEST HOE ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 21/09/2012
Decision: Grant Conditionally

Item No 87

Application Number: 12/01424/LBC **Applicant:** Las Iguanas
Application Type: Listed Building
Description of Development: Internal fit out to form restaurant, to include new wc areas, kitchen areas, new A3 extract, new seating and serving areas
Site Address UNIT 3-5, BREWHOUSE,8 ROYAL WILLIAM YARD
PLYMOUTH
Case Officer: Adam Williams
Decision Date: 01/10/2012
Decision: Grant Conditionally

Item No 88

Application Number: 12/01427/FUL **Applicant:** Mr B and Miss E Byrom
Application Type: Full Application
Description of Development: Single storey rear extension and raised decking
Site Address 25 WRENS GATE PLYMSTOCK PLYMOUTH
Case Officer: Mike Stone
Decision Date: 19/09/2012
Decision: Grant Conditionally

Item No 89

Application Number: 12/01430/FUL **Applicant:** West Hoe Fun Park
Application Type: Full Application
Description of Development: Redevelopment of fun park including replacement of existing play equipment, installation of storage buildings, flag pole and boundary fencing (revised scheme including hedge retention)
Site Address WEST HOE FUN PARK, PIER STREET PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 26/09/2012
Decision: Grant Conditionally

Item No 90

Application Number: 12/01431/FUL **Applicant:** Interserve Defence Ltd
Application Type: Full Application
Description of Development: Temporary accommodation unit
Site Address HMS DRAKE, SALTASH ROAD KEYHAM PLYMOUTH
Case Officer: Adam Williams
Decision Date: 25/09/2012
Decision: Grant Conditionally

Item No 91

Application Number: 12/01432/FUL **Applicant:** Plymouth University
Application Type: Full Application
Description of Development: Refurbishment of Drake's Place Gardens and Reservoir to provide new access from North Hill and associated works
Site Address DRAKES PLACE PARK, NORTH HILL PLYMOUTH
Case Officer: Mike Stone
Decision Date: 08/10/2012
Decision: Grant Conditionally

Item No 92

Application Number: 12/01433/LBC **Applicant:** Plymouth University
Application Type: Listed Building
Description of Development: Refurbishment of Drake's Place Gardens and Reservoir to provide new access from North Hill and associated works
Site Address DRAKES PLACE PARK, NORTH HILL PLYMOUTH
Case Officer: Mike Stone
Decision Date: 08/10/2012
Decision: Grant Conditionally

Item No 93

Application Number: 12/01441/FUL **Applicant:** Mr Arthur Cragg
Application Type: Full Application
Description of Development: Conversion of existing private motor garage to habitable room and provision of pitched roof
Site Address 66 GLENFIELD ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 20/09/2012
Decision: Grant Conditionally

Item No 94

Application Number: 12/01443/TPO **Applicant:** Mr Paul Gulley
Application Type: Tree Preservation
Description of Development: Ash - reduce crown by 50% and shape
Site Address 451 TAVISTOCK ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 25/09/2012
Decision: Grant Conditionally

Item No 95

Application Number: 12/01448/FUL **Applicant:** Mr Paul Langmaid
Application Type: Full Application
Description of Development: Part demolition of existing boundary wall to allow vehicle access to proposed hardstanding and installation of roller shutter
Site Address THE HOMESTEAD, THORNHILL ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 25/09/2012
Decision: Refuse

Item No 96

Application Number: 12/01456/31 **Applicant:** Plymouth City Council
Application Type: GPDO PT31
Description of Development: Determination as to whether prior approval is required for the method of demolition of the buildings and the proposed landscaping of the site
Site Address DOWNHAM SPECIAL SCHOOL, HORN LANE PLYMOUTH
Case Officer: Jon Fox
Decision Date: 10/09/2012
Decision: Prior approval not req PT24

Item No 97

Application Number: 12/01463/PRD **Applicant:** Mr R Roffey
Application Type: LDC Proposed Develop
Description of Development: Side/rear dormer and loft conversion
Site Address 14 CRESTHILL ROAD BEACON PARK PLYMOUTH
Case Officer: Mike Stone
Decision Date: 04/10/2012
Decision: Issue Certificate - Lawful Use

Item No 98

Application Number: 12/01482/TPO **Applicant:** Mr David Baragawanath
Application Type: Tree Preservation
Description of Development: Holm Oak - Remove 2/3m from lowest branches around crown to appropriate pruning points. Remove large deadwood.
Site Address 17 LONG DOWN GARDENS PLYMOUTH
Case Officer: Jane Turner
Decision Date: 26/09/2012
Decision: Grant Conditionally

Item No 99

Application Number: 12/01484/31 **Applicant:** Plymouth City Council
Application Type: GPDO PT31
Description of Development: Demolition of single-storey warehouse
Site Address FORMER FRUIT STORE, 23 HOW STREET PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 03/10/2012
Decision: Prior approval not req PT24

Item No 100

Application Number: 12/01493/PRU **Applicant:** Mr Steven Jenkins
Application Type: LDC Proposed Use
Description of Development:
Site Address 4 HAMILTON GARDENS PLYMOUTH
Case Officer: Jon Fox
Decision Date: 18/09/2012
Decision: Application Withdrawn

Item No 101

Application Number: 12/01494/ADV **Applicant:** Plymouth University
Application Type: Advertisement
Description of Development: 2x side panel signs and 1x double sided banner sign
Site Address 41 GIBBON STREET PLYMOUTH
Case Officer: Mike Stone
Decision Date: 26/09/2012
Decision: Grant Conditionally

Item No 102

Application Number: 12/01497/FUL **Applicant:** Mr & Mrs Scurr
Application Type: Full Application
Description of Development: First floor rear extension with juliet balcony
Site Address 1 WESTWAY, CHURCH HILL ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 03/10/2012
Decision: Grant Conditionally

Item No 103

Application Number: 12/01505/FUL **Applicant:** Mr Christopher Duffy
Application Type: Full Application
Description of Development: Single storey front extension
Site Address 61 WENTWOOD GARDENS PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 04/10/2012
Decision: Grant Conditionally

Item No 104

Application Number: 12/01533/FUL **Applicant:** Coombe Dean School Academy
Application Type: Full Application
Description of Development: Extensions to existing sports hall
Site Address COOMBE DEAN SCHOOL, CHARNHILL WAY PLYMOUTH
Case Officer: Adam Williams
Decision Date: 08/10/2012
Decision: Grant Conditionally

Item No 105

Application Number: 12/01546/PRU **Applicant:**
Application Type: LDC Proposed Use
Description of Development: Use of property to provide accommodation for 2 children with care provided
Site Address 5 COMPTON VALE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 28/09/2012
Decision: Application Withdrawn

Item No 106

Application Number: 12/01547/PRU **Applicant:** Phoenix Learning and Care Ltd
Application Type: LDC Proposed Use
Description of Development: Use of property to provide accommodation for 2 children with care provided
Site Address 1 FREDINGTON GROVE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 28/09/2012
Decision: Application Withdrawn

Item No 107

Application Number: 12/01600/TCO **Applicant:** Dr J Makin
Application Type: Trees in Cons Area
Description of Development: Remove 1 of 8in. diameter branch from ash tree
Site Address 103 FORE STREET PLYMPTON PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 05/10/2012
Decision: Grant Conditionally

Item No 108

Application Number: 12/01626/FUL **Applicant:** Mr D Wong
Application Type: Full Application
Description of Development: Erection of metal railings, gate and brick gate posts.
Site Address 55 GLENTOR ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 08/10/2012
Decision: Grant Conditionally

Item No 109

Application Number: 12/01646/TCO **Applicant:** Mrs M L McNaughton
Application Type: Trees in Cons Area
Description of Development: Prune trees (gout willow) adjacent house - remove large branch over roof, reduce by 3m
Ash tree - lift crown by 2m
Site Address 30 RIVERSIDE WALK TAMERTON FOLIOT PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 05/10/2012
Decision: Grant Conditionally

Application Number **11/01960/FUL**

Appeal Site **13-16a WYNDHAM SQUARE STONEHOUSE PLYMOUTH**

Appeal Proposal Replacement of alluminium windows with white uPVC

Case Officer Karen Gallacher

Appeal Category

Appeal Type Written Representations

Appeal Decision Dismissed

Appeal Decision Date 11/09/2012

Conditions

Award of Costs Awarded To

Appeal Synopsis

The inspector agreed that the thicker appearance of the proposed upvc windows would be incongruous when seen against the fine timber windows in the square. This would heighten the negative influence of the existing building within the conservation area. The proposal would cause harm to the conservation area that would not be offset by the benefits the new windows would provide. The proposal was considered to be contrary to policy CS03 and the NPPF for these reasons.

Note:

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