

# Public Document Pack



**Tracey Lee**  
Chief Executive

Plymouth City Council  
Civic Centre  
Plymouth PL1 2AA

Please ask for Ross Jago / Ross Johnston  
T 01752 304469 or 307990  
E [ross.jago@plymouth.gov.uk](mailto:ross.jago@plymouth.gov.uk) /  
[ross.johnston@plymouth.gov.uk](mailto:ross.johnston@plymouth.gov.uk)  
[www.plymouth.gov.uk/democracy](http://www.plymouth.gov.uk/democracy)  
22 January 2013

## PLANNING COMMITTEE

Thursday 31 January 2013  
4 pm  
Council House, Plymouth (Next to the Civic Centre)

### 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.

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.

Although the public seating areas are not filmed, by entering the meeting room and using the public seating area, the public are consenting to being filmed and to the use of those recordings for webcasting.

The Council is a data controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with authority's published policy.

**Tracey Lee**  
Chief Executive

# PLANNING COMMITTEE

## AGENDA

### PART I – PUBLIC MEETING

#### 1. APOLOGIES

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

#### 2. DECLARATIONS OF INTEREST

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

#### 3. MINUTES

**(Pages 1 - 8)**

The Committee will be asked to confirm the minutes of the meeting held on 6 December 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. PLANNING APPLICATIONS FOR CONSIDERATION

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 Planning Code of Good Practice.

##### 6.1. 9 WYNDHAM STREET EAST, PLYMOUTH. I3/00002/FUL **(Pages 9 - 12)**

Applicant:	Mr William Tall
Ward:	St Peter and The Waterfront
Recommendation:	Grant Conditionally. Delegated authority to Assistant Director of Planning to consider

any additional letters of representation up until the deadline for comments (5th February 2013) and to agree any alternative decisions in consultation with Chair, Vice Chair and Shadow Chair.

- 6.2. LAND AT JUNCTION OF DALE ROAD AND SIDING ROAD, PLYMOUTH. 12/02008/FUL **(Pages 13 - 20)**
- Applicant: Trathen Properties Ltd  
Ward: Drake  
Recommendation: Grant Conditionally
- 6.3. UNITS 3-5 BREWHOUSE, 8 ROYAL WILLIAM YARD, PLYMOUTH. 12/02014/FUL **(Pages 21 - 32)**
- Applicant: Urban Splash  
Ward: St Peter and The Waterfront  
Recommendation: Grant conditionally subject to S106 Obligation with delegated authority to the Assistant Director of Planning to refuse if the S106 obligation is not signed by 28th March 2013.
- 6.4. THE CORNWALL GATE, 71 NORMANDY WAY PLYMOUTH, 12/02000/FUL. **(Pages 33 - 52)**
- Applicant: Select Developments Ltd  
Ward: St Budeaux  
Recommendation: Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 15th February 2013.
- 6.5. 27 SPRINGFIELD CLOSE AND LAND TO REAR, PLYMOUTH. 12/02082/FUL **(Pages 53 - 76)**
- Applicant: Senate Properties (SW) Ltd  
Ward: Plymstock Dunstone  
Recommendation: Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 26th February 2013.
- 7. PLANNING APPLICATION DECISIONS ISSUED (Pages 77 - 114)**

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 20 December 2012 to 21 January 2013, including –

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

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

## **8. APPEAL DECISIONS**

**(Pages 115 - 116)**

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

## **9. EXEMPT BUSINESS**

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

## **PART II (PRIVATE MEETING)**

### **AGENDA**

### **MEMBERS OF THE PUBLIC TO NOTE**

that under the law, the Panel is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

NIL.

## Planning Committee

Thursday 6 December 2012

### PRESENT:

Councillor Stevens, in the Chair.

Councillor Tuohy, Vice Chair.

Councillors Mrs Bowyer, Churchill (substituting Councillor Darcy), Sam Davey, Mrs Foster, Nicholson, John Smith, Stark, Jon Taylor, Tuffin (substituting Councillor Vincent) and Wheeler.

Apologies for absence: Councillors Darcy and Vincent.

Also in attendance: Peter Ford – Lead Planning Officer, Julie Rundle – Lawyer, Ross Jago – Democratic Support Officer.

The meeting started at 4 pm and finished at 8.50 pm.

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

### 62. 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	66.1 Plym Valley, Plymouth. 12/01712/FUL	Member of the National Trust	Personal
Councillor Nicholson	66.3 95 To 99 Ridgeway, Plymouth. 12/01780/FUL	Member of the Plympton Conservative Club	Personal
Councillor Nicholson	66.4 95 To 99 Ridgeway, Plymouth. 12/01780/FUL	Member of the Plympton Conservative Club	Personal
Councillor Churchill	66.2 10 Third Avenue, Billacombe, Plymouth. 12/01425/FUL	Ward member having expressed a view on the proposals.	Prejudicial
Councillor Churchill	66.3 95 To 99 Ridgeway, Plymouth. 12/01780/FUL	Employer in contract with the applicant	Personal
Councillor Churchill	66.4 95 To 99 Ridgeway, Plymouth. 12/01780/FUL	Employer in contract with the applicant.	
Councillor Stark	66.1 Plym Valley, Plymouth. 12/01712/FUL	Member of the National Trust	Personal

Councillor Tuohy	66.6 Woodville Road, Plymouth. 12/01304/FUL	Plymouth Community Homes Resident	Personal
------------------	---	-----------------------------------	----------

63. **MINUTES**

Agreed the minutes of the meeting held on 8 November 2012.

64. **CHAIR'S URGENT BUSINESS**

The Chair confirmed that the energy from waste plant would no longer be included as a standing item on future agendas, but officers will prepare reports on request by Members.

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

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

<b>Question No</b>	<b>Question By</b>	<b>Cabinet Member or Committee Chair</b>	<b>Subject</b>
Q8-12/13	Mr Kilvington	Chair of Planning Committee	Energy from Waste Plant
Six reports of incinerator noise excess were under investigation at the time of the October Planning Committee Meeting. What is the result of that investigation and how many additional incidents of noise level and duration have been identified since that meeting?			
<b>Response:</b>			
<p>A report was presented to Planning Committee on 18<sup>th</sup> October 2012 explaining that 2 separate instances of breaches of the noise construction limits established by condition 19 attached to the Waste to Energy Plant planning permission had been recorded since construction work began on the site. These incidences occurred on the 28<sup>th</sup> September 2012 and 10<sup>th</sup> October 2012.</p> <p>Since then a further noise limit breach has been recorded on the 28<sup>th</sup> November 2012. All 3 breaches are in respect of noise levels recorded at the same Savage Road receptor.</p> <p>In view of these incidents, and a further 5 separate ones relating to breach of working hours, which have also occurred during construction, a planning compliance investigation case (12/02114/OPR) has been opened by the Planning Department in accordance with its standard compliance procedures. The National Planning Policy Framework (NPPF) requires the Local Planning Authority to take into account that enforcement action is discretionary, and, that it should act proportionately in responding to suspected breaches of planning control.</p> <p>A comprehensive report on enforcement options will therefore be considered by the Planning Committee at its 3 January meeting.</p>			

66. **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 66.1, 66.3, 66.5, 66.6 and 66.7.

**66.1 PLYM VALLEY, PLYMOUTH. 12/01712/FUL**

(National Trust)

Decision:

Application **GRANTED** conditionally. Approval of the condition relating to the site management plan is delegated to the Assistant Director of Planning in consultation with the Chair, Vice Chair and nominated opposition spokesman.

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

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

(The Committee heard representations against the application).

(The Committee heard representations in support of the application).

(Councillor Stark and Nicholson declared personal interests in this item).

**66.2 10 THIRD AVENUE, BILLACOMBE, PLYMOUTH. 12/01425/FUL**

(Mr P McMullin)

Decision:

Application **REFUSED** as the application was detrimental to the character and appearance of the area in terms of height, mass and visual impact, its overbearing appearance and loss of light. (Core Strategy Policy C34 ).

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

(The Committee heard representations in support of the application).

(Councillor Churchill declared a prejudicial interest in this item and did not take part in the debate).

**66.3 95 TO 99 RIDGEWAY, PLYMOUTH. 12/01780/FUL**

(JD Wetherspoon PLC)

Decision:

Application **GRANTED** conditionally with the following additional conditions-

- (1) public access to the site via the rear gate is prohibited;
- (2) During construction phase the site is subject to the council's code of practice for construction sites

Councillors also added an informative prohibiting smoking on the public highway to the front of the site.

(The Committee heard representations against the application).

(Councillor Churchill and Nicholson declared personal interests in this item).

**66.4 95 TO 99 RIDGEWAY, PLYMOUTH. 12/01781/LBC**

(JD Wetherspoon PLC)

Decision:

Application **GRANTED** conditionally.

(Councillor Churchill and Nicholson declared personal interests in this item).

**66.5 DURSTON HOUSE, LONGLANDS ROAD, PLYMOUTH. I2/01894/FUL**

(Mr Paul Harte)

Decision:

Application **GRANTED** conditionally. Approval of the condition relating to the Code of Construction is delegated to the Assistant Director of Planning in consultation with the Chair, Vice Chair and nominated opposition spokesman

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

(The Committee heard representations against the application).

(The Committee heard representations in support of the application).

**66.6 WOODVILLE ROAD, PLYMOUTH. I2/01304/FUL**

(BDW Trading Limited)

Decision:

Application **GRANTED** conditionally subject to a S106 obligation, with delegated authority to refuse in the event that the S106 obligation is not completed by 31 January 2013.

(The Committee heard representations in support of the application from Councillor Gordon, ward member).

(The Committee heard representations in support of the application).

(Councillor Tuohy declared a personal interest in this item).

**66.7 DRAKE'S ISLAND, PLYMOUTH. I2/00095/FUL**

(Rotolock (Holdings) Ltd)

Decision:

Application **DEFERRED** to the next Planning Committee to allow the submission of information to inform the habitat regulation assessment and enable consideration by the authority of the potential impacts on the European marine site.

(The Committee heard representations in support of the application).

**66.8 DRAKE'S ISLAND, PLYMOUTH. I2/00099/LBC**

(Rotolock (Holdings) Ltd)

Decision:

Application **DEFERRED** to the next Planning Committee to allow officers to consider the amended plans related to heritage issues.

**67. PLANNING APPLICATION DECISIONS ISSUED**

The Committee received a report from the Assistant Director, Planning Services, on decisions issued for the period 27 October 2012 to 23 November 2012, including –

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



- Applications returned as invalid

68. **APPEAL DECISIONS**

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

69. **EXEMPT BUSINESS**

There were no items of exempt business.

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

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

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

This page is intentionally left blank

## SCHEDULE OF VOTING

Minute number and Application	Voting for	Voting against	Abstained	Absent due to interest declared	Absent
6.1 PLYM VALLEY, PLYMOUTH. 12/01712/FUL  To amend the recommendation	Councillors Wheeler, Davey, Tuffin, Smith, Tuohy, Stevens, Nicholson.		Councillors Churchill, Stark, Mrs Foster and Taylor.		Councillor Mrs Bowyer.
6.1 PLYM VALLEY, PLYMOUTH. 12/01712/FUL	Councillors Wheeler, Davey, Tuffin, Smith, Taylor, Tuohy, Stevens.	Councillors Nicholson and Stark.	Councillor Mrs Foster and Churchill.		Councillor Mrs Bowyer.
6.2 10 THIRD AVENUE, BILLACOMBE, PLYMOUTH. 12/01425/FUL  (Refusal)	Councillors Nicholson, Stark, Mrs Foster, Wheeler, Davey, Tuffin, Smith, Taylor, Tuohy, Stevens.			Councillor Churchill.	Councillor Mrs Bowyer.
6.3 95 TO 99 RIDGEWAY, PLYMOUTH. 12/01780/FUL (Additional condition and informative)	Councillors Churchill, Stark, Mrs Foster, Wheeler, Davey, Tuffin, Smith, Taylor, Tuohy, Stevens.	Councillor Nicholson			Councillor Mrs Bowyer.
6.4 95 TO 99 RIDGEWAY, PLYMOUTH. 12/01780/FUL (Additional condition and informative)	Councillors Nicholson, Stark, Mrs Foster, Wheeler, Davey, Tuffin, Smith, Taylor, Tuohy, Stevens.				Councillor Mrs Bowyer.
6.5 DURSTON HOUSE, LONGLANDS ROAD, PLYMOUTH. 12/01894/FUL  (Amended)	Councillors Stark, , Wheeler, Davey, Tuffin, Smith, Taylor, Tuohy, Stevens.	Councillor Mrs Foster			Councillors Mrs Bowyer, Nicholson.
6.5 DURSTON HOUSE, LONGLANDS ROAD, PLYMOUTH. 12/01894/FUL	Councillors Wheeler, Davey, Tuffin, Smith, Taylor, Tuohy, Stevens.	Councillor Mrs Foster	Councillor Stark		Councillors Mrs Bowyer, Nicholson.

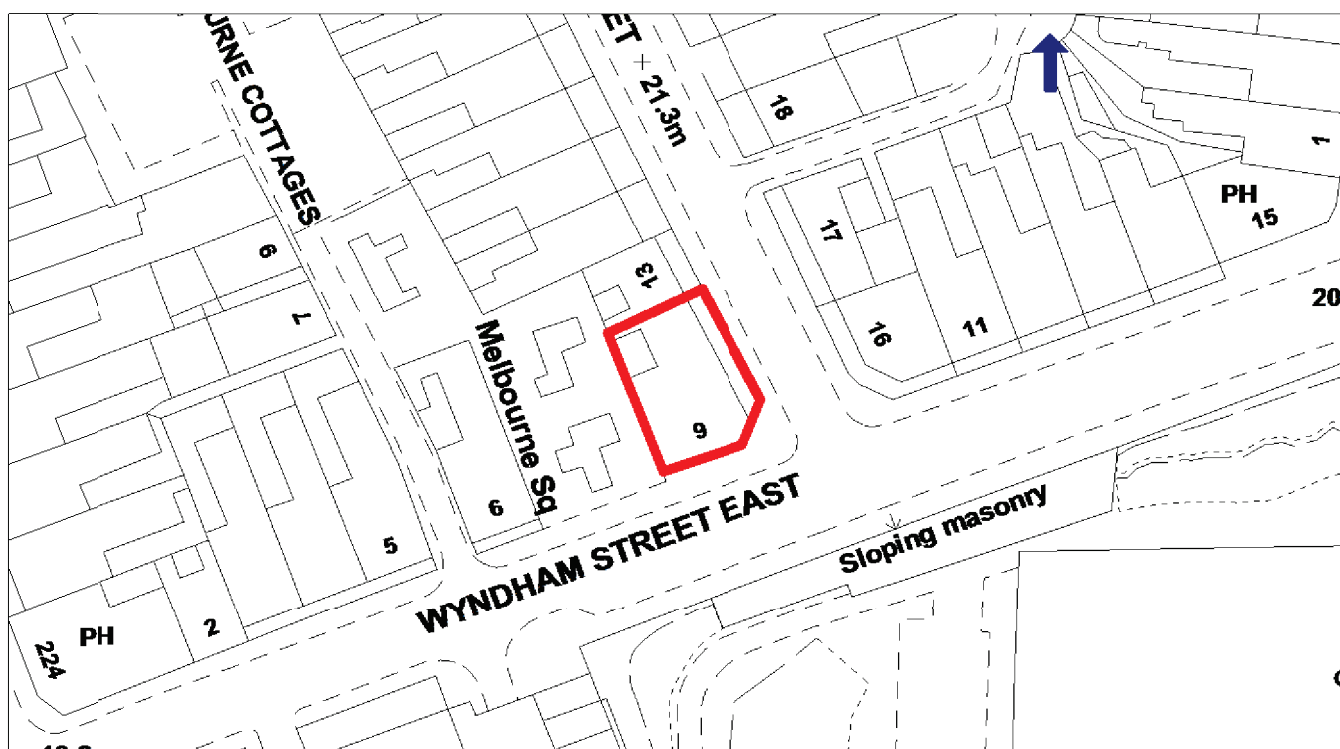
<b>Minute number and Application</b>	<b>Voting for</b>	<b>Voting against</b>	<b>Abstained</b>	<b>Absent due to interest declared</b>	<b>Absent</b>
6.6 WOODVILLE ROAD, PLYMOUTH. 12/01304/FUL	Councillors Stark, Mrs Foster, Wheeler, Davey, Tuffin, Smith, Taylor, Tuohy, Stevens.				Councillor Mrs Bowyer.
6.7 DRAKE'S ISLAND, PLYMOUTH. 12/00095/FUL	Councillors Stark, Mrs Foster, Wheeler, Tuffin, Smith, Tuohy, Stevens.	Councillor Davey	Councillor Taylor		Councillors Mrs Bowyer, Nicholson.
6.8 DRAKE'S ISLAND, PLYMOUTH. 12/00099/LBC	Councillors Stark, Mrs Foster, Wheeler, Tuffin, Smith, Tuohy, Stevens.	Councillor Davey	Councillor Taylor		Councillors Mrs Bowyer, Nicholson.

# PLANNING APPLICATION REPORT



**ITEM: 01**

<b>Application Number:</b>	13/00002/FUL
<b>Applicant:</b>	Mr William Tall
<b>Description of Application:</b>	Erection of Juliet balcony to front elevation including change of window to french doors
<b>Type of Application:</b>	Full Application
<b>Site Address:</b>	9 WYNDHAM STREET EAST PLYMOUTH
<b>Ward:</b>	St Peter & The Waterfront
<b>Valid Date of Application:</b>	03/01/2013
<b>8/13 Week Date:</b>	<b>28/02/2013</b>
<b>Decision Category:</b>	Member/PCC Employee
<b>Case Officer :</b>	Rebecca Exell
<b>Recommendation:</b>	Grant Conditionally. Delegated authority to Assistant Director of Planning to consider any additional letters of representation up until the deadline for comments (5th February 2013) and to agree any alternative decisions in consultation with Chair, Vice Chair and Shadow Chair.
<b>Click for Application Documents:</b>	<a href="http://www.plymouth.gov.uk">www.plymouth.gov.uk</a>



**This report is being referred to committee because the agent is a Plymouth City Council employee.**

**Site Description**

9 Wyndham Street East is a first floor flat located in the North Stonehouse Conservation area. The property is in use as a corner shop on the ground-floor with a flat above. The property is bounded by neighbouring properties.

**Proposal Description**

Erection of Juliet balcony to front elevation including change of window to French doors

**Pre-Application Enquiry**

None

**Relevant Planning History**

12/02127/FUL- First floor balcony to front elevation. Withdrawn

**Consultation Responses**

None

**Representations**

Consultation period until 5<sup>th</sup> February 2013

**Analysis**

The application turns upon policies CS02 (Design) , CS03 (Historic Environment), 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 the character and appearance of the conservation area.

The property in question is located on a street corner within the North Stonehouse Conservation Area close to the Grade II listed former Non-Conformist Chapel on Wyndham Street East. Although No 9 does not have a great deal of architectural merit it does form an important and very visible part of the local street scene.

The previous application was withdrawn as it was considered by officers that the proposal was incongruous and detrimental to the character of the area and streetscene. This new proposed application for a Juliet balcony is welcomed and takes on board the comments made by officers.

The proposal seeks consent for the addition of a Juliet balcony at first floor level on the south side of the property. The balcony would be rectangle in shape and 1.5 metres long. The base of the balcony would be just less than 4 metres above ground level. The current window will be replaced with French doors.

The Juliet balcony will ensure that the development does not appear unduly prominent when viewed from the street scene. It is considered that the proposed

balcony is sympathetic in form, detailing and materials to the existing property and does not detract from the character and appearance of the area.

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**

N/A

### **Equalities & Diversities issues**

No equality and diversity issues to be considered in this case.

### **Conclusions**

Recommended for approval

### **Recommendation**

In respect of the application dated **03/01/2013** and the submitted drawings Site location plan, Block plan, Drawing No 03, Drawing No 04, Drawing No 05, it is recommended to: **Grant Conditionally. Delegated authority to Assistant Director of Planning to consider any additional letters of representation up until the deadline for comments (5th February 2013) and to agree any alternative decisions in consultation with Chair, Vice Chair and Shadow Chair.**

### **Conditions**

#### **DEVELOPMENT TO COMMENCE WITHIN 3 YEARS**

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

Reason:

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

#### **APPROVED PLANS**

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan, Block plan, Drawing No 03, Drawing No 04, Drawing No 05

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.

### BALCONY MATERIALS

(3) No works shall commence until details of the proposed balcony have been submitted to and approved in writing by the Local Planning Authority. The said details shall include the design, method of construction, material and finish of the proposed balcony. The works shall be carried out strictly in accordance with the approved details.

#### Reason:

To ensure that the details of the proposed work do not conflict with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### INFORMATIVE: CONDITIONAL APPROVAL (NO NEGOTIATION)

(1) In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

#### **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 conservation 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

CS03 - Historic Environment

CS02 - Design

SPD1 - Development Guidelines

NPPF - National Planning Policy Framework March 2012



# PLANNING APPLICATION REPORT



**ITEM: 02**

**Application Number:** 12/02008/FUL

**Applicant:** Trathen Properties Ltd

**Description of Application:** Retention of two linked blocks of student accommodation for 220 students with ancillary facilities and on and off street parking at East Park Avenue; removal of conditions 2 and 3 of planning permission 01/00940 to release the land at the junction of Dale Road and Siding Road, (previously described as East Park Avenue) from its car parking use.

**Type of Application:** Full Application

**Site Address:** LAND AT JUNCTION OF DALE ROAD AND SIDING ROAD PLYMOUTH

**Ward:** Drake

**Valid Date of Application:** 21/11/2012

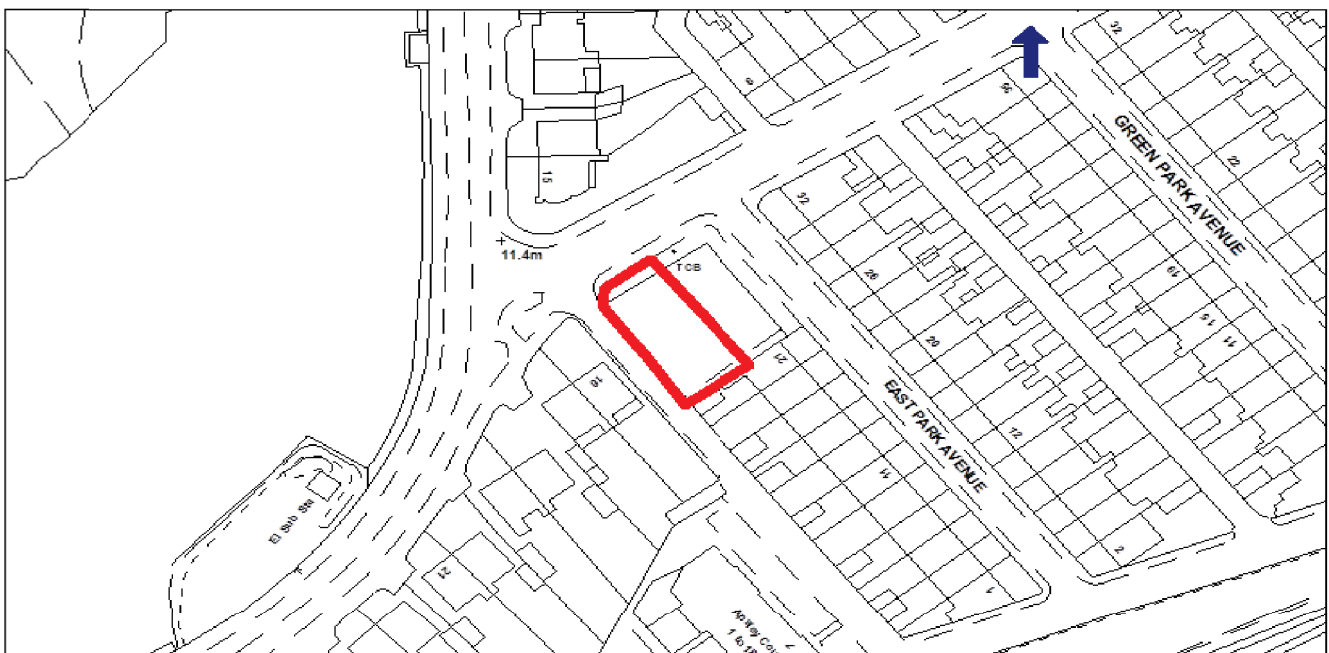
**8/13 Week Date:** 20/02/2013

**Decision Category:** Major - more than 5 Letters of Representation received

**Case Officer :** Robert McMillan

**Recommendation:** Grant Conditionally

**Click for Application Documents:** [www.plymouth.gov.uk](http://www.plymouth.gov.uk)



### **Site Description**

The site is an open area that has permission for a parking area for Central Park Towers on the corner of Dale Road and Siding Road in a residential area. It is a small site of 258 sq m. It has a tarmac surface with palisade boundary fencing. It adjoins a vacant site cordoned off with hoarding. It is 127m from Central Park Towers.

### **Proposal Description**

The application is to remove two conditions attached to the original planning permission for Central Park Towers and the land bounded by East Park Avenue, Dale Road and Siding Road. These restrict the use of the land bounded by East Park Avenue, Dale Road and Siding Road to be used for parking ancillary to Central Park Towers.

### **Pre-Application Enquiry**

None.

### **Relevant Planning History**

#### **Application site and 28 Central Park Avenue (now known as Central Park Towers**

01/00940 – FULL - Demolition of existing buildings and erection of two linked blocks of student accommodation for 220 students with ancillary facilities and on and off site parking at East Park Avenue – GRANTED.

#### **Adjoining site**

10/02013 – FULL - Erection of 5 terraced town houses (three storey) with associated parking and refuse storage (renewal of 07/01957/FUL) – GRANTED.

07/01957/FUL - Erection of 5 terraced town houses (three storey) with associated parking and refuse storage – GRANTED.

07/01494/OPR - Blocking up of access lane with hoarding/gate – enforcement case file closed

07/00167/FUL - Erect 5 terraced town houses (three storey) with associated parking – REFUSED.

04/01641/FUL - 5 terraced dwellings with integral garages – GRANTED.

04/00910/FUL - Development of 5 terraced town houses and associated parking – WITHDRAWN.

04/00176/LAND - Untidy land etc – Enforcement case file closed.

04/00101/FUL - Development of part of site by erection of a terrace of 5 three storey dwellings with integral garages – WITHDRAWN.

## Consultation Responses

### Local Highway Authority

No objection provided that a condition is attached requiring a travel plan to account for the loss of off-street parking for the student accommodation at Central Park Towers.

### Representations

There are 11 letters/emails of representation from 10 residents raising the following points:

1. It should remain as parking for students as parking in the area is at a premium, where would the cars go?
2. There are fewer on street spaces with the larger bus bays on Dale Road;
3. There are insufficient on-street spaces for the number of parking permits in the area;
4. If the conditions are lifted it would undermine the original permission;
5. Harm to highway safety;
6. Add to congestion;
7. The site has not been available for students;
8. Added pressure on drains at a junction that floods;
9. If permitted it will lead to pressure for development which could be student housing;
10. Doesn't wish to see East Park Avenue changed into a "student street".
11. Good to see the original confusion with the site description rectified; and
12. Alleges that some of the conditions attached to the original permission have not been complied with.

The re-advertisement period was still running when the report was prepared. Any additional representations will be reported in an addendum report.

### Analysis

The main issue with this application is the effect of the loss of the parking area on safety and inconvenience on the local highway. The policy considerations are: Core Strategy policies and strategic objectives SO3 Delivering Sustainable Linked Communities, CS01 Development of Sustainable Linked Communities, SO 14 Delivering Sustainable Transport, CS28 Local Transport Considerations and CS34 Planning Application Considerations; the National Planning Policy Framework and the adopted Development Guidelines Supplementary Planning Document.

When planning permission was granted for Central Park Towers and the application site the following conditions were attached:

#### 2. Provision of car parking areas

Each parking space shown on the approved plans, including those in the detached car park off Dale Road (East Park Avenue), shall be constructed, drained, surfaced and made available for use before any unit of accommodation is first occupied and thereafter the spaces 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.

### 3. Dale Road car parking area

The detached car parking area, off Dale Road (East Park Avenue), shall be landscaped, enclosed, and laid out in accordance with drawings which shall be submitted to and approved by the Local Planning Authority, in writing before - the units hereby approved are occupied.

Reason

To ensure that the site is properly landscaped and treated, to accord with the Policy AEV38 of the adopted City Of Plymouth Local Plan First Alteration 1996.

The applicant wishes to have these conditions removed as the area is no longer used for parking by the student occupiers of Central Park Towers. The management company has stated that:

“Demand was high in the early days, but has slowly diminished over the years, as it became common knowledge that Plymouth was discouraging student drivers.

The feedback from the students is that the car park is too far away from Central Park Towers and that in the winter months they felt it was unsafe at night walking from the car park.

There has been little or no use over the last few years and attempts to attract other users have failed, as it is too far from the station and town centre. The site was used for container storage 2009 - 2010 which was very unsightly and received numerous complaints from the surrounding residents and it has since been cleared. . . .”

The case officer’s anecdotal evidence is that he has visited the site on three occasions at different times since December 2012 during term time and has never seen a car parked there.

The local highway authority (LHA) is not aware that the number of occupiers at Central Park Towers has been reduced. There is no travel plan with Central Park Towers. The LHA suggests a condition requiring a travel plan to mitigate the loss of the land available for parking. If it is not attached the LHA would advise that permission ought to be refused because of the loss of parking. The request for a travel plan to encourage more sustainable means of travel is reasonable and is included in the recommendation. Also as condition 2 relates to the main site and the land at the junction of Dale Road and Siding Road a new condition 2 is attached so that the parking at Central Park Towers is retained.

Officers understand the objections from local residents given the parking pressure in the area. The condition requiring a travel plan will encourage the occupiers of

Central Park Towers to travel by walking, cycling and public transport to reduce the reliance on the use of cars.

If members are minded to grant permission the site would be unencumbered by a restrictive condition and would have development potential either on its own or combined with the adjoining site which has permission for five houses. There are no current proposals and any future development of the site would be subject to normal planning procedures.

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**

None required

### **Equalities & Diversities issues**

No issues raised by this application

### **Conclusions**

The proposed removal of conditions 2 and 3 of planning permission 01/00940 to lift the parking restriction on the site at the junction of Dale Road and Siding Road is acceptable subject to a new condition 2 to continue to protect the parking at Central Park Towers and a condition for a travel plan for Central Park Towers to compensate for the loss of this off-street parking. The recommendation is to grant conditional permission.

### **Recommendation**

In respect of the application dated **21/11/2012** and the submitted drawings site location plan, it is recommended to: **Grant Conditionally**

### **Conditions**

#### **APPROVED PLANS**

(1) This permission relates to the following approved plans: the site location plan.

#### **Reason:**

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### PROVISION OF CAR PARKING AREAS

(2)The existing land used for car parking purposes at Central Park Towers (formerly 28 Central Park Avenue) shall not be used for any purpose other than the parking of vehicles ancillary to the residential use of Central Park Towers.

#### Reason:

To enable vehicles used by the occupiers of and visitors to Central Park Towers 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 to comply with policies CS28 and CS34 of the adopted City of Plymouth Core Strategy development plan document

#### MANAGEMENT CODE OF PRACTICE

(3)The development permitted under planning permission 01/00940 known as Central Park Towers shall be operated in accordance with a Management Code of Practice which, if not previously approved, shall be submitted to the local planning authority within 6 weeks from the date of this permission and approved in writing by the local planning authority. The premises shall be managed in accordance with the approved Management Code of Practice permanently, unless the written consent is given by the local planning authority for any variation.

#### Reason:

To protect the amenities of neighbouring residential occupiers in accordance with policies CS22 and CS34 of the adopted City of Plymouth Core Strategy Development Plan Document, 2007.

#### TRAVEL PLAN

(4)The cessation of the use of the land bounded by Dale Road and Siding Road for off-site car parking ancillary to Central Park Towers shall not take place until a Travel Plan (TP) for the existing student accommodation at Central Park Towers has been submitted to and approved in writing by the Local Planning Authority. The said TP shall seek to encourage students to use modes of transport other than the private car to get to and from the premises. It shall also include measures to control the use of the permitted car parking areas; arrangements for monitoring the use of provisions available through the operation of the TP; and the name, position and contact telephone number of the person responsible for its implementation. The TP shall be implemented from the date of the cessation of the use of the land bounded by Dale Road and Siding Road for off-site car parking ancillary to Central Park Towers.

#### 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 Policies CS28 and CS34 of the adopted City of Plymouth Core Strategy Development Plan Document, 2007.

#### STUDENT ACCOMMODATION

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

Reason:

The accommodation is considered to be suitable for students in accordance with Policy ACR7 of the adopted City of Plymouth Local Plan First Alteration 1996, but its occupation by any other persons would need to be the subject of a further application for consideration on its merits.

**INFORMATIVE - MANAGEMENT CODE OF PRACTICE**

(1)The applicant is advised that the Management Code of Practice required by condition 3 shall include proposals to circulate to all residents within 300 metres of Central Park Towers annually with details of the name, address, telephone number and email address of the person responsible for the management of Central Park Towers. The person responsible for the management of the property shall be required on a strict timetable to investigate any complaint (within 24 hours), provide a written response within 3 working days and take any action deemed necessary to deal with any cases of nuisance reported.

**INFORMATIVE: CONDITIONAL APPROVAL (2)**

(2)In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

**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 removal of the parking area at the land bounded by Dale Road and Siding Road on highway safety and inconvenience on the local roads the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

CS28 - Local Transport Consideration

CS34 - Planning Application Consideration

CS01 - Sustainable Linked Communities

SO3 - Delivering Sustainable Linked Communities

SO14 - Delivering Sustainable Transport Targets

SPDI - Development Guidelines

NPPF - National Planning Policy Framework March 2012

This page is intentionally left blank

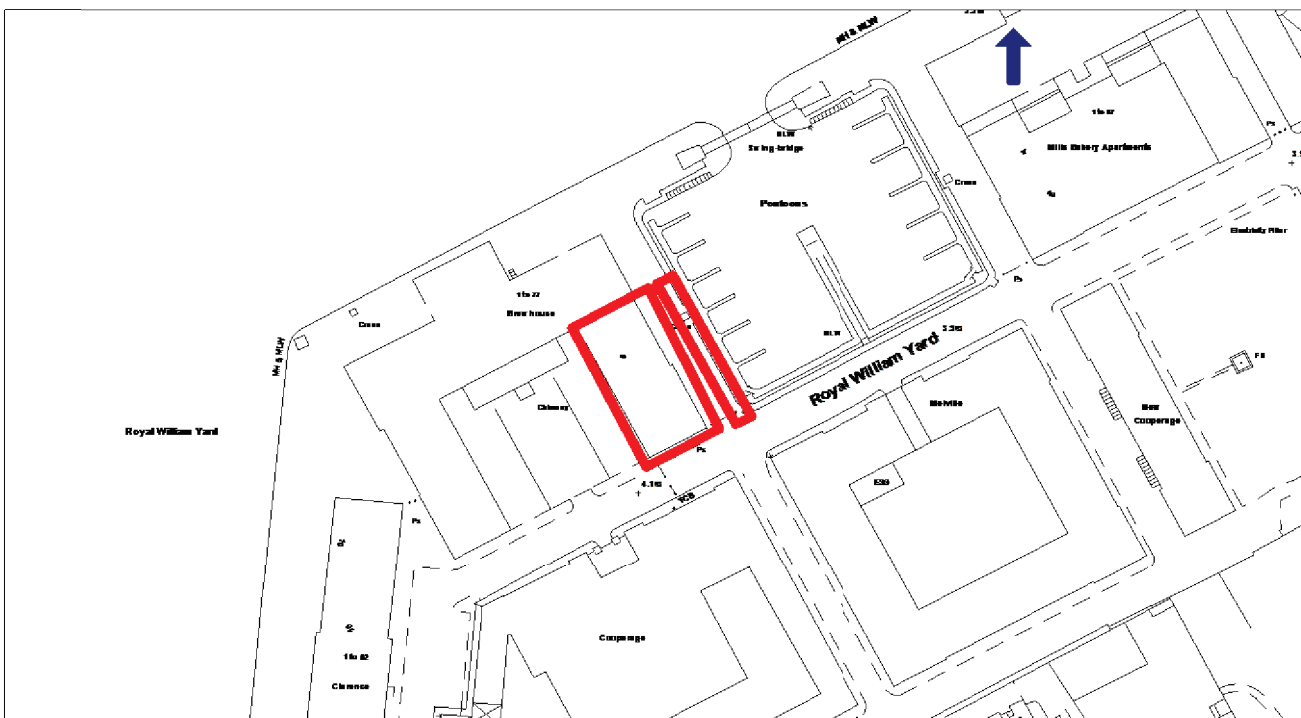


# PLANNING APPLICATION REPORT



**ITEM: 03**

<b>Application Number:</b>	12/02014/FUL
<b>Applicant:</b>	Urban Splash
<b>Description of Application:</b>	Change of use from exhibition/arts area to restaurant and café use (Use class A3)
<b>Type of Application:</b>	Full Application
<b>Site Address:</b>	UNITS 3-5 BREWHOUSE, 8 ROYAL WILLIAM YARD PLYMOUTH
<b>Ward:</b>	St Peter & The Waterfront
<b>Valid Date of Application:</b>	04/12/2012
<b>8/13 Week Date:</b>	<b>29/01/2013</b>
<b>Decision Category:</b>	Assistant Director of Development Referral
<b>Case Officer :</b>	Adam Williams
<b>Recommendation:</b>	Grant conditionally subject to S106 Obligation with delegated authority to the Assistant Director of Planning to refuse if the S106 obligation is not signed by 28th March 2013.
<b>Click for Application Documents:</b>	<a href="http://www.plymouth.gov.uk">www.plymouth.gov.uk</a>



**This application has been referred to Planning Committee by the Assistant Director of Planning because it raises some finely balanced policy issues**

### **Site Description**

The Brewhouse is part of the Royal William Yard, designed by Sir John Rennie, and constructed between 1825 and 1831. The Brewhouse was designed for brewing beer, as part of the victualing needs of the navy at the time. Beer rations were discontinued, however, and therefore it was never used for its intended purpose. The site is within the Durnford Street Conservation Area. The Brewhouse buildings are listed - Grade I.

Units 3-5 of the Brewhouse have had permission for the operation of an exhibition and arts area. It is understood an office has operated within unit 5 until relatively recently. Unit 2 adjacent to these units has had permission for A3 use and has been operating as a bakery until relatively recently.

### **Proposal Description**

Change of use from exhibition/arts area to form restaurant and café use (Use class A3)

### **Pre Application Enquiry**

None

### **Relevant Planning History**

02/01684 - Change of use, conversion and alterations to Clarence and Brewhouse buildings to form 133 residential units, change of use of parts of ground floor Brewhouse to exhibition/arts facility and to retail/hot food units (A1/A3) use of adjoining land for car parking. Permitted (includes condition 15 which requires the exhibition/arts area in Brewhouse – the subject of this current application to be primarily used for art and exhibition purposes)

02/01681 - Works of conversion and alterations to form a show flat in the North block, second floor. (LBC). Reported to last Committee. Minded to Grant Conditionally, defer for final negotiations, and referral to GOSW, del authority to Director of Development. Permitted

02/01682 - Works of conversion and alterations (associated with change of use of buildings to 130 residential units and use parts of ground floor Brewhouse to exhibition/arts facility and to retail/hot food units (A1/A3) use of adjoining land for car parking). Permitted

02/01683/FUL - Change of use, conversion and alterations to buildings to form 130 residential units, change of use of parts of the ground floor of the Brewhouse to an exhibition/arts facility and to retail/hot food units (Classes A1/A3). Permitted

12/01294/FUL - 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 - Withdrawn

## Consultation Responses

English Heritage – No objections to the application however comments were made about the loss of exhibition space and where these uses could go within the yard. It also notes potential further parking problems with the uses identified.

Public Protection Service – Despite objections to the previous application in terms of noise and odour disturbance there were no objections to this revised application. Only a condition was recommended to comply with the Council's code of practice.

Transport – Recommended refusal initially however their stance has been amended. (Details within the Transport section of this report)

Devon and Cornwall Police – No objection

Environment Agency – No objection

## Representations

8 Letters of Representation were received in objection to the change. The objections were surrounding the nature of the establishment which would occupy the unit (Las Iguanas) as this is believed to be a primarily drinking led chain and as such would impact on the residential apartments in terms of noise and anti-social behaviour. Other objections were surrounding parking and the likely increase in visitors.

## Analysis

1.1 This application turns upon Policy CS03, CS13, CS22, CS28 and CS34 of the Core Strategy 2006-2021, Policy MS01 of the Millbay and Stonehouse Area Action Plan and the National Planning Policy Framework. The primary planning considerations for this application are: impact upon neighbouring amenity; impact upon character of the conservation area and the Royal William Yard; and local transport considerations.

## 2. Strategic Vision and Policy

2.1 Whilst the Brewhouse is not mentioned directly in the Millbay and Stonehouse AAP, the desire for the Yard is for a diverse mix of uses. The Brewhouse currently is predominately made up of residential, A3 (Hot food Retail) and A1 (General Retail) uses, including an exhibition space (which is the subject of this change of use) and B1 office uses.

2.2 The Millbay and Stonehouse Area Action Plan 2006 – 2021 includes proposal MS01:-

### Proposal MS01 – Royal William Yard

*The sensitive restoration and reuse of the Royal William Yard will be completed as a vibrant part of the Stonehouse Peninsula. The final phases of the restoration should provide for uses, which ensure an authentically mixed-use development. The uses should combine the following: Retail, which is small scale to meet local needs and leisure or tourism related*

- Leisure
- Offices
- Craft workshops
- Other B1 use classes
- Community uses
- Public open space.

2.3 Proposal MS01 goes on to specify the nature of uses expected in the buildings which in 2007 had then to be occupied, and then comments of the general nature of developments expected in the Yard. Brewhouse had been converted to its approved uses by this time, and does not feature by name in this policy. Nevertheless, the uses listed in the extract quoted above are relevant to the current application.

2.4 It is relevant to note that a current planning application to change the use of part of the Factory Cooperage to community art studios, gallery space and workshops will, if granted planning permission, add further variety to the uses in the Yard. The creation of community and gallery space in this building would mitigate, in part, for the loss of exhibition space to the proposed A3 use, in the Brewhouse.

2.5 The original planning condition, which is the subject of change by virtue of this planning application, states "The café/bar and restaurant units on the ground floor of the Brewhouse building shall only be used for hot food retail (use class A3), or general retail (use class A1) and for no other purpose, and the exhibition space shall be primarily used for art and exhibition purposes." The applicants wish for this exhibition space to be used for A1/A3 use. These Brewhouse east wing units (to which the condition relates) have been periodically occupied by different temporary uses since 2003 on very short term agreements. The applicants wish for this to change in order to secure a long term tenant. The original master plan for the Yard planned for ground floor and waterside A1 and A3 commercial units to bring about an active waterside frontage.

2.6 Whilst it may be argued that the proposed change from exhibition space to café/restaurant is contrary to the mixed use intention for the yard, members are advised that the mixture of uses is evolving and changing, and officers consider that it would be inappropriate to refuse this proposed change of use, given the ongoing changes and developments.

2.7 The Government amended the Use Categories in DPM Circular 03/2005, its stated aim of which is: "to ensure that the scope of each class accurately reflects the impact on the environment of that class"

2.8 The circular recognises the very different impacts of A3 restaurant use compared to A4 bar use and provides guidance to Local Planning Authorities to assist in controlling uses to avoid adverse impact on local amenity and the environment. It recognises that where Conditions restricting changes of use are justified they should be so drafted so as to prohibit a change to a particular potentially unacceptable use or uses.

2.9 It notes that the new A3 class is designed specifically for restaurants and cafes and recognises that these may include an ancillary bar. Although some commenters have suggested a planning condition to ensure drinks are served only with a meal, it is in the opinion of officers that such a condition would not be enforceable and the conditions of use outlined within the Use Class Order should stand on their own. As such a condition is proposed to restrict the uses to A3 only.

### **3. Neighbouring Amenity**

3.1 There have been objections to the potential tenant (Las Iguanas) due to the understanding they are a primarily drinking led establishment and therefore under A4 use. This appears to be the case in some other cities (Milton Keynes for example). The

applicants have stressed that the proposed use would fall within Use Class A3 (café and restaurant use). References to Las Iguanas have been removed from this new planning application (planning application no 12/01683/FUL was withdrawn, but included information on the method of operation of the Las Iguanas company).

3.2 The consideration of the nature of the proposed use has to look at the predominant activity. A restaurant whose trade is primarily in-house dining but which has ancillary bar use will be in Class A3. Where the pub or bar activity is a minor component of the business and will not affect environmental amenity, it will be treated as ancillary to the primary (restaurant) use of the premises. An A4 class on the other hand relates to premises with a predominately drinking led offering with no restaurant component. The applicants have expressly requested permission for A3 use and as such considerations relate to the impacts of an A3 use and not towards the probability of an A4 use taking place.

3.3 With regards to noise and impact on residential amenity, an element of control can be introduced through the use of a condition to control business hours, in line with nearby uses such as River Cottage and Seco Lounge. Policy CS13 seeks to encourage evening and night time uses subject to cumulative impact considerations, in addition to ensuring the uses are complementary and in balance. The area currently does not have a concentration of A4 uses (Bars and Pubs) and as such the uses proposed will not exacerbate a problem with an increase in A4 use. Whilst the A3 use in particular is synonymous with the evening economy, which can be detrimental to impacts to neighbouring domestic uses, it is considered that the imposition of a planning condition controlling opening hours would be appropriate.

3.4 This application has no external seating proposals; the red line which defines the boundary of the application site surrounds the extent of units 3-5 within the Brewhouse and does not extend into the public realm outside of this building. As such there are no impacts to neighbouring amenity in this regard. If outdoor seating is proposed, then this would require a separate planning consent.

#### **4. Transport**

4.1 In terms of transport considerations, Members are drawn to attention to a resolution at the committee dated 20/9/12 which stated:

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

4.2 The transport assessment submitted with this application does not relate to an updated wider transport strategy for the Yard and this is a major weakness of the application. Whilst there is an existing TS in place which was produced by Mott McDonald several years ago, this document primarily focused on trips being made to and from the RWY in the peak traffic hours on the highway network (8-9am and 5-6pm) as a result of the TA that was produced. The reason for focussing on these hours was the assumption that in addition to residential uses, much of the floor space within the RWY would be taken up with B1 Office floor space which generates most of its' associated trips in the am and pm peak traffic hours. However it has become clear as the yard has moved forward that there is now a greater emphasis on leisure uses (and in particular restaurants including Prezzo, Seco, River Cottage etc) which has changed the arrival and departure profile for journeys being made to and

from the RWY, with more trips now occurring at lunchtimes, evenings and weekends. Consequently the sustainable transport alternatives (such as possible subsidised bus services) now need to focus on these times of the day hence the need for the original Mott McDonald TS to be updated.

4.3 In addition, no additional off-street car parking is proposed to serve the proposed use and it is intended that the associated parking demands would be met by the existing on-street car parking provision found within the RWY. It is accepted that the current use of the units in Brewhouse as an exhibition/arts area would have generated very few dedicated traffic movements and consequently very little demand for car parking as visitors to the former use are likely to have already been at the RWY for another purpose, with the most likely being visiting one of the restaurants.

4.4 However the proposed use would generate further demand for car parking at a time when it is most needed (lunchtimes and evenings) and therefore add to the car parking difficulties that are already experienced within the RWY. The trip generation data provided by the applicant seems to suggest that the proposed use could generate demand for as many as 40 spaces in the evening which seems reasonable considering that there would be a total of 186 seats internal.

4.5 It has also come to light that Urban Splash has administered a considerable number of permits/season tickets (270 in total for allocated and unallocated parking). Therefore whilst acknowledged as being unlikely, if all of these permits/season tickets were in use at the same time the number of visitor car parking spaces serving the RWY would total just 54.

4.6 Despite these apparent problems, surveys have been carried out recently on the parking situation and numerous site visits have been undertaken at different times of the day by the Highway Authority and generally the current parking provision meets current demand. It is also worth noting that a further 98 spaces are proposed within the courtyard area of the Factory Cooperage building, 48 of these spaces are required to serve the new units which are currently being occupied within New Cooperage. This effectively leaves 50 additional parking spaces. Negotiations are currently on going between Urban Splash and the Highways Authority on a revised and updated Transport Strategy for the Yard.

4.7 Whilst the Planning Committee resolved in September 2012 that future applications should be accompanied by a satisfactory Transport Statement (TS) (See para 4.2 above), and such a TS has not been submitted, your officers have explained with the applicant possible methods by which the highway and parking aspects of this development might be mitigated. An option which has emerged from these discussions is for the applicant to pay for alterations which are required to traffic regulation orders in the Stonehouse peninsula. This is a strategy which would allow the development to proceed, whilst addressing one of the impacts which this proposed use (and other similar new uses) have on the traffic and parking conditions in the streets which surround the Yard. On street car parking problems have become more acute in these streets in recent months, and your officers are sure that this is a consequence of the increasing popularity of the activities in the Yard. Members are therefore recommended to accept and require the applicant to pay for alterations to the Traffic Regulation Orders in existing streets through a S106 Obligation attached to the recommended planning permission for this development (the S106 legal implications are explored further in para 6.1 below). Members are also advised to continue to have regard to the resolution described in para 4.1 in considering future planning applications because it

will continue to be necessary to require appropriate Transport Statements on future cases. It will also be very important for the Transport Strategy which is currently being prepared, to be completed and implemented as a matter of urgency.

### **5. Other Considerations**

In terms of servicing and refuse collections proposals both Public Protection and the Local Authority Highways Department were consulted and neither had any objections with regards to these considerations.

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.

### **6. Section 106 Obligations**

6.1 Section 106 Obligations are required for alterations to traffic regulation orders within the Stonehouse Peninsula. The obligations are necessary for the development to be acceptable, are fair and reasonable, directly related to the development and regulation 122 compliant. The amount is estimated to be between £35,000 and £50,000, the exact amount will be reported in an addendum report prior to the date of committee.

### **Equalities & Diversities issues**

None

### **Conclusions**

Recommended for conditional approval subject to section 106 contributions with delegated authority to the Assistant Director of Planning to refuse if the S106 obligation is not signed by 28<sup>th</sup> March 2013.

### **Recommendation**

In respect of the application dated **04/12/2012** and the submitted drawings GA-001 PL2, GA-003 PL2, Design and Access Statement, Heritage Statement, Ventillation and Extraction Statement, Acoustic Submission, Refuse Procedures, Delivery Procedures, Community Consultation Statement, Transport Statement, it is recommended to: **Grant conditionally subject to S106 Obligation with delegated authority to the Assistant Director of Planning to refuse if the S106 obligation is not signed by 28th March 2013.**

### **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.

#### CONTROL OF NOISE

(2) 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 FROM KITCHEN EXTRACTION SYSTEMS

(3) 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

#### DELIVERIES AND REFUSE COLLECTION

(4) 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.

#### OPENING HOURS

(5) The use hereby permitted shall not be open to customers outside the following times: 9am until 00:00 hours Mondays to Saturdays inclusive and 9am until 22:00 hours on Sundays and Bank or Public Holiday with the exception of New Years Eve to which the hours permitted shall be 9am until 2am hours.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects, including noise and disturbance likely to be caused by persons arriving at and leaving



the premises, and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### NO AMPLIFIED MUSIC

(6) No amplified (live) music shall be played in the premises outside the following times: 6pm to 22:30pm hours Monday to Saturday inclusive and 10am to 10pm hours on Sundays and Bank or Public Holidays.

#### Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects, such as noise and vibration, and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

#### CONTROL OF USE

(7) The part of the building which is the subject of this planning permission shall be used for A3 restaurants and café purposes only (as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended)) Under no circumstances shall the premises be used as a Drinking Establishment, as defined in Use Class A4.

#### Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects, including noise and disturbance, and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### APPROVED PLANS

(8)The development hereby permitted shall be carried out in accordance with the following approved plans:(GA-001 PL2, GA-003 PL2, Design and Access Statement, Heritage Statement, Ventillation and Extraction Statement, Acoustic Submission, Refuse Procedures, Delivery Procedures, Community Consultation Statement, Transport Statement)

#### Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### CODE OF PRACTICE

(9) During development of the scheme approved by this planning permission, the developer shall comply with the relevant sections of the Public Protection Service, Code of Practice for Construction and Demolition Sites, with particular regards to the hours of working, crushing, piling and noisy operations, control of mud on roads and the control of dust.

#### Reason:

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

#### REFUSE STORAGE

(10) The development shall not be commenced until details of waste and recycling storage enclosures showing the design, location, external appearance and size 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.

#### WINDOWS

(11) Openable windows serving the customer seated areas must be closed and must remain closed during trading hours.

Reason:

To safeguard the amenity of the occupiers of adjoining properties and to comply with policy CS22 of Plymouth City Council's Local Development Framework.

#### INFORMATIVE - OUTSIDE SEATING

(1) This grant of planning permission must not be taken as planning consent to place tables and chairs outside of the premises. Planning permission may be required for this, and the intended occupier is strongly recommended to make a separate planning application to seek permission for this aspect or submit a lawful development certificate application to seek confirmation of the legal position.

#### INFORMATIVE: CONDITIONAL APPROVAL (NO NEGOTIATION)

(2) In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and proactive way and has imposed planning conditions to enable the grant of planning permission.

#### INFORMATIVE: CODE OF PRACTICE

(3) A copy of the Public Protection Service, Code of Practice for Construction and Demolition Sites is available on request from the Environmental Protection and Monitoring Team on 01752 304147

or from:

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

#### INFORMATIVE: WINDOWS

(4) Noise caused by patrons has the potential to negatively impinge on local residents in the reasonable use and enjoyment of their properties. Keeping windows and doors closed during trading hours will help to minimise the impact of this noise on residents and it is advisable to ensure that windows are not openable. This condition may adversely impact on the ventilation of restaurant areas which may require further mechanical ventilation or air conditioning.

#### **Statement of Reasons for Approval and Relevant Policies**

Having regard to the main planning considerations, which in this case are considered to be: impact upon neighbouring amenity and impact upon character of the conservation area and the Royal William Yard, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified

conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

- CS28 - Local Transport Consideration
- CS34 - Planning Application Consideration
- CS22 - Pollution
- CS13 - Evening/Night-time Economy Uses
- CS03 - Historic Environment
- MS01 - Royal Williams Yard
- NPPF - National Planning Policy Framework March 2012

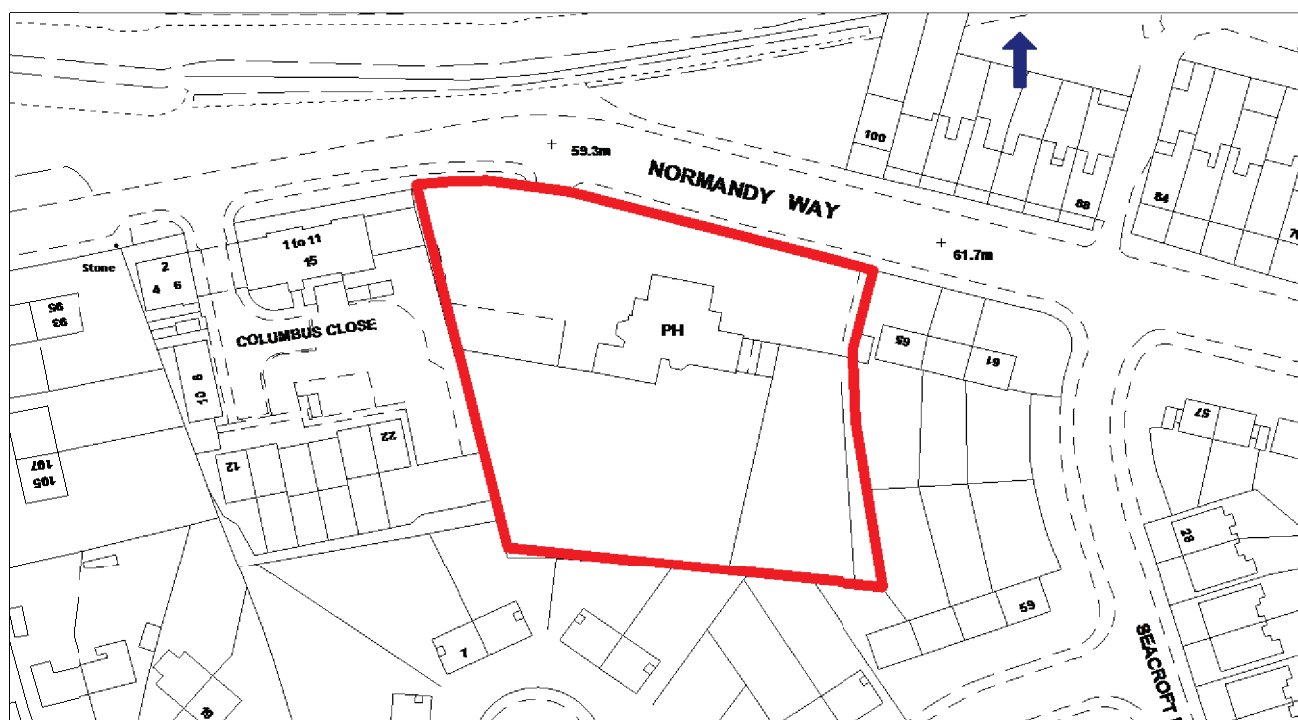
This page is intentionally left blank

# PLANNING APPLICATION REPORT



**ITEM: 04**

<b>Application Number:</b>	12/02000/FUL
<b>Applicant:</b>	Select Developments Ltd
<b>Description of Application:</b>	Re-develop site by erection of 22 new dwellings (16 houses and 6 flats) with associated access, parking and refuse storage (demolition of existing building)
<b>Type of Application:</b>	Full Application
<b>Site Address:</b>	THE CORNWALL GATE, 71 NORMANDY WAY PLYMOUTH
<b>Ward:</b>	St Budeaux
<b>Valid Date of Application:</b>	19/11/2012
<b>8/13 Week Date:</b>	<b>18/02/2013</b>
<b>Decision Category:</b>	Major - more than 5 Letters of Representation received
<b>Case Officer :</b>	Robert Heard
<b>Recommendation:</b>	Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 15 <sup>th</sup> February 2013.
<b>Click for Application Documents:</b>	<a href="http://www.plymouth.gov.uk">www.plymouth.gov.uk</a>



## Site Description

The site is located within the established residential area of St Budeaux, on the south side of a street called Normandy Way. There is an existing building on the site that has been derelict for a number of years now and was formerly the Cornwall Gate Public House.

The topography is varied and the land falls away fairly steeply in places from north to south, from the front of the site on Normandy Way towards the rear boundary of the site. The site occupies an area of 0.4 Hectares and has an existing vehicular access from Normandy Way. There are a number of protected trees on the site, mainly adjacent to its south and west boundaries. The surrounding area is characterized by residential development.

## Proposal Description

It is proposed to redevelop the site by erecting 22 new dwellings (16 houses and 6 flats) with associated access, parking and refuse storage. It is also proposed to demolish the existing Public House.

The proposed development creates a frontage to Normandy Way with 9 plots located along the northern boundary of the site, facing Normandy Way and either side of a new vehicular entrance to the site. A further 11 plots are positioned within the site, forming an L shaped terrace adjacent to the south and east boundaries of the site. The western boundary is characterised by mature trees and planting and this is retained with no development proposed along the western boundary.

Car parking and a turning area is proposed within the centre of the site, with further car parking in the north-west corner adjacent to the proposed terrace alongside the front of the site, which utilises the existing site access. The proposed development is mainly traditional 2 storey with some 3 storey units proposed along the northern boundary facing Normandy Way.

## Pre-Application Enquiry

MA/475/PRE – advice given with regards to the proposal for 22 new dwellings. Some issues raised regarding trees but advice generally positive.

## Relevant Planning History

None.

## Consultation Responses

### Highways Officer

Recommend approval subject to conditions.

### Public Protections Service

Recommend approval subject to conditions.

Police Architectural Liaison Officer

No objections

CAMRA

Response pending

**Representations**

Seven letter of representation received, objecting to the application on the following grounds:

1. Loss of habitat and species.
2. Loss of residential amenity to nearby property occupiers.
3. Not in keeping with design of existing houses in the area.
4. Loss of trees.

**Analysis**

As stated above, this application proposes a residential development containing 22 new dwellings (16 houses and 6 flats) with associated access, parking and refuse storage. It is also proposed to demolish the existing Public House.

Main Issues

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

Principle of Development and Density

The site is located within an established residential area and is not constrained by any restrictive planning policies. It does not lie within a Conservation Area although there are a number of protected trees on the site. The structure of the former Cornwall Gate pub still remains on the site but this has been vacant now for a number of years and is proposed to be demolished to enable the site to be redeveloped. It is considered that this proposal will ensure that a previously used but now redundant site is developed for a use that is compatible with the surrounding development, which is mainly residential.

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'*. The proposal is considered to achieve these requirements and the development would ensure that a

previously used but now redundant site is developed for a use that is compatible with the surrounding development, which is mainly residential.

Concerning issues of density, the broad brush reference to a density of 30 – 50 dwellings per hectare (dph) within PPS3 has been superseded by guidance within the National Planning Policy Framework (NPPF) which states that Local Planning Authorities (LPAs) should set out their own approach to housing density to reflect local circumstances. Strategic Objective 10.2 aims to promote the highest density compatible with the creation of an attractive living environment. Core Strategy policy CS01.2 states that development must be delivered at the appropriate type form, scale, mix and density in relation to its location relative to the neighbourhood's centre.

Proposed density levels at the site are consistent with the density levels in the immediate vicinity. Given the sustainable location of the site and the lack of demonstrable harm associated with the amount of development proposed the density is acceptable and in compliance with Strategic Objective 10.2 and Core Strategy policy CS01.2.

### Design and Layout

The NPPF attaches great importance to the design of the built environment. Core Strategy policy CS02 supports well designed developments to promote the image of the city through enhanced city and local gateway locations and key approach corridors. Policy CS34 refers to siting, layout, orientation, local context and character. New development proposals are required to take account of the existing context and the criteria referred to.

The area is defined by residential development that is mixed in character, with the majority of dwellings being terraced and semi detached. Whilst there is no prevailing style, the majority of dwellings in closest proximity to the site consist of post war housing that is unremarkable in terms of character and appearance. There is one exception to the surrounding context, where immediately to the west of the site exists a recently built redevelopment known as Columbus Close, which is an affordable housing site consisting of apartments. This is a 3 storey development that is modern in design and similar in layout to the development proposed within this application.

The proposed layout at the site has to a large extent been dictated by the location of the protected trees on the site and their root protection zones. The existing building line on the south side of Normandy Way, established by the existing properties adjacent to the east and west of the site, is respected with the proposed development presenting a street frontage onto Normandy Way with 11 plots being positioned at the front of the site overlooking the road. These include a central vehicular ground floor link through the proposed development into the site.

Within the site there are a further 11 properties arranged in an 'L' shape adjacent to the east and south boundaries of the site. The west boundary of the site is not proposed to be developed as this is where the area of protected trees is located. There are 2 main areas of parking proposed at the site, in the north-west corner



adjacent to Normandy Way where 13 car parking spaces are shown and within the central area of the site, where 18 car parking spaces are located.

The layout proposed is considered to be a positive response to the limitations of the site, which is constrained by the area of protected trees and the existing dwellings along the south and east boundaries of the site. The layout of the proposed development and orientation of the dwellings ensures that the established pattern of development along the south side of Normandy Way is respected and that a legible layout is created within the site, with all new dwellings either facing the street or the new communal courtyard and parking area, thus providing natural surveillance of all areas at the site that are not private. Devon and Cornwall Police's Police Architectural Liaison Officer has stated support for the development, and it is positive that there are no areas within the development where there is confusion about whether land is private or communal. 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.

Concerning issues of building design, the external appearance of the proposed development is relatively contemporary, similar to the recent Columbus Close development which occupies the neighbouring plot to the west of the site. The form of the proposed dwellings is mainly 2 storey with traditional pitched roofs and window arrangements. Whilst generally being of traditional form to reflect the existing surrounding development, an element of contemporary design is reflected in the provision of more modern canopy shelters for the front doors and simple window designs with some use of Juliet balconies that avoid the fussy detailing of past periods so that the development does not have too much of a pastiche feel to it.

The proposed dwellings are predominantly finished in render which is the dominant local material in this part of Plymouth, but some use of stone and minimal areas of timber cladding helps to break up the elevations and present an interesting façade to the development. The materials palette is respectful of the surrounding development whilst helping to introduce some minor contemporary features such as the Juliet balconies referred to above and generally the proposal is considered by officers to be in keeping with the character and identity of the context in which it sits.

The layout of the site and design of the proposed dwellings is considered acceptable. In summary, it is considered that the application will provide a positive addition to the streetscene and help to improve local visual amenity. It is therefore compliant with Policies CS01 (Development of Sustainable Linked Communities), CS02 (Design) and CS34 (Planning Application Consideration) 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 closest existing development to the site are the dwellings adjacent to the east of the site on Normandy Way and those to the south of the site on Loftus Gardens. Concerning the adjacent dwellings to the east on Normandy Way, the proposed dwellings are oriented so that they face in the same direction, ensuring that there is no direct amenity conflict with regards to overlooking. The separation distances in this part of the site are in accordance with the guidance contained within the Council's Adopted Development Guidelines SPD and there is thus it is considered by officers that there is no significant impact upon the dwellings to the east of the sites residential amenity standards.

There are properties to the south of the site on Loftus Gardens and Saltburn Road that share a boundary with the site. These will have a 'back to back' relationship with the proposed dwellings and the separation distances between them are in excess of the minimum separation distances outlined in the Council's Adopted Development Guidelines SPD, which is 21 metres. There is also mature planting along the southern boundary which will help to preserve existing properties residential amenities and ensure there is a good boundary screen.

The layout of the site has been arranged so that the relationships between the proposed dwellings within the site is considered acceptable and 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. With regards to residential amenity standards, all of the proposed dwellings have private amenity space that in terms of area is considered acceptable. Bin stores and cycle storage are also included within the development, in accordance with the guidance contained within the Development Guidelines SPD. The application is therefore considered to be in accordance with Policies CS02 and CS34 of the City of Plymouth Local Development Framework Core Strategy (2007) and the guidance contained within the Development Guidelines SPD.

### Highways Issues

Access to the site is proposed via a new entrance/exit point from Normandy Way, which provides vehicular access and pedestrian access into the site. The existing site access is proposed to be used to serve the parking area proposed in the north-west corner of the site. There are 2 main car parking areas within the site, the aforementioned area in the north-west corner and an area within the central part of the site. There is also some minimal curtilage parking.

The Council's Highways Officer has stated support for the proposal subject to conditions, stating that *'a parking provision of 1.6 off-street spaces per dwelling, on average, will be provided which complies with Policy requirements. The applicant also intends to provide cycle storage of 1 unit per dwelling, which should be controlled by way of a condition, should you be minded to grant in favour of the application.'*

*'The majority of the proposed dwellings will be served by way of an adoptable estate road. The exact details of this access can be agreed through the standard conditions but the principle is acceptable. An existing entrance into the former car park will be upgraded to provide access to a parking area for 11 spaces. I would suggest that the footway be reinstated to a vehicle crossover, thus giving pedestrians priority. The footway along the site*

*frontage should be resurfaced and tactile paving installed across the new bell mouth to provide enhanced provision for pedestrians.'*

### Trees

There is a group Tree Preservation Order (TPO) at the site along the western boundary. This is not proposed to be developed and the proposed dwellings are all outside of the root protection zone. A couple of trees outside of the group TPO within the central area of the site are proposed to be removed to accommodate the development. These trees are not considered as valuable as those within the protected area and officers are satisfied that the most important trees at the site are retained and protected from future development.

### 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.

### Affordable Housing

The application proposes 7 units to be provided as affordable housing at the site, equating to 30% of overall provision. This is in accordance with Policy CS15 (Overall Housing Provision) of the Core Strategy and is welcomed, as is the provision of 5 Lifetime Homes.

### 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.

In order to meet the requirement of Policy CS20 it is proposed to have Photovoltaic Panels installed on the roofs of the proposed dwellings. Photovoltaic Panels generate electricity from light and their energy source is therefore sunlight, meaning that they do not require fuel to operate and produce no air pollution or hazardous waste. The use of Photovoltaic Panels is adequate to meet the 15% energy saving and the application is therefore compliant with Policy CS20.

The applicants have submitted an Extended Phase I Habitat Survey Report. This has identified that the site is of low ecological value, there are no habitats of nature conservation importance at the site, no rare or protected plants, no evidence of badgers and very low chance of bats being present. The report has acknowledged that there is likely to be nesting birds in the trees covered by TPO but these are proposed to be retained by the proposal. Officers are in agreement with the findings of the report and stated that application is acceptable subject to a condition seeking details of biodiversity gain at the site. A condition is therefore attached requiring a Mitigation and Enhancement Strategy, which will ensure that the development achieves a net gain in biodiversity and is in accordance with Policy with Policy CS19 (Wildlife) of the Core Strategy.

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 £25, 250.
2. 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 £3, 300.
3. Local green space. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact on existing local green space, most specifically through the need for green space improvements. The estimated cost of mitigating this impact is £3, 530.
4. 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 £6, 855.
5. 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 £2, 255.
6. 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 £820, 000.

7. 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 £213.

8. 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.

9. Strategic public realm. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the City Centre's public realm. This is because there will be a greater level use of the City Centre which itself generates extra pressure on the existing infrastructure. The estimated cost of mitigating this impact is £662.

### 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. 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: £15, 450 to be allocated to the provision of additional school places within the vicinity of the application site.
- b. Playing pitches: £3, 650 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 Libraries: £1, 150 to be allocated towards the improvement of local library facilities.

d. Local green space: £1, 950 to be allocated to the provision of local green space in the area.

e. Childrens Play Space: £1, 100 towards the improvement of local play space.

f. European Marine Site: £105.00 to be allocated to appropriate management measures for the Tamar Estuaries as identified in the Tamar Estuaries Management Plan.

f. Strategic sports facilities: £2, 666 to be allocated to the delivery of priority strategic sports facilities as identified in the Sports Facilities Strategy.

g. Public Realm: £342.00 to be allocated to the delivery of priority City Centre public realm improvements as proposed in the City Centre & University Area Action Plan.

h. Strategic green space: £4, 290 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.

i. The provision of 8 Affordable Housing units.

The applicant's provision of 8 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 £30, 703.

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.

### **Conclusion**

This application will provide 22 new dwellings, including 8 affordable housing units and 5 Lifetime Homes. It is located within an established residential area and proposes a good standard of accommodation that will sit neatly within the existing streetscene, improving visual amenity and the character and appearance of the area.

Access and parking levels are acceptable and the development does not impact upon the residential amenities of any of the surrounding properties. The application is therefore recommended for approval subject to conditions and the completion of a Section 106 Agreement by the 15<sup>th</sup> February 2013, with delegated authority sought to refuse the application if the S106 is not signed by this date..

### **Recommendation**

In respect of the application dated **19/11/2012** and the submitted drawings 833.01, 833.02, 833.03 Rev A, 833.04 Rev A, 833.05 Rev A, 833.06, 833.07, 833.08, 833.09, 833.10, 833.11, 833.12, 833.13, 833.14, 833.15, 833.16, 833.17 and accompanying Design and Access Statement, Ecology Report, Energy Report and Contaminated Land 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 15th February 2013.**

### **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: 833.01, 833.02, 833.03 Rev A, 833.04 Rev A, 833.05 Rev A, 833.06, 833.07, 833.08, 833.09, 833.10, 833.11, 833.12, 833.13, 833.14, 833.15, 833.16, 833.17.

#### 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.

#### CONTAMINATED LAND

(3) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation shall not take place until sections 1 to 3 of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until section 4 of this condition has been complied with in relation to that contamination.

## Section 1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, shall 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'.

## Section 2. Submission of Remediation Scheme

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

## Section 3. Implementation of Approved Remediation Scheme

The approved remediation scheme shall 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 the replaced 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.

## Section 4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of section 1 of this



condition, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with section 3.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

**STREET DETAILS**

(4) No development shall take place 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

**ROAD ALIGNMENT AND DRAINAGE**

(5) Development shall not begin until details of the vertical alignment for the new street areas have been submitted to and approved in writing by the Local Planning Authority. No shall 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.

**COMPLETION OF ROADS AND FOOTWAYS**

(6) All roads and footways forming part of the development hereby permitted shall be completed in accordance with the details approved under condition XXX above before the first occupation of the penultimate dwelling.

Reason:

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

#### ACCESS

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

Reason:

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

#### DETAILS OF NEW JUNCTION

(8) No development shall take place 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.

#### PROVISION OF PARKING AREA

(9) 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.

#### PROVISION OF CYCLE STORAGE

(10) 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.

#### SURFACING OF FOOTWAY

(11) No dwelling hereby permitted shall be occupied until the proposed access and improvements to the existing highway, to include surfacing of the footway along the frontage of the site with vehicle crossing and tactile to bellmouth as required in accordance with plans to be submitted to and approved in writing have been completed.

Reason:

In the interests of highway and pedestrian safety.

#### CODE OF PRACTICE DURING CONSTRUCTION

(12) 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.

#### BIODIVERSITY

(13) An Ecological Mitigation and Enhancement Strategy shall be previously submitted to and agreed in writing with the Local Planning Authority prior to its use on site. The agreed details shall be strictly adhered to during the course of development and thereafter so retained.

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.

#### DETAILS OF BOUNDARY TREATMENT

(14) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before 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.

#### LIFETIME HOMES

(15) A minimum of 5 Lifetime Homes shall be provided on the application site. Full details of the Lifetime Homes showing how they meet all the criteria for Lifetime Homes shall be submitted to and approved in writing by the Local Planning Authority before work begins on the development hereby permitted.

Reason:

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

SUSTAINABLE RESOURCE USE

(16) Unless otherwise agreed previously in writing with the Local Planning Authority, prior to any development taking place, the applicant shall provide to the Local Planning Authority a report for approval identifying how a minimum of 15% of the carbon emissions for which the development is responsible will be off-set by on-site renewable energy production methods. 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 shall be provided in accordance with these details 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.

EXTERNAL MATERIALS

(17) 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.

LANDSCAPE DESIGN PROPOSALS

(18) No development shall take place until full details of both hard and soft landscape works and a programme for their implementation 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; planting plans including the location of all proposed plants their species, numbers, densities, type (i.e bare root/container grown or root balled, girth size and height (in accordance with the HTA National Plant specification), planting specification including topsoil depths, soiling operations, cultivation, soil ameliorants and all works of ground preparation, and plant specification including handling, planting, seeding, turfing, mulching and plant protection.

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

(19) Soft landscape works shall include planting plans including the location of all proposed plants their species, numbers, densities, type (i.e bare root/container

grown or root balled, girth size and height (in accordance with the HTA National Plant specification), planting specification including topsoil depths, soiling operations, cultivation, soil ameliorants and all works of ground preparation, and plant specification including handling, planting, seeding, turfing, mulching and plant protection.

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

(20) 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.

#### PROVISION OF DRAINAGE WORKS

(21) No development shall take place until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that satisfactory infrastructure works are provided in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### SURFACE WATER DISPOSAL

(22) No development shall take place until details of the proposals for the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the building hereby permitted is first [brought into use][occupied].

Reason:

To enable consideration to be given to any effects of changes in the drainage regime on landscape features in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### EXISTING TREE/HEDGEROWS TO BE RETAINED/PROTECTED

(23) In this condition "retained tree or hedgerow" means an existing tree or hedgerow which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the commencement of development.

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

(b) If any retained tree or hedgerow is removed, uprooted or destroyed or dies, or pruned in breach of (a) above in a manner which, in the opinion of the Local Planning Authority, leaves it in such a poor condition that it is unlikely to recover and/or attain its previous amenity value, another tree or hedgerow shall be planted at the same place and that tree or hedgerow shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) The erection of barriers and ground protection for any retained tree or hedgerow shall be undertaken in accordance with Section 6.2 of BS 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations) before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason:

To ensure that trees or hedgerows retained in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 are protected during construction work and thereafter are properly maintained, if necessary by replacement.

#### ARBORICULTURAL METHOD STATEMENT

(24) No development shall take place until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall detail how trees are to be protected during construction. It shall include measures for protection in the form of barriers to provide a 'construction exclusion zone' and ground protection in accordance with Section 6.1 of BS: 5837:2012 Trees in relation to Design, Demolition and Construction - Recommendations. The measures contained in the approved statement shall be fully implemented and shall remain in place until construction work has ceased.

Reason:

To ensure that the trees on site are protected during construction work in accordance with Policy CS18 of the Plymouth Local Development Framework Core Strategy (2006-2021) 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: PUBLICLY MAINTAINED HIGHWAY

(2) This planning permission does not authorise the applicant to carry out works

within the publicly maintained highway. 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 and an appropriate Permit must be obtained before works commence.

## INFORMATIVE:CONDITIONAL APPROVAL: WITH NEGOTIATION

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant including pre-application discussions and has negotiated amendments to the application to enable the grant of planning permission.

### **Statement of Reasons for Approval and Relevant Policies**

Having regard to the main planning considerations, which in this case are considered to be the principle of development, the impact upon protected trees at the site, highway safety, neighbours residential amenities and 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
- CS01 - Sustainable Linked Communities
- CS02 - Design
- CS15 - Housing Provision
- NPPF - National Planning Policy Framework March 2012

This page is intentionally left blank

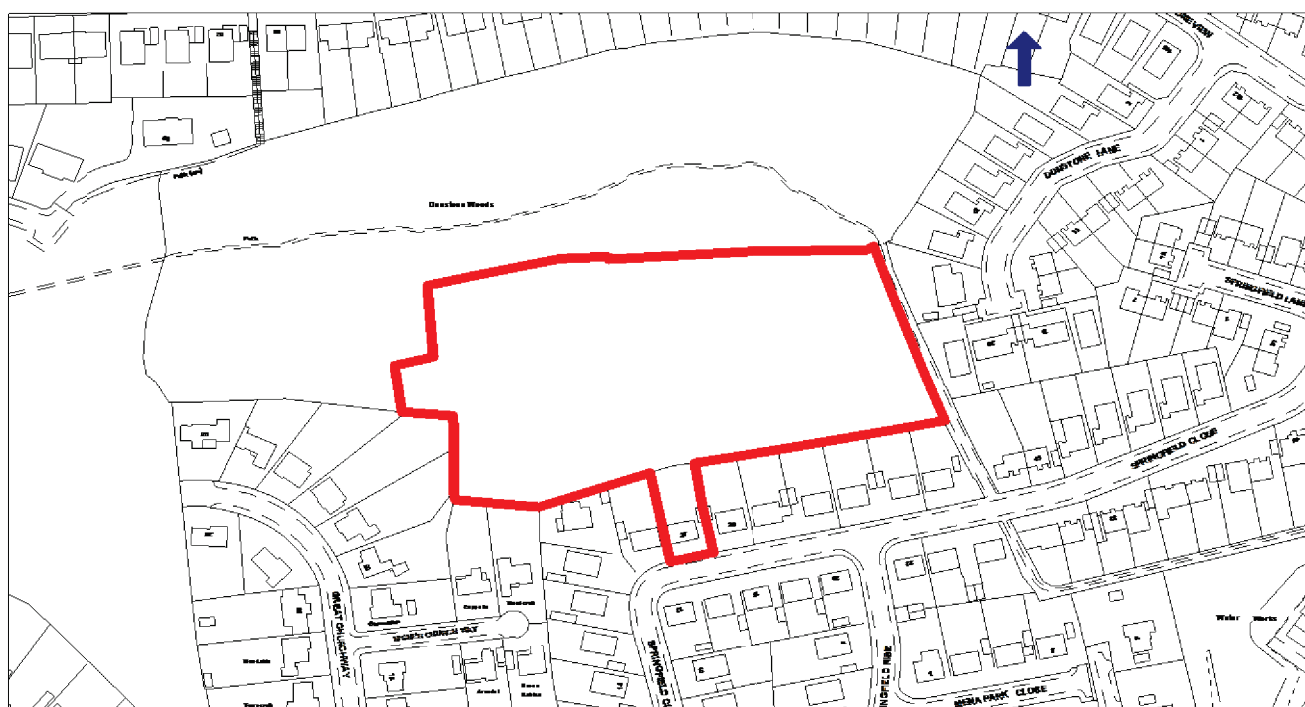


# PLANNING APPLICATION REPORT



**ITEM: 05**

<b>Application Number:</b>	12/02082/FUL
<b>Applicant:</b>	Senate Properties (SW) Ltd
<b>Description of Application:</b>	Erection of 16 detached dwellings with new access from Springfield Close, associated access road and public open space (Demolition of 27 Springfield Close)
<b>Type of Application:</b>	Full Application
<b>Site Address:</b>	27 SPRINGFIELD CLOSE, AND LAND TO REAR PLYMOUTH
<b>Ward:</b>	Plymstock Dunstone
<b>Valid Date of Application:</b>	30/11/2012
<b>8/13 Week Date:</b>	<b>01/03/2013</b>
<b>Decision Category:</b>	Major - more than 5 Letters of Representation received
<b>Case Officer :</b>	Robert Heard
<b>Recommendation:</b>	Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 26 <sup>th</sup> February 2013.
<b>Click for Application Documents:</b>	<a href="http://www.plymouth.gov.uk">www.plymouth.gov.uk</a>



## **Site Description**

The site is located within the residential suburb of Plymstock, in the east of the city, immediately to the south of Dunstone Woods. It is currently an open grassed field that is surrounded by heavy woodland to the north, residential development to the east and south and further woodland and an area of public open space to the west. It has previously been used for horse and donkey grazing. The site contains one residential dwelling, no. 27 Springfield Close

The site measures 1.22 hectares in area and the majority of it is rectangular in shape, measuring 150 metres from east to west and 80 metres from north to south. The site is relatively flat although there is a slight fall across the site from east to west and an even slighter fall from north to south.

A public path runs adjacent to the east of the site, providing access from Springfield Close to the south east corner of Dunstone Wood. The boundaries of the site are defined by a post and wire fence entwined with dense brambles and undergrowth.

## **Proposal Description**

This application proposes to develop the site for a residential development of 16 detached dwellings with private garages, including associated access road, landscaping and public open space. It is also proposed to demolish no. 27 Springfield Close.

The dwellings proposed can be described as 'executive housing' with large plots and generous gardens, all with private garages and off street parking. The application proposes twelve 4 bed houses and four 5 bed houses. All of the proposed dwellings are detached and either 2 or 2.5 (accommodation in roof space) storeys in height.

The application proposes that the site is accessed from Springfield Close, with a new access road created to serve the development through the plot of the existing number 27 Springfield Close, which is proposed to be demolished. The new access road is in the form of a cul de sac and contains two standard T junctions at both the east and west ends of the site.

It is proposed to create an area of public open space in the north of the site which will act as a buffer to Dunstone Wood. This is described as an 'ecotone' biodiversity area and will be a total of 3522 metres squared in size, along the northern site boundary between the proposed residential development and Dunstone Wood. It would create a buffer zone between the proposed development and Dunstone Wood and maintain suitable habitat for a range of flora and fauna in the long-term. It is proposed to contain a number of habitats, including 881metres squared of wildflower meadow and native planting of an area of 1307.8m<sup>2</sup> with 20% hazel, 25% hawthorn, 30% beech, 5% holly, 10% blackthorn, 5% goat willow and 5% elder. This area also contains proposed footpath links from Springfield Close into Dunstone Wood and additional tree planting.

## **Pre-Application Enquiry**

MA/262/PRE – Pre-application enquiry made under Development Enquiry Service for 40 dwellings. Discussion over principle of development and density of proposed development.

## Relevant Planning History

12/00811/FUL - 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). WITHDRAWN.

11/02028/FUL - Erection of 24 dwellings with new access from Springfield Close and associated access road, car parking and public open space. Demolition of 27 Springfield Close. WITHDRAWN.

## Consultation Responses

### Highways Officer

No objection subject to conditions.

### Public Protection Service

No objection subject to conditions.

### Police Architectural Liaison Officer

No objections.

## Representations

97 letters of representation received, all in objection to the application. Below is a summary of the reasons raised:

### 1) Detrimental to the natural habitat of the woods

Concern about the effect of the proposed development on wildlife, flora and fauna in the area. The field is over flown by bats on a frequent basis which is affected by light and noise. The field forms a substantial and effective buffer for Dunstone Wood and is designated Green Open Space. It provides good habitat for small mammals that are predated by Tawny Owls that live in the wood. For the last 6 months, a pair of Kestrels has been regularly feeding in the field. A healthy Slow Worm population can also be found, along with dozens of ant nests. Green Woodpeckers can be seen feeding on the ants. As the field has not been grazed for at least 15 years, it has evolved into a wild meadow that is rich in plant and insect species. Bats are also in abundance and can be observed regularly feeding over the field, boundary hedges and woodland edge. They also roost within the wood which itself supports a significant population of birds and squirrels. Any development of the field would have a disastrous effect on the ecology and wildlife of Dunstone Wood, not only from loss of habitat and disturbance by human encroachment, but by the huge amount of light pollution from the street lighting of such a scheme.

### 2) Loss of Green Space.

The proposal to provide a small area of 'green space' would in no way alleviate the ecological damage caused by the proposed development, (even if it were to be eventually undertaken by the developer) as it would not replace the scale of natural grassland which has developed over decades. It seems imprudent to approve a development, which will, amongst other things, irreparably harm an area recognised by the Local Authority as valuable green open space in this area, and which may not

even be completed. The site is a Greenfield site and therefore development contravenes planning policy. Local Plans have previously proposed to retain this space.

### 3) Traffic

The amount of extra traffic using the roads in the area. With the national average of 2.2 cars per house this will mean that there will be approximately another 40 cars using the existing road network in the area which is already used as a rat run for some motorists in a built up area, where people already park on the pavement. The traffic generation associated with the development would cause danger to the local highway network and the proposed access to the site is too close to the bend on Springfield Close.

### 4) Demolition of 27 Springfield Close

The integrity of the Architect's plans for Springfield Close would be violated by removal of this property.

### 5) Loss of privacy

Ten of the proposed houses will be three storeys in height with a 10 metre height to the roof ridge This will result in a loss of privacy.

### 6) No affordable houses planned

The development does not include and affordable housing.

### 7) Residential Amenity

The houses on Springfield Close will be overlooked.

## **Analysis**

As stated above, this application proposes to develop the site for a residential development of 16 detached dwellings with private garages, including associated access road, landscaping and public open space. It is considered that the main issues in the determination of this application are: the principle of the proposed development; the impact that it will have on the character and appearance of the area; impact upon nearby properties residential amenities; and impact upon the surrounding highway network. These issues will now be addressed in turn:

### Principle of Development and Ecology

The site presently comprises of an overgrown field of semi-improved grassland and a residential dwelling (27 Springfield Close). The site was ploughed in January 2012 and a large proportion of the field contains furrows and ridges and is dominated by a range of scrub species including bramble, nettle, broadleaved dock, bracken and hedge bindweed. The dense scrub has resulted in the site being impenetrable in places.

With regards to planning policy history, the superseded 1996 Adopted Local Plan First Alteration identified this site as Urban Open Land (Policy AEVI), and on which development would be granted but only where the proposal does not conflict with the open character and function of the area and is required to be within such an area.

The site was again considered as part of the 2001 First Deposit Local Plan in which it was identified as a Greenspace site under Policy 69. The consultations including Community Planning Studies leading up to the publication of the First Deposit Local Plan resulted in numerous objections to a land owner proposal to develop this site. It was subsequently decided not to proceed with the local plan format, in favour of the then newly introduced Local Development Framework.

This led to further consultation events in preparation for the Sustainable Neighbourhoods Development Plan Document, leading to the receipt of 15 objections lodged against development of this site. Work on the Sustainable Neighbourhoods DPD will now form part of the evidence base of the Plymouth Plan which is in the course of preparation.

Although the potential use of this site has been discussed for a number of years, it has not been formally tested by receipt of a formal planning application. The value of the site as a greenspace is considered in this section and the paragraphs to follow.

With regards to the issue of greenspace, the Elburton and Dunstone Sustainable Neighbourhood Assessment shows the site as a greenspace but it is not identified as being publicly accessible as it is in private ownership.

Whilst the Green Space Schedule (GSS) [2011] identifies the site as not being publicly accessible, it recognizes that it performs functions of visual amenity and as a separation/buffer. The site is also recognized as a biodiversity network feature. The GSS is an update on the Greenspace Assessment which incorporates data collected for the Greenspace Strategy, Playing Pitch Strategy and Green Infrastructure Plan. Concerning planning policy, Policy CS18 (Plymouths Green Space) of the City of Plymouth Local Development Framework Core Strategy (2007) seeks to protect such areas and states that *'Development on or adjacent to a Greenspace Area will not be permitted where it would result in unacceptable conflict with the function(s) or characteristics of that area'* and that development proposals will be required to *'improve the quality and quantity of accessible green space, where appropriate'*.

Greenspace areas can perform a number of functions and within the Greenspace Schedule are recognised for having value in the following eight areas; 1 Informal recreation; 2 Sport and Formal Recreation; 3 Habitats and Species; 4 Visual Amenity; 5 Separation Buffer; 6 Access Corridors; 7 Historical/Cultural and 8 Countryside/Food Growing.

These 8 functions are evaluated and given a scale of importance to determine their value. The scale of importance ranges from Neighbourhood to International Value and the full scale is as follows:

Neighbourhood (least value)  
District  
City  
Regional  
National  
International (highest value)

Within the Greenspace Schedule the site is confirmed as being of District value for both its recognized functions as a separation buffer and for visual amenity.

The key issue to consider in relation to greenspace is therefore the impact that the development will have on these functions. The proposal includes within the site an area of open, publicly accessible greenspace that provides a separation buffer between the proposed development and Dunstone Wood. The site's value as a separation buffer at District level, in officer's opinion, is therefore retained within the proposal, as a buffer between the development and the woods is provided in the form of an Ecotone Zone, a publicly accessible greenspace with enhanced landscaping and planting.

Whilst the site is also considered to have District value for visual amenity, it is not considered to be an important part of the landscape and does not occupy a prominent position, being hidden from the surrounding areas by existing residential development and Dunstone Wood. Its value with regards to visual amenity is therefore considered to be particularly low. It is considered that the site's value as an area of visual amenity will be enhanced by the proposed development as the area of 'Ecotone' will improve the site with additional planting and landscaping and provide formal access into the surrounding areas of greenspace. The landform, hedgerows and nature of the proposals mean that new housing within the site will be readily assimilated into the landscape and visual context without detriment to the landscape character.

The site is valued at Neighbourhood level for habitats and species and is also part of the local biodiversity network. The application is accompanied by an Ecology Report incorporating a Phase I Habitat Survey, Reptile Surveys and Bat Surveys. An Ecological Enhancement and Mitigation Strategy has also been submitted. The information submitted by the applicant has revealed that the site is of low ecological value and this has been confirmed by officers. The application is considered to enhance ecology at the site through implementation of the applicants Ecological Mitigation and Enhancement Strategy. Officers consider that the proposed development maintains and improves the sites value for habitats and species and ensures that its biodiversity features are also enhanced.

With regards specifically to Ecology, the following reports have been submitted in support of the application:

- Ecological Report - incorporating Phase I Habitat Survey [Aug 2012], Reptile Surveys [Sept 2012] and Bat Surveys [July-Sept 2012]
- Ecological Mitigation and Enhancement Strategy [Oct 2012]

The habitats within the site are considered to be of low ecological value.

Five species of bat were recorded foraging within, and commuting through the site indicating that although not roosting within the site, bats are using the site. However, suitable foraging and roosting habitat is present immediately adjacent to the site and the value of the site to bats is therefore considered to be of moderate importance.

Maximum counts of 31 slow worms have been recorded within the site. This is considered to be a significant population and the site is considered to be of moderate value for slow worms. The linear features, particularly the overgrown hedgerow and areas of scrub vegetation are likely to be used by foraging and nesting birds.

The measures proposed within the applicants Ecological Mitigation and Enhancement to mitigate and enhance biodiversity features at the site are as follows:

### Bat roosts

- Five bat access tiles located on all aspects of the development, adjacent to Dunstone Wood and the eastern boundary hedgerow.
- Two access points into cavities on the dwellings within the north-eastern and north-western areas.
- Three combined bat and swift boxes – Schwegler IMF, within the north-eastern and north-western areas
- Ten wooden wedge-shaped bat boxes on mature trees within Dunstone Wood.
- Ten Schwegler woodcrete bat boxes on mature trees within Dunstone Wood

### Bird nesting

- Three combined bat and swift boxes – Schwegler IMF within the north-eastern and north-western areas
- Three Ibstock Swift boxes facing suitable habitat along the northern site boundary.
- Two House Sparrow Schwegler GmbH Type 24 boxes facing the existing linear features and new 'ecotone' meadow
- Five wooden robin boxes within Dunstone Wood
- Ten wooden blue tit boxes within Dunstone Wood

### Reptiles

- Reptiles will be removed from the site and working areas to areas of suitable habitat outside the site, i.e. the linear site boundaries and Dunstone Wood. The higher value green space will be created [3522m<sup>2</sup>] and will provide suitable habitat for slow worms in the long-term.

### Habitats

- The creation of a native Devon hedgebank 161m in length along the northern boundary of the residential development.
- The creation of a 'ecotone' biodiversity area, 3522m<sup>2</sup> in area, along the northern site boundary between the residential development and Dunstone Wood. This will create a large buffer zone and maintain suitable habitat for a range of flora and fauna in the long-term. Habitats within this area will include a 881m<sup>2</sup> area of wildflower meadow and native planting of an area of

1307.8m<sup>2</sup> with 20% hazel, 25% hawthorn, 30% beech, 5% holly, 10% blackthorn, 5% goat willow and 5% elder.

- Management and maintenance of the hazel and blackthorn hedgerow forming the eastern site boundary. This hedgerow is currently unmanaged. Management such as undertaking hedge-laying would increase the biodiversity value of this feature for a range of flora and fauna.
- Native tree and shrub planting – in addition to those within the ecotone, native trees will also be used for landscape planting within the built development. The following will be planted in the open spaces; 2 beech, 2 silver birch and 3 oak trees, and the following will be planted in the internal street/domestic gardens; 6 silver birch, 6 rowan and 7 bird cherry trees.
- Crown lifting of trees that grow along the southern margin of Dunstone Wood, to enable a more effective 'ecotone' to be established.

Whilst 1.1ha of low quality grassland will be lost, the above ecological enhancement measures are, in officers' opinions, sufficient to ensure that protected species at the site are being safeguarded and net biodiversity gain is being provided in line with policy CS19 (Wildlife) of the Core Strategy and the NPPF paragraph 109 which states that the planning system should 'contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible...'. NPPF paragraph 118 also states that when determining applications, local planning authorities should encourage opportunities to incorporate biodiversity in and around developments.

### Summary

The development is considered to improve the functionality of the existing green space, through the provision of a reduced but publicly accessible greenspace with enhanced landscaping and biodiversity features. The ecological enhancements proposed and provision of formal access and public open space linking with the adjacent woodland and greenspace ensure adequate mitigation for the loss of a site that is of low value for habitats and species and not publicly accessible. The proposed development is therefore considered to be in accordance with policies CS18 (Plymouths Green Space) and CS19 (Wildlife) of the Core Strategy and with NPPF paragraph 14 which states a 'presumption in favour of sustainable development'.

### Impact upon the character and appearance of the area and visual amenity

Policy CS34 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) refers to siting, layout, orientation, local context and character. New development proposals are required to take account of the existing context and the criteria referred to. The form and use of existing development in the area is fairly consistent, the area is characterised by residential development mainly comprising of semi-detached and detached properties, on fairly large, generously proportioned plots.

Concerning issues of density and dwelling numbers, the density ratio at the site is 13dph when considering the whole site and 19 dph when considering just the developed area (not including the area proposed as public open space).

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 proposed density level at the site is consistent with the surrounding area, which is characterised by detached and semi detached lower than average density housing. This is considered acceptable, the site is on the fringes of the city and lower density housing with larger plots is most appropriate in these suburban, out of town locations.

Concerning the location of the site and context, the site is located on relatively high ground between existing dwellings and a densely planted Wood. Owing to the wood and built up nature of the context immediately to the east and south of the site, it is not prominent from the areas that are closest and is also well hidden from surrounding areas of the city.

With regards to layout generally, the proposal is reflective of the existing built form in the area by providing detached dwellings in an area that is characterised by semi detached and detached family dwellings with large curtilages. Entrance to the site is formed to the South to link with Springfield Close and is facilitated by the demolition of no. 27 Springfield Close. This allows for the construction of a 5.5m wide estate road flanked either side by a 1.8m wide pavement and grass verges.

Upon entry into the site, the new access road then splits to form two standard T junctions at both the east and west ends of the site with properties built on either side, creating a cul-de-sac with no access through the site. The dwellings provide surveillance of the road to improve security for future residents. The plot sizes are consistent with the existing development in the area and the site layout respects the established pattern of development in this part of Plymstock.

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 adjacent to the east, south and west boundaries of the site back onto the rear gardens of existing dwelling on Springfield Close, Higher and Great Churchway and Dunstone Lane. The dwellings that back onto the new area of 'Ecotone' public open space are double fronted and their rear elevations have been designed to maximise overlooking of the new open space adjacent to Dunstone Wood. This has been achieved by incorporating large areas of glazing and feature balconies on their rear elevation, with low hedging in the form of a Devon Bank used to define their rear boundaries. This ensures the provision of a safe and secure environment, with natural surveillance of all public areas within the site, 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 a clear and defined pedestrian link through the site to the areas of greenspace to the north of the site. The proposal therefore provides improved access to the existing network of local greensapce and a clear pedestrian route that links into the existing network of public footpaths in the adjacent areas of woodland and open space.

It is considered that the layout has achieved an acceptable balance between providing a good quality residential development of executive homes whilst ensuring expansion and improvements to accessible local greenspace.

With regards to massing, design and external appearance, the whole site follows the same design form and the different dwelling types contain some very similar features that ensure that the scheme has balance and a considered design approach, through subtle repetition of features and materials. The different house types proposed provide variation to the streetscenes and have a modern approach to their external aesthetics that the architect has described as 'contemporary executive eco' within the Design and Access Statement. The form, scale and design of the external envelope to the houses is considered complimentary to the surrounding area and form an individual and appealing contemporary design to what will be an executive development of luxury homes.

In summary, it is your Officers' 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 proposed development provides a high quality contemporary housing scheme that in terms of scale, massing and design is sensitive to the character and appearance of the existing surrounding development, making a positive contribution to local visual amenity. The layout and design of the development is therefore considered acceptable and in accordance with Core Strategy policy CS02, CS34 and part 4 of 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.

The layout of the site has been arranged in order to minimise impact on the surrounding properties. The properties that are closest to the site, located on Springfield Close, Great and Higher Churchway and Dunstne Lane have 'back to back' relationships with the proposed dwellings adjacent to the east, south and west boundaries of the site. The separation distance between the existing dwellings referred to and the proposed dwellings is in excess of the 21 metres separation distance quoted in the Development Guidelines SPD as being the minimum acceptable distance. In fact most of the dwellings surrounding the site are a minimum of 24 metres from the closest point of the nearest proposed dwelling. The topography at the site, being fairly level, does not present any additional residential amenity issues.

The layout of the site has been arranged so that the relationship between the proposed dwellings within the site is acceptable. In summary, it is considered that there will be no significant residential amenity conflict created between the existing dwellings and proposed development and the application is therefore considered compliant with Policies CS14 and CS34 of the City of Plymouth Local Development Framework Core Strategy (2007).

## Highways Issues

The application proposes that the site is accessed from Springfield Close, with a new access road created to serve the development through the plot of the existing number 27 Springfield Close, which is proposed to be demolished. The new access road is in the form of a cul de sac and contains two standard T junctions at both the east and west ends of the site.

The proposed new access and road off Springfield Close would take the form of a 5.5m wide estate road (which is of a similar width to Springfield Close) and would comfortably accommodate two-way vehicle movements. The access road would have a 1.8m wide footway either side, with soft landscaped margins of shrubs and trees along the back. There would be a standard 'T' junction at either end of the access road, which would provide satisfactory visibility sight lines as indicated in Section 5.3, 'Access Arrangements' of the applicants 'Transport Statement'.

The application indicates that including garages there would be 66 private parking spaces serving the new development, four spaces per dwelling including the private garages. This would be quite a high car parking provision that should be more than adequate to meet the parking demands of the four and five bedroom dwellings, and is in accordance with current national guidance.

The Council's Highways Officer has been consulted and provided comments, stating support for the application subject to conditions and confirming that *'Overall the proposed standard street design and configuration of the development should provide a practical and satisfactory access, road layout, parking provision, and improved public access to Dunstone Woods. The local road network is generally of a satisfactory and safe standard and has sufficient capacity to accommodate the relatively low level of expected additional traffic movements likely to be generated by the proposed 16 family dwellings.*

*In coming to a view Transport has been mindful of the advice contained within our adopted policy guidance, and the National Planning Policy Framework; (March 2012); in particular the national advice of a 'Presumption in favour of sustainable development', and also that 'Development should only be refused on Transport grounds where the residual cumulative impacts of development are severe'. In this case the transport and highway matters and impacts may only be considered as satisfactory.'*

## 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.

In order to meet the requirement of Policy CS20 it is proposed to have Photovoltaic Panels installed on the roofs of the proposed dwellings. These will be almost flush with the roofline and will only have a minimal visual impact. Photovoltaic Panels generate electricity from light and their energy source is therefore sunlight, meaning that they do not require fuel to operate and produce no air pollution or hazardous waste. The use of Photovoltaic Panels is more than adequate to meet the 15% energy saving and the application is therefore compliant with Policy CS20.

## Affordable Housing

The proposed development will provide 16 large, luxury, family homes in a high value area of the City. The applicant has submitted a viability report for consideration. Discussions with the applicants and relevant officers in the planning department have concluded that the scheme cannot deliver on site affordable housing.

Whilst it is preferable that affordable housing is provided on site, discussions with Registered Social Landlords (RSL) have revealed that based on the size of the proposed units and location of the development site (which must be considered when determining the affordable rent) the rental per week would be too high for any RSL to provide the dwellings for social rent. With regards to shared ownership units, too large a deposit would be required for any of the units to be made available for shared equity (the deposit would be similar to that required to purchase homes for sale on the open market) due to the high value of the location and the type of housing proposed.

In accordance with the Council's Planning Obligations and Affordable Housing SPD, which confirms that where affordable housing cannot be delivered on site a commuted sum will be provided by the developer to fund affordable housing on another site within the city, a commuted sum of £270,000 was agreed with the applicants following consideration of the viability information that was submitted.

It was considered appropriate to seek a commuted sum for off site provision of affordable housing due to the density and layout of the scheme being dictated by other factors affecting the sites development, and not due to contrived avoidance by the developer. The external factors such as the need to provide accessible greenspace and ecology enhancements at the site have resulted in a scheme where it would not be feasible to provide on site affordable housing. It was agreed by all parties that a sum of £270,000 would be acceptable as a sum payable to the City in lieu of affordable housing delivery on site.

All of the dwellings are large enough to be adapted to Lifetime Homes and a condition is therefore attached seeking details of which dwellings will be adapted to Lifetime Homes standards.

## Human Rights

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.

## **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

£196,663 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.

### **Section 106 Obligations**

A planning obligation is required to mitigate the impacts of the proposal. The developers have asked for the development to be considered under Market Recovery and thus agree to the restrictions regarding making a substantial start on the development within 2 years of the date of any planning permission granted. A viability report has been submitted and reductions have been applied in accordance with the market recovery plan and conclusions of the applicant's viability report, which has been verified by officers. Impacts will arise in the following areas:

#### Local Infrastructure

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 likely to be a deficiency of school places in the locality from 2012 given projected population growth. The development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £23,990.

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 £3, 500.

Children's 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 £4,854.

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 £10, 304.

#### Strategic Infrastructure

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 £357.

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 £8,666.

Strategic transport. By reason of the increased population facilitated by the development and the increased demand for journeys, it will contribute to the cumulative impact of development on the city's strategic transport infrastructure. This will bring the likelihood of increased congestion and pollution unless there is adequate mitigation. The estimated cost of mitigating this impact is £39,173.

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 £1,100.

### Negotiated Element

Contribution of £17, 500.00 for ongoing maintenance of 'ecotone' areas shown on submitted plans, payable prior to occupation of the development.

Contribution of £16, 900.00 towards improvements to Dunstone Woods and adjacent area of greenspace.

### Affordable Housing

A commuted sum of £270, 000 has been agreed with the applicants for the provision of affordable housing on another site within the city, in accordance with the requirements of CS15 (Housing Provision) of the Core Strategy.

### Heads of Terms

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: £23,990, to be allocated to the provision of additional school places within the south east locality.*
- b. Health: £3, 500 to be allocated to the provision of improved library facilities in the area.*
- c. Playing pitches: £10,304, to be allocated to the provision of improved playing pitch facilities in the south sub-area, as identified in the Playing Pitch Strategy.*
- d. Local play space: £4,854 to be allocated to the improvement of local play facilities.*

e. *European Marine Site: £357 to be allocated to appropriate management measures for the Tamar Estuaries as identified in the Tamar Estuaries Management Plan.*

f. *Strategic sports facilities: £8,666, to be allocated to the delivery of priority strategic sports facilities as identified in the Sports Facilities Strategy.*

g. *Strategic transport: £39 173, to be allocated to the delivery of priority strategic transport interventions as identified in the LTP3 Transport Implementation Plan.*

i. *Public realm: £1,100 to be allocated to the delivery of priority City Centre public realm improvements as proposed in the City Centre & University Area Action Plan.*

j. *Maintenance of Ecotone. £17, 500 for ongoing maintenance of Ecotone area.*

k.. *Greenspace Improvements. £16, 900 towards improvements to Dunstone Woods and adjacent area of greenspace.*

l. *Commuted Sum for Affordable Housing. £270, 000 for off site provision of Affordable Housing.*

Therefore, to mitigate the impacts of the proposal, a total tariff contribution of £396,344 is required.

### **Equalities & Diversities issues**

The application proposes 16 new residential units that on completion should be offered for sale on the open market and therefore will be available to people from all backgrounds to purchase. No negative impact to any equality group is anticipated.

### **Conclusions**

To summarise, this application will provide 16 new dwellings with associated car parking, landscaping and public open space also provided as part of the development package. The applicant has agreed to pay the financial contributions considered necessary to mitigate the impacts of the proposal, to pay a commuted sum for the provision of off site affordable housing and to contribute to the ongoing maintenance of the proposed Ecotone greenspace.

It is considered that the application proposes a good quality housing development with a layout that is sensitive to the existing pattern of development in the area and constraints of the site. The design of the dwellings is contemporary although the form of the development is traditional, with consistency in appearance achieved through subtle repetition of key features and materials. The layout is considered to be a positive response to the constraints of the site and the proposal provides publicly accessible greenspace with enhanced landscaping and biodiversity features, to mitigate the loss of this currently inaccessible parcel of land.

Officers consider that the proposed development would not impact significantly upon nearby properties residential amenities due to the layout and orientation of the proposed dwellings and would not harm the surrounding highway network, providing adequate levels of off street car parking. The application is therefore recommended

for approval, subject to conditions and the satisfactory completion of a S106 legal agreement, with delegated authority sought to refuse the application if the Section 106 Agreement is not signed by the 27th February 2013.

### **Recommendation**

In respect of the application dated **30/11/2012** and the submitted drawings PSDI Planning support 3D images (Drawing), 732-100 Site location plan (Drawing), 732-101 Existing site survey (Drawing), 732-102A Proposed site layout (Drawing) 732-103 Housetype T1 (Drawing), 732-104A Housetype T1a (Drawing) 732-105 Housetype T2 (Drawing), 732-106 Housetype T2a (Drawing) 732-107 Housetype T2b (Drawing), 732-108 Existing & proposed streetscape (Drawing), 732-109 Existing site sections (Drawing) 732-110 Proposed site sections (Drawing) and accompanying Design & access statement, Ecology Report, Enhancement and Mitigation Plan, Energy Report, Land Contamination Report, Tree Protection Plan and Greenscape and Visual Impact Analysis, 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 26th February 2013.**

### **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:

PSDI Planning support 3D images (Drawing)  
732-100 Site location plan (Drawing)  
732-101 Existing site survey (Drawing)  
732-102A Proposed site layout (Drawing)  
732-103 Housetype T1 (Drawing)  
732-104A Housetype T1a (Drawing)  
732-105 Housetype T2 (Drawing)  
732-106 Housetype T2a (Drawing)  
732-107 Housetype T2b (Drawing)  
732-108 Existing & proposed streetscape (Drawing)  
732-109 Existing site sections (Drawing)  
732-110 Proposed site sections (Drawing)

#### **Reason:**



For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

## CODE OF PRACTICE

(3) During development of the scheme approved by this planning permission, the developer shall comply with the relevant sections of the Public Protection Service, Code of Practice for Construction and Demolition Sites, with particular regards to the hours of working, crushing, piling and noisy operations, control of mud on roads and the control of dust.

### Reason:

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

## CONTAMINATED LAND

(4) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation shall not take place until sections 1 to 3 of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until section 4 of this condition has been complied with in relation to that contamination.

### Section 1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, shall 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 II'.

### Section 2. Submission of Remediation Scheme

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

### Section 3. Implementation of Approved Remediation Scheme

The approved remediation scheme shall 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 the replaced 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.

### Section 4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of section 1 of this condition, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with section 3.

#### Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### ACOUSTIC BARRIERS

(5) Prior to commencement of the development hereby approved, the applicant must submit for written approval of the LPA, specifications and locations of acoustic barriers along the access road to the site. The acoustic barriers must be erected and remain in place for the life of the development.

#### Reason:

To protect the amenity of residential properties affected by the proposed new access road and to avoid conflict with Policy CS22 of the Plymouth Local

Development Framework Core Strategy (2006-2021) 2007.

## STREET DETAILS

(6) No development shall take place 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

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

### Reason:

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

## GARAGE DOOR TYPE

(8) Where driveways are less than six metres in length the door to the garage hereby permitted shall be of a type that does not project beyond the face of the garage when opened or being opened. Any driveway shall not be less than five metres in length.

### Reason:

In order that the garage door can be opened even when a car is parked in front of it, due to the limited length of the driveway; and in the interest of highway safety.

## PROVISION OF PARKING AREA

(9) 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; and to ensure driveways do not drain onto the highway.

#### PROVISION OF PUBLIC FOOTPATHS

(10) No work shall commence on site until details for the construction of the public rights of way footpaths (both on and off the application site) between the proposed new streets and the existing public rights of way in Dunstone Woods have been submitted for approval in writing to the Local Planning Authority. The public rights of way footpaths shall thereafter be constructed in accordance with the approved details.

#### Reason:

To improve public access and amenity, in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### BIODIVERSITY

(11) Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Ecological Mitigation and Enhancement Strategy dated October 2012 for the site. An Ecological Management Plan for the site will be submitted and agreed in writing with the Local Planning Authority to ensure that site is managed in perpetuity.

#### 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 MATERIALS

(12) 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.

#### DETAILS OF BOUNDARY TREATMENT

(13) 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.

#### LANDSCAPING

(14) Landscaping at the site shall be carried out in strict accordance with Drawing No. 1453\_20110/P08a with further details to be submitted and approved in writing by the Local Planning Authority prior to development commencing on site showing:

- Details of all landscaping, minor artefacts and structures either side of the new access road.

Development shall be carried out in accordance with the approved details.

#### 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.

#### LANDSCAPE WORKS IMPLEMENTATION

(15) All hard and soft landscape works shall be carried out prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing 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

(16) A landscape management plan, including long term objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation 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.

#### PROVISION OF DRAINAGE WORKS

(17) No development shall take place until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

#### Reason:

To ensure that satisfactory infrastructure works are provided in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### SURFACE WATER DISPOSAL

(18) No development shall take place until details of the proposals for the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the building hereby permitted is first occupied.

#### Reason:

To enable consideration to be given to any effects of changes in the drainage regime on landscape features in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### SUSTAINABLE RESOURCE USE

(19) Unless otherwise agreed previously in writing with the Local Planning Authority, the development shall be completed in accordance with the Energy Report written by Energy Compliance Ltd. This identifies and proposes the use of Photovoltaic Cells 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 Photovoltaic Cells) shall be provided in accordance with the afromentioned report and a plan to be submitted and approved in writing by the Local Planning Authority showing the precise location of all PV cells on each individual dwelling. The approved PV Cells shall be installed 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.

#### LIFETIME HOMES

(20) A minimum of 3 Lifetime Homes shall be provided on the application site. Full details of the Lifetime Homes showing how they meet all the criteria for Lifetime Homes shall be submitted to and approved in writing by the Local Planning Authority before work begins on the development hereby permitted.

#### Reason:

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

#### EXISTING TREE/HEDGEROWS TO BE RETAINED/PROTECTED

(21) In this condition "retained tree or hedgerow" means an existing tree or hedgerow which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the commencement of development.

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

(b) If any retained tree or hedgerow is removed, uprooted or destroyed or dies, or pruned in breach of (a) above in a manner which, in the opinion of the Local Planning Authority, leaves it in such a poor condition that it is unlikely to recover and/or attain its previous amenity value, another tree or hedgerow shall be planted at the same place and that tree or hedgerow shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

© The erection of barriers and ground protection for any retained tree or hedgerow shall be undertaken in accordance with Section 6.2 of BS 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason:

To ensure that trees or hedgerows retained in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 are protected during construction work and thereafter are properly maintained, if necessary by replacement.

#### TREE PROTECTION DURING CONSTRUCTION

(22) The existing trees and/or hedgerows shown to be retained on the approved plans shall be properly protected with appropriate fencing during construction works. The erection of fencing for the protection of any retained tree or hedgerow shall be undertaken in accordance with Section 9 of BS 5837:2005 (Guide for trees in relation to construction) before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall an excavation be made, without the written consent of the Local Planning Authority.

Reason:

To ensure that any trees or hedgerows to be retained are protected during construction work in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### INFORMATIVE: CODE OF PRACTICE

(1) The management plan shall be based upon the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web pages, and shall include sections on the following:

a. Site management arrangements including site office, developer contact number in event of any construction/demolition related problems, and site security information;

- b. Proposed hours of operation of construction activities and of deliveries, expected numbers per day and types of all construction vehicles and deliveries, routes of construction traffic to and from the site (including local access arrangements, timing of lorry movements, and weight limitations on routes), initial inspection of roads to assess rate of wear and extent of repairs required at end of construction/demolition stage, location of wheel wash facilities, access points, location of car parking for contractors, construction traffic parking, details of turning facilities within the site for site traffic and HGVs, and a scheme to encourage public transport use by contractors; and
- c. Hours of site operation, dust suppression measures and noise limitation measures.

**INFORMATIVE: CONDITIONAL APPROVAL (WITH NEGOTIATION)**

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant, including pre-application discussions, and has negotiated amendments to the application to enable the grant of planning permission.

**Statement of Reasons for Approval and Relevant Policies**

Having regard to the main planning considerations, which in this case are considered to be: the principle of development, highway safety, the impact of the proposal on visual and residential amenity and impact upon Ecology, 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
- CS18 - Plymouth's Green Space
- CS19 - Wildlife
- CS20 - Resource Use
- CS01 - Sustainable Linked Communities
- CS02 - Design
- CS15 - Housing Provision
- NPPF - National Planning Policy Framework March 2012



## PLANNING COMMITTEE

---

Decisions issued for the following period: 20 December 2012 to 21 January 2013

---

Note - This list includes:

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

### *Item No*        **1**

**Application Number:** 12/00095/FUL    **Applicant:** Rotolock (Holdings) Ltd

**Application Type:** Full Application

**Description of Development:** Refurbishment and extensions to existing redundant buildings to form hotel development to include refurbishment of jetty, refurbishment, part demolition and extensions to Grade II listed Barrack Block, Island House, and Ablutions Block.  
Refurbishment and part demolition to scheduled Ancient Monument Casemated Battery and general landscaping and infrastructure works

**Site Address**                                DRAKE'S ISLAND PLYMOUTH

**Case Officer:** Matt Coombe

**Decision Date:** 08/01/2013

**Decision:** Refuse

---

### *Item No*        **2**

**Application Number:** 12/00099/LBC    **Applicant:** Rotolock (Holdings) Ltd

**Application Type:** Listed Building

**Description of Development:** Refurbishment and extensions to existing redundant buildings to form hotel development to include refurbishment of jetty, refurbishment, part demolition and extensions to Grade II listed Barrack Block, Island House, and Ablutions Block.  
Refurbishment and part demolition to scheduled Ancient Monument Casemated Battery and general landscaping and infrastructure works

**Site Address**                                DRAKE'S ISLAND PLYMOUTH

**Case Officer:** Matt Coombe

**Decision Date:** 08/01/2013

**Decision:** Refuse

---

**Item No 3**

**Application Number:** 12/00708/FUL **Applicant:** Redrow Homes  
**Application Type:** Full Application  
**Description of Development:** Full planning permission erection of 22 dwellings (21 houses, 1 maisonette - 13x 4-bed, 5x 3-bed and 4x 2-bed) together with associated parking and landscaping  
**Site Address** AREA C, VISION, (FORMER STORES ENCLAVE), CHAPEL STREET DEVONPORT PLYMOUTH  
**Case Officer:** Jeremy Guise  
**Decision Date:** 20/12/2012  
**Decision:** Grant Subject to S106 Obligation - Full

---

**Item No 4**

**Application Number:** 12/00853/FUL **Applicant:** Redrow Homes Ltd  
**Application Type:** Full Application  
**Description of Development:** Development of 28 dwellings (5 houses and 23 flats), a commercial/retail building (852sqm of commercial and 359sqm of retail space) together with associated parking and landscaping (alternative proposal to the outline approved master plan ref 05/01071/FUL, which included a supermarket in this zone)  
**Site Address** VISION (FORMER STORES ENCLAVE), CHAPEL STREET DEVONPORT PLYMOUTH  
**Case Officer:** Jeremy Guise  
**Decision Date:** 20/12/2012  
**Decision:** Grant Subject to S106 Obligation - Full

---

**Item No 5**

**Application Number:** 12/01341/FUL **Applicant:** Visitract Ltd  
**Application Type:** Full Application  
**Description of Development:** Change of use of part of main car park at Plymouth Karting to an outdoor kart circuit  
**Site Address** KARTING CENTRE, ERNESETTLE LANE ERNESETTLE PLYMOUTH  
**Case Officer:** Karen Gallacher  
**Decision Date:** 21/12/2012  
**Decision:** Grant Conditionally

---

**Item No 6**

**Application Number:** 12/01361/LBC **Applicant:** 5 & 6 Elliot Terrace Ltd  
**Application Type:** Listed Building  
**Description of Development:** Roof repair  
**Site Address** 5 & 6 ELLIOT TERRACE PLYMOUTH  
**Case Officer:** Adam Williams  
**Decision Date:** 03/01/2013  
**Decision:** Grant Conditionally

---

**Item No 7**

**Application Number:** 12/01414/FUL **Applicant:** Urban Splash  
**Application Type:** Full Application  
**Description of Development:** Variation of conditions 5 and 6 to alter location of cycle storage  
**Site Address** NEW COOPERAGE, ROYAL WILLIAM YARD PLYMOUTH  
**Case Officer:** Adam Williams  
**Decision Date:** 21/12/2012  
**Decision:** Grant Conditionally

---

**Item No 8**

**Application Number:** 12/01421/FUL **Applicant:** Mr Jon Samuels and Mr Andrew  
**Application Type:** Full Application  
**Description of Development:** Retrospective application for development of site by erection of 3 dwellings and associated access, parking and garages (revisions to planning consent 11/02033/FUL)  
**Site Address** ELBURTON RESERVOIR, RESERVOIR ROAD PLYMSTOCK  
**Case Officer:** Simon Osborne  
**Decision Date:** 14/01/2013  
**Decision:** Grant Conditionally

---

**Item No 9**

**Application Number:** 12/01529/FUL **Applicant:** Mrs Susanna Martin  
**Application Type:** Full Application  
**Description of Development:** Change of use from residential care premises to single dwellinghouse  
**Site Address** 2 ROCKVILLE PARK PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 04/01/2013  
**Decision:** Grant Conditionally

---

**Item No 10**

**Application Number:** 12/01530/REM **Applicant:** South West Property Managemen  
**Application Type:** Reserved Matters  
**Description of Development:** Approval of Reserved Matters (layout, scale, appearance, landscape, access) for three detached dwellings following Outline Application 08/01076  
**Site Address** FIRSFIELD, BROAD PARK PLYMOUTH  
**Case Officer:** Karen Gallacher  
**Decision Date:** 20/12/2012  
**Decision:** Grant Conditionally

---

**Item No 11**

**Application Number:** 12/01585/FUL **Applicant:** Notre Dame RC School  
**Application Type:** Full Application  
**Description of Development:** First floor extension to create five additional classrooms  
**Site Address** NOTRE DAME ROMAN CATHOLIC SCHOOL, NOTRE DAME CLOSE PLYMOUTH  
**Case Officer:** Carly Kirk  
**Decision Date:** 20/12/2012  
**Decision:** Grant Conditionally

---

**Item No 12**

**Application Number:** 12/01588/FUL **Applicant:** Mr and Mrs H Amiri  
**Application Type:** Full Application  
**Description of Development:** Change of use and conversion to 9 bed house in multiple occupation  
**Site Address** 8/8A LADYSMITH ROAD LIPSON PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 21/12/2012  
**Decision:** Refuse

---

**Item No 13**

**Application Number:** 12/01627/EXUS **Applicant:** Mr Terence Guinn  
**Application Type:** LDC Existing Use  
**Description of Development:** Use as nine-bedroom house in multiple occupation  
**Site Address** 82 GREENBANK AVENUE PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 21/12/2012  
**Decision:** Issue Certificate - Lawful Use

---

**Item No 14**

**Application Number:** 12/01666/FUL **Applicant:** Mount Wise (Devon) Ltd  
**Application Type:** Full Application  
**Description of Development:** Demolition of modern additions and change of use, extension and alterations to form a boutique hotel, restaurant and 18 residential units  
**Site Address** ADMIRALTY HOUSE, MOUNT WISE CRESCENT PLYMOUTH  
**Case Officer:** Jeremy Guise  
**Decision Date:** 04/01/2013  
**Decision:** Grant Conditionally

---

**Item No 15**

**Application Number:** 12/01667/FUL **Applicant:** Mr J Lee on behalf of Amey LG  
**Application Type:** Full Application  
**Description of Development:** Installation of two portacabin units (located northeast of Macadam Road access)  
**Site Address** PRINCE ROCK DEPOT, MACADAM ROAD PLYMOUTH  
**Case Officer:** Liz Wells  
**Decision Date:** 10/01/2013  
**Decision:** Grant Conditionally

---

**Item No 16**

**Application Number:** 12/01669/LBC **Applicant:** Mount Wise (Devon) Ltd  
**Application Type:** Listed Building  
**Description of Development:** Listed building consent to demolish modern additions, extend and alter Admiralty House in connection with change of use to form a boutique hotel and 18 residential units  
**Site Address** ADMIRALTY HOUSE, MOUNT WISE CRESCENT PLYMOUTH  
**Case Officer:** Jeremy Guise  
**Decision Date:** 04/01/2013  
**Decision:** Grant Conditionally

---

**Item No 17**

**Application Number:** 12/01700/FUL **Applicant:** Taylor Wimpey (Exeter) UK Ltd  
**Application Type:** Full Application  
**Description of Development:** Demolition and clearance of existing industrial and warehouse premises; hybrid planning application with detailed proposals for development of 209 dwellings, with access, landscaping and public open space; and outline proposals (with all matters reserved except for access) for the development of 1000sqm in total of A1 Shops (maximum floorspace of 1000sqm), A2 Financial and Professional Services (maximum floorspace of 1000sqm), A3 Restaurants and Cafes (maximum floorspace of 500sqm), A4 Drinking Establishments (maximum floorspace of 250sqm) and A5 Hot Food Takeaway (maximum floorspace of 250sqm), and 1300sqm of B1 (a, b and c) employment  
**Site Address** LAND EAST AND WEST OF PENNYCROSS CLOSE PLYMOUTH  
**Case Officer:** Ray Williams  
**Decision Date:** 04/01/2013  
**Decision:** Refuse

---

**Item No 18**

**Application Number:** 12/01734/FUL **Applicant:** Leander Developments Ltd  
**Application Type:** Full Application  
**Description of Development:** Erection of four detached, 2-storey dwellings and associated development including formation of new access road, landscaping and removal of part of boundary hedge and wall  
**Site Address** 5 HILL LANE PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 20/12/2012  
**Decision:** Application Withdrawn

---

**Item No 19**

**Application Number:** 12/01738/FUL **Applicant:** Becton Dickinson Vacutainer  
**Application Type:** Full Application  
**Description of Development:** Construction of single-storey extension to provide access corridor to rear of Building 1  
**Site Address** BECTON DICKINSON VACUTAINER SYSTEMS, BELLIVER WAY PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 04/01/2013  
**Decision:** Grant Conditionally

---

**Item No 20**

**Application Number:** 12/01739/FUL **Applicant:** Happy Days Nursery (SW) Ltd  
**Application Type:** Full Application  
**Description of Development:** Provision of external play area including two dry play areas and erection of 1.8m high wire mesh boundary fencing  
**Site Address** PLYMOUTH HOSPITALS NHS TRUST 3A DERRIFORD BUSINESS PARK PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 21/12/2012  
**Decision:** Grant Conditionally

---

**Item No 21**

**Application Number:** 12/01742/FUL **Applicant:** Mr M Linney  
**Application Type:** Full Application  
**Description of Development:** Replacement double garage  
**Site Address** 3 HAVELOCK TERRACE PLYMOUTH  
**Case Officer:** Adam Williams  
**Decision Date:** 21/12/2012  
**Decision:** Grant Conditionally

---

**Item No 22**

**Application Number:** 12/01771/FUL **Applicant:** Mr Graham Witt-Davis  
**Application Type:** Full Application  
**Description of Development:** Re-development of site by erection of 11 affordable dwellings with associated car parking and improvements to existing access (demolition of existing buildings)  
**Site Address** THE CREAMERY, BRIDWELL LANE NORTH WESTON MILL PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 21/12/2012  
**Decision:** Grant Subject to S106 Obligation - Full

---

**Item No 23**

**Application Number:** 12/01800/PRDE **Applicant:** Mr Anthony Blackmore  
**Application Type:** LDC Proposed Develop  
**Description of Development:** Construction of garage  
**Site Address** 223 VICTORIA ROAD PLYMOUTH  
**Case Officer:** Adam Williams  
**Decision Date:** 10/01/2013  
**Decision:** Issue Certificate - Lawful Use

---



**Item No 24**

**Application Number:** 12/01839/OUT **Applicant:** Mr P Brealey  
**Application Type:** Outline Application  
**Description of Development:** Develop part of side garden by erection two-storey, end terrace dwellinghouse (resubmission of application 12/00120/OUT)  
**Site Address** 2 HORNCHURCH ROAD PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 07/01/2013  
**Decision:** Refuse

---

**Item No 25**

**Application Number:** 12/01849/FUL **Applicant:** Mr Keith Elliot  
**Application Type:** Full Application  
**Description of Development:** Develop part of garden by erection of dwelling and single garage  
**Site Address** 53 SHORTWOOD CRESCENT PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 17/01/2013  
**Decision:** Refuse

---

**Item No 26**

**Application Number:** 12/01852/FUL **Applicant:** Plymouth City Council  
**Application Type:** Full Application  
**Description of Development:** Construction of a new length of sea wall, 105 metres long and 1.5 metres high  
**Site Address** EMBANKMENT ROAD PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 21/12/2012  
**Decision:** Application Withdrawn

---

**Item No 27**

**Application Number:** 12/01857/FUL **Applicant:** Caffeine Club Ltd  
**Application Type:** Full Application  
**Description of Development:** Retrospective application for change of use of café (use class A3) to drinking establishment (use class A4); front canopy covered and decked seating area; installation of doors and julliet balconies at first floor on front elevation  
**Site Address** 46 TAVISTOCK PLACE PLYMOUTH  
**Case Officer:** Liz Wells  
**Decision Date:** 07/01/2013  
**Decision:** Grant Conditionally

---

**Item No 28**

**Application Number:** 12/01862/FUL **Applicant:** DCP Building Contractors  
**Application Type:** Full Application  
**Description of Development:** Change of use and conversion of dwellinghouse to 2 self contained 2 bedroom maisonettes  
**Site Address** 61 MOUNT GOULD ROAD PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 20/12/2012  
**Decision:** Grant Conditionally

---

**Item No 29**

**Application Number:** 12/01868/FUL **Applicant:** Hallmark Estates (SW) Ltd  
**Application Type:** Full Application  
**Description of Development:** Development of 6 terraced family dwellings with rear gardens and parking and bin storage at the front, and construction of a publicly accessible footpath to adjacent green space  
**Site Address** COMPTON VALE PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 03/01/2013  
**Decision:** Refuse

---

**Item No 30**

**Application Number:** 12/01872/FUL **Applicant:** St Josephs RC Primary School  
**Application Type:** Full Application  
**Description of Development:** Formation of all weather multi games area to rear of school on grass field adjacent to school playing pitch  
**Site Address** ST JOSEPH'S CATHOLIC PRIMARY SCHOOL, CHAPEL STREET OPE PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 04/01/2013  
**Decision:** Grant Conditionally

---

**Item No 31**

**Application Number:** 12/01879/FUL **Applicant:** Mrs Debbie Oates  
**Application Type:** Full Application  
**Description of Development:** Retrospective application for timber boundary fence and access gates  
**Site Address** 37 LAIRA PARK ROAD PLYMOUTH  
**Case Officer:** Mike Stone  
**Decision Date:** 21/12/2012  
**Decision:** Refuse

---

**Item No 32**

**Application Number:** 12/01890/FUL **Applicant:** Francines Fish & Chip Shop  
**Application Type:** Full Application  
**Description of Development:** Change of use of ground floor to form extension to adjacent fish and chip shop  
**Site Address** FRANCINES FISH & CHIP SHOP, 15 NORTH PROSPECT ROAD PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 07/01/2013  
**Decision:** Grant Conditionally

---

**Item No 33**

**Application Number:** 12/01897/FUL **Applicant:** Chivas Brothers Ltd  
**Application Type:** Full Application  
**Description of Development:** Change of use of existing meeting room (Class B1) to additional dining area to Barbican Kitchen Brasserie (Class A3)  
**Site Address** PLYMOUTH GIN DISTILLERY, SOUTHSIDE STREET  
PLYMOUTH  
**Case Officer:** Karen Gallacher  
**Decision Date:** 21/12/2012  
**Decision:** Grant Conditionally

---

**Item No 34**

**Application Number:** 12/01898/FUL **Applicant:** Ms Bernadeta Cwiklinska  
**Application Type:** Full Application  
**Description of Development:** Change of use and conversion from shop (Use Class A1) to hot food takeaway (Use Class A5)  
**Site Address** 31 MUTLEY PLAIN PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 24/12/2012  
**Decision:** Refuse

---

**Item No 35**

**Application Number:** 12/01899/LBC **Applicant:** Chivas Brothers Ltd  
**Application Type:** Listed Building  
**Description of Development:** Alterations and works associated with the change of use of the existing meeting room (Class B1) to additional dining area to Barbican Kitchen Brasserie (Class A3)  
**Site Address** PLYMOUTH GIN DISTILLERY, SOUTHSIDE STREET  
PLYMOUTH  
**Case Officer:** Karen Gallacher  
**Decision Date:** 20/12/2012  
**Decision:** Grant Conditionally

---

**Item No 36**

**Application Number:** 12/01908/FUL **Applicant:** Mr John Stevens  
**Application Type:** Full Application  
**Description of Development:** Change of use and conversion of single family dwelling house (Class C3) to a house in multiple occupation (Class C4) including loft conversion with rear roof dormer.  
**Site Address** 5 PRINCE MAURICE ROAD PLYMOUTH  
**Case Officer:** Chris Watson  
**Decision Date:** 03/01/2013  
**Decision:** Refuse

---

**Item No 37**

**Application Number:** 12/01920/FUL **Applicant:** Mr Murray Barton  
**Application Type:** Full Application  
**Description of Development:** Loft conversion with side dormer and rear Juliet balcony, raised decking, covered play area and conversion of garage to exercise/therapy pool and internal alterations  
**Site Address** 181 NORMANDY WAY PLYMOUTH  
**Case Officer:** Mike Stone  
**Decision Date:** 20/12/2012  
**Decision:** Grant Conditionally

---

**Item No 38**

**Application Number:** 12/01926/LBC **Applicant:** Plymouth City Council  
**Application Type:** Listed Building  
**Description of Development:** Replace existing pair of folding doors at rear car park entrance with electric roller shutter doors. Modify and replace metal shutter doors above cardboard compaction container with high level roller shutter. Replace panels enclosing cardboard compactor with durable self finish board panels. Erect 3D market signs on entrances.  
**Site Address** PLYMOUTH PANNIER MARKET, MARKET AVENUE PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 20/12/2012  
**Decision:** Grant Conditionally

---

**Item No 39**

**Application Number:** 12/01928/FUL **Applicant:** Mrs Ann Pearce  
**Application Type:** Full Application  
**Description of Development:** change of use and conversion to form a maisonette on the ground, first and second floors and self-contained basement flat.  
**Site Address** 13 ALFRED STREET PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 16/01/2013  
**Decision:** Grant Conditionally

---

**Item No 40**

**Application Number:** 12/01929/LBC **Applicant:** Mrs Ann Pearce  
**Application Type:** Listed Building  
**Description of Development:** Change of use and conversion to form single family dwellinghouse and self-contained basement flat  
**Site Address** 13 ALFRED STREET PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 16/01/2013  
**Decision:** Grant Conditionally

---

**Item No 41**

**Application Number:** 12/01931/FUL **Applicant:** Mr Andy Devalda  
**Application Type:** Full Application  
**Description of Development:** Change of use and conversion of single family dwelling house (Class C3) to a six bedroom house in multiple occupation (Class C4)  
**Site Address** 55 HOUNDISCOMBE ROAD PLYMOUTH  
**Case Officer:** Chris Watson  
**Decision Date:** 24/12/2012  
**Decision:** Refuse

---

**Item No 42**

**Application Number:** 12/01936/FUL **Applicant:** Miss Sarah Cutting  
**Application Type:** Full Application  
**Description of Development:** Retrospective application for rear conservatory  
**Site Address** 169 CROWNHILL ROAD PLYMOUTH  
**Case Officer:** Rebecca Exell  
**Decision Date:** 02/01/2013  
**Decision:** Grant Conditionally

---

**Item No 43**

**Application Number:** 12/01940/LBC **Applicant:** Secretary of State for Defence  
**Application Type:** Listed Building  
**Description of Development:** Internal alterations and refurbishment to second floor of Building 108  
**Site Address** BUILDING 108, RMB STONEHOUSE, DURNFORD STREET PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 15/01/2013  
**Decision:** Grant Conditionally

---

**Item No 44**

**Application Number:** 12/01941/LBC **Applicant:** Secretary of State for Defence  
**Application Type:** Listed Building  
**Description of Development:** Creation of two additional single en-suite rooms at first and second floor levels  
**Site Address** BUILDING 108, RMB STONEHOUSE, DURNFORD STREET PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 15/01/2013  
**Decision:** Grant Conditionally

---

**Item No 45**

**Application Number:** 12/01945/FUL **Applicant:** Mr R Williams  
**Application Type:** Full Application  
**Description of Development:** Demolition of existing detached dwelling and detached double garage. Construction of replacement detached dwelling.  
**Site Address** 4 WOODLANDS LANE PLYMOUTH  
**Case Officer:** Robert McMillan  
**Decision Date:** 14/01/2013  
**Decision:** Application Withdrawn

---

**Item No 46**

**Application Number:** 12/01955/FUL **Applicant:** Mrs Alison Jones  
**Application Type:** Full Application  
**Description of Development:** Development of side garden by erection of a dwellinghouse and alterations and additions to existing dwelling including removal of rear extension to create amenity area with new boundary fence, provision of decking and fence to front of property and provision of new windows and door in rear elevation, with variation of condition 2 of planning permission 11/01641/FUL to allow substitution of approved drawings: the revised proposals relating to the retention of the rear utility room (previously shown to be removed) and provision of additional decking to the front amenity area  
**Site Address** 44 MEADOW WAY PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 31/12/2012  
**Decision:** Grant Conditionally

---

**Item No 47**

**Application Number:** 12/01956/FUL **Applicant:** Mr & Mrs Taylor  
**Application Type:** Full Application  
**Description of Development:** Two storey rear extension  
**Site Address** 19 TORRIDGE ROAD PLYMOUTH  
**Case Officer:** Rebecca Exell  
**Decision Date:** 21/12/2012  
**Decision:** Grant Conditionally

---



**Item No 48**

**Application Number:** 12/01963/REM **Applicant:** KR Property Ltd  
**Application Type:** Reserved Matters  
**Description of Development:** Reserved matters application for the landscaping of 20 student bed spaces associated bike shed, bin store and vehicle hardstanding. (Following outline approval 11/01944/out)  
**Site Address** 140 NORTH HILL PLYMOUTH  
**Case Officer:** Robert Heard  
**Decision Date:** 24/12/2012  
**Decision:** Grant Conditionally

---

**Item No 49**

**Application Number:** 12/01969/ADV **Applicant:** Coffee Bean Central Ltd  
**Application Type:** Advertisement  
**Description of Development:** Canopy advertisement (non-illuminated)  
**Site Address** 12 CORNWALL STREET CITY CENTRE PLYMOUTH  
**Case Officer:** Karen Gallacher  
**Decision Date:** 10/01/2013  
**Decision:** Grant Conditionally

---

**Item No 50**

**Application Number:** 12/01972/FUL **Applicant:** Mr & Mrs Wannell  
**Application Type:** Full Application  
**Description of Development:** Single storey rear/side extension  
**Site Address** 14 THORN PARK PLYMOUTH  
**Case Officer:** Liz Wells  
**Decision Date:** 03/01/2013  
**Decision:** Grant Conditionally

---

**Item No 51**

**Application Number:** 12/01974/FUL **Applicant:** Mr Trevor Greenslade  
**Application Type:** Full Application  
**Description of Development:** Loft conversion including side and rear dormer with rear balcony; single storey rear extension and alteration to steps; insertion of door in front elevation  
**Site Address** 178 BEACON PARK ROAD PLYMOUTH  
**Case Officer:** Liz Wells  
**Decision Date:** 03/01/2013  
**Decision:** Grant Conditionally

---

**Item No 52**

**Application Number:** 12/01975/FUL **Applicant:** Mr D Capon  
**Application Type:** Full Application  
**Description of Development:** Lower ground floor single storey rear extension with conservatory over  
**Site Address** 52 FURZEHATT ROAD PLYMOUTH  
**Case Officer:** Mike Stone  
**Decision Date:** 20/12/2012  
**Decision:** Application Withdrawn

---

**Item No 53**

**Application Number:** 12/01986/FUL **Applicant:** Mr Justin Cartwright  
**Application Type:** Full Application  
**Description of Development:** Erection of four, two-storey dwellings, arranged as two pairs of semi-detached houses  
**Site Address** FORMER WYCLIFFE SURGERY, ELLIOTT ROAD PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 31/12/2012  
**Decision:** Grant Conditionally

---

**Item No 54**

**Application Number:** 12/02006/FUL **Applicant:** Mr Andrew Webber  
**Application Type:** Full Application  
**Description of Development:** Change of use as tool hire store with trade counter (Class B8) and construction of external access ramp  
**Site Address** 2 STONEHOUSE STREET PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 07/01/2013  
**Decision:** Grant Conditionally

---

**Item No 55**

**Application Number:** 12/02010/ADV **Applicant:** Mr G Kinvig  
**Application Type:** Advertisement  
**Description of Development:** '3D' non-illuminated fascia/entrance sign  
**Site Address** PLYMOUTH PANNIER MARKET, MARKET AVENUE  
PLYMOUTH  
**Case Officer:** Karen Gallacher  
**Decision Date:** 28/12/2012  
**Decision:** Grant Conditionally

---

**Item No 56**

**Application Number:** 12/02011/FUL **Applicant:** Mr J Watt  
**Application Type:** Full Application  
**Description of Development:** Replace existing pair of folding doors at rear car park entrance with electric roller shutter doors. Modify and replace metal shutter doors above cardboard compaction container with high level roller shutter. Replace panels enclosing cardboard compactor with durable self finish board panels.  
**Site Address** PLYMOUTH PANNIER MARKET, MARKET AVENUE  
PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 03/01/2013  
**Decision:** Grant Conditionally

---

**Item No 57**

**Application Number:** 12/02015/FUL **Applicant:** Mr David Holt  
**Application Type:** Full Application  
**Description of Development:** Develop side garden by erection of detached dwellinghouse  
**Site Address** 108 BILLACOMBE ROAD PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 10/01/2013  
**Decision:** Grant Conditionally

---

**Item No 58**

**Application Number:** 12/02018/FUL **Applicant:** Compton Meeting Room Trust  
**Application Type:** Full Application  
**Description of Development:** Erection of single-storey meeting hall with associated access, car-parking and landscaping (revision to application 11/02042/FUL)  
**Site Address** LAND ADJACENT TO WOOLWELL ROAD AND WOOLWELL CRESCENT PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 09/01/2013  
**Decision:** Grant Conditionally

---

**Item No 59**

**Application Number:** 12/02019/FUL **Applicant:** Mrs Jill James  
**Application Type:** Full Application  
**Description of Development:** Two storey rear extension and formation of front vehicle hardstanding  
**Site Address** 17 KINGS ROAD ST BUDEAUX PLYMOUTH  
**Case Officer:** Mike Stone  
**Decision Date:** 28/12/2012  
**Decision:** Grant Conditionally

---

**Item No 60**

**Application Number:** 12/02021/FUL **Applicant:** Mr & Mrs Crowley  
**Application Type:** Full Application  
**Description of Development:** Two-storey rear extension and associated steps (existing conservatory removed)  
**Site Address** 92 CHURCH WAY PLYMOUTH  
**Case Officer:** Liz Wells  
**Decision Date:** 11/01/2013  
**Decision:** Grant Conditionally

---

**Item No 61**

**Application Number:** 12/02025/FUL **Applicant:** Mrs N Rickford  
**Application Type:** Full Application  
**Description of Development:** Erection of a single storey side extension  
**Site Address** LIDL, WOLSELEY ROAD PLYMOUTH  
**Case Officer:** Robert McMillan  
**Decision Date:** 21/12/2012  
**Decision:** Grant Conditionally

---

**Item No 62**

**Application Number:** 12/02026/FUL **Applicant:** Mrs Sherry Badham  
**Application Type:** Full Application  
**Description of Development:** Alterations to existing public house and change of use of and extension to ancillary first floor accommodation and second floor flat to provide 2-bed flat at first floor level and 5-bed maisonette at second and third floor levels to be used as a house in multiple occupation (including construction of additional floor within new mansard roof) and erection of new external stairway and associated landing areas and new roof terrace at third floor level.  
**Site Address** 15 ST ANDREW STREET PLYMOUTH  
**Case Officer:** Jeremy Guise  
**Decision Date:** 18/01/2013  
**Decision:** Refuse

---

**Item No 63**

**Application Number:** 12/02028/CAC **Applicant:** Mrs Sherry Badham  
**Application Type:** Conservation Area  
**Description of Development:** Partial demolition of building in connection with: Alterations to existing public house and change of use of and extension to ancillary first floor accommodation and second floor flat to provide 2-bed flat at first floor level and 5-bed maisonette at second and third floor levels to be used as a house in multiple occupation (including construction of additional floor within new mansard roof) and erection of new external stairway and associated landing areas and new roof terrace at third floor level.  
**Site Address** 15 ST ANDREW STREET PLYMOUTH  
**Case Officer:** Jon Fox  
**Decision Date:** 08/01/2013  
**Decision:** Grant Conditionally

---

**Item No 64**

**Application Number:** 12/02029/LBC **Applicant:** Mr & Mrs Fox  
**Application Type:** Listed Building  
**Description of Development:** Installation of secondary glazing  
**Site Address** 37 CONQUEROR DRIVE PLYMOUTH  
**Case Officer:** Jess Maslen  
**Decision Date:** 10/01/2013  
**Decision:** Grant Conditionally

---

**Item No 65**

**Application Number:** 12/02030/FUL **Applicant:** Hewitt Hire Ltd T/A Budget  
**Application Type:** Full Application  
**Description of Development:** Change of use of premises from tool hire to vehicle rental  
**Site Address** BRANSTONS TOOL HIRE, 17 STONEHOUSE STREET PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 28/12/2012  
**Decision:** Grant Conditionally

---

**Item No 66**

**Application Number:** 12/02031/FUL **Applicant:** Mr & Mrs Gribble  
**Application Type:** Full Application  
**Description of Development:** Removal of existing first floor balcony on rear elevation and replacing with a larger balcony; removal of existing rear boundary to create parking space; removal of garage doors on front elevation to be replaced with patio doors and raised decking. Addition of balcony to rear elevation second floor level  
**Site Address** 3A CLOVELLY VIEW PLYMOUTH  
**Case Officer:** Jess Maslen  
**Decision Date:** 04/01/2013  
**Decision:** Refuse

---

**Item No 67**

**Application Number:** 12/02032/FUL **Applicant:** KW Brothers  
**Application Type:** Full Application  
**Description of Development:** Change of use of part of site to B8 (Storage and Distribution)  
**Site Address** 25 DURNFORD STREET PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 09/01/2013  
**Decision:** Grant Conditionally

---

**Item No 68**

**Application Number:** 12/02047/FUL **Applicant:** Mr & Mrs Truscott  
**Application Type:** Full Application  
**Description of Development:** Demolition of single-storey garage, pasty shop and lean-to and construction of detached MOT/car repair garage together with repair and restoration of Hooe Barn to form commercial space and creation of car parking and associated landscaping  
**Site Address** HOOE BARN, HOOE ROAD PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 10/01/2013  
**Decision:** Application Withdrawn

---

**Item No 69**

**Application Number:** 12/02048/LBC **Applicant:** Mr & Mrs Truscott  
**Application Type:** Listed Building  
**Description of Development:** Demolition of single-storey garage, pasty shop and lean-to and construction of detached MOT/Car repair garage, together with repair and restoration of Hooe Barn.  
**Site Address** HOOE BARN, HOOE ROAD PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 10/01/2013  
**Decision:** Application Withdrawn

---

**Item No 70**

**Application Number:** 12/02050/FUL **Applicant:** Mrs B Horne  
**Application Type:** Full Application  
**Description of Development:** Replacement of balcony doors and no. 5 windows to first floor apartment  
**Site Address** FLAT 6, HARBOURSIDE COURT, HAWKERS AVENUE PLYMOUTH  
**Case Officer:** Mike Stone  
**Decision Date:** 18/01/2013  
**Decision:** Grant Conditionally

---

**Item No 71**

**Application Number:** 12/02051/FUL **Applicant:** Mr A Davis  
**Application Type:** Full Application  
**Description of Development:** New build development of five commercial units, associated landscape, signage and car parking arrangements (use classes A1, A2, A3 and A5) variation of conditions 2 and 3 of planning permission 11/00159 to reduce the number of units to three and minor changes to external works  
**Site Address** TOWERFIELD DRIVE PLYMOUTH  
**Case Officer:** Robert McMillan  
**Decision Date:** 21/12/2012  
**Decision:** Grant Conditionally

---



**Item No 72**

**Application Number:** 12/02052/FUL **Applicant:** Mr and Mrs Z Liberson  
**Application Type:** Full Application  
**Description of Development:** Loft conversion and 2 no. rear dormer  
**Site Address** 50 PORTLAND ROAD PLYMOUTH  
**Case Officer:** Mike Stone  
**Decision Date:** 20/12/2012  
**Decision:** Grant Conditionally

---

**Item No 73**

**Application Number:** 12/02055/FUL **Applicant:** Mr and Mrs Clive Harkin  
**Application Type:** Full Application  
**Description of Development:** Hip to gable roof extension with window in gable end and roof light on front elevation  
**Site Address** 157 PLYMSTOCK ROAD PLYMOUTH  
**Case Officer:** Liz Wells  
**Decision Date:** 08/01/2013  
**Decision:** Grant Conditionally

---

**Item No 74**

**Application Number:** 12/02056/FUL **Applicant:** Mr L Congdon  
**Application Type:** Full Application  
**Description of Development:** Erection of conservatory at first floor level to front of dwelling  
**Site Address** 4 ARNOLDS POINT, EMBANKMENT ROAD PLYMOUTH  
**Case Officer:** Rebecca Exell  
**Decision Date:** 11/01/2013  
**Decision:** Refuse

---

**Item No 75**

**Application Number:** 12/02059/FUL **Applicant:** Mr Christopher Barker  
**Application Type:** Full Application  
**Description of Development:** Change of use from single dwelling (use class C3) to 6-bedroom house in multiple occupation (use class C4)  
**Site Address** 74 BELGRAVE ROAD PLYMOUTH  
**Case Officer:** Liz Wells  
**Decision Date:** 17/01/2013  
**Decision:** Refuse

---

**Item No 76**

**Application Number:** 12/02060/FUL **Applicant:** Mr John Hart  
**Application Type:** Full Application  
**Description of Development:** Erection of front porch and garage with single storey extension to rear of dwelling  
**Site Address** 7 WESTFIELD AVENUE PLYMOUTH  
**Case Officer:** Rebecca Exell  
**Decision Date:** 20/12/2012  
**Decision:** Grant Conditionally

---

**Item No 77**

**Application Number:** 12/02062/FUL **Applicant:** Mr and Mrs Forward  
**Application Type:** Full Application  
**Description of Development:** Two storey side extension, demolition of detached garage, raised decking in rear garden and internal alterations  
**Site Address** 28 DONNINGTON DRIVE PLYMOUTH  
**Case Officer:** Mike Stone  
**Decision Date:** 20/12/2012  
**Decision:** Grant Conditionally

---

**Item No 78**

**Application Number:** 12/02070/ADV **Applicant:** Lyons Davidson Limited  
**Application Type:** Advertisement  
**Description of Development:** Advertisement consent for internally illuminated signage on two elevations  
**Site Address** ENDURANCE HOUSE, PARKWAY COURT, LONGBRIDGE ROAD PLYMOUTH  
**Case Officer:** Liz Wells  
**Decision Date:** 09/01/2013  
**Decision:** Grant Conditionally

---

**Item No 79**

**Application Number:** 12/02072/ADV **Applicant:** Debenham PLC  
**Application Type:** Advertisement  
**Description of Development:** 4 sets internally illuminated individual built up letter  
**Site Address** DEBENHAMS, 16 TO 24 ROYAL PARADE PLYMOUTH  
**Case Officer:** Karen Gallacher  
**Decision Date:** 14/01/2013  
**Decision:** Grant Conditionally

---

**Item No 80**

**Application Number:** 12/02079/FUL **Applicant:** Ash Properties  
**Application Type:** Full Application  
**Description of Development:** Change of use and conversion of first-floor restaurant to two residential units  
**Site Address** OCEAN PALACE RESTAURANT, 30 WESTERN APPROACH PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 11/01/2013  
**Decision:** Grant Conditionally

---

**Item No 81**

**Application Number:** 12/02081/TPO **Applicant:** Aggregate Industries  
**Application Type:** Tree Preservation  
**Description of Development:** Thinning of sycamore  
2 elms remove  
**Site Address** MOORCROFT QUARRY, ELBURTON ROAD PLYMOUTH  
**Case Officer:** Jane Turner  
**Decision Date:** 09/01/2013  
**Decision:** Grant Conditionally

---

**Item No 82**

**Application Number:** 12/02085/FUL **Applicant:** Lidl UK  
**Application Type:** Full Application  
**Description of Development:** Single-storey side extension  
**Site Address** LIDL, 11 HORN CROSS ROAD PLYMOUTH  
**Case Officer:** Kate Saunders  
**Decision Date:** 15/01/2013  
**Decision:** Grant Conditionally

---

**Item No 83**

**Application Number:** 12/02088/PRDE **Applicant:** Mr Peter Stacey  
**Application Type:** LDC Proposed Develop  
**Description of Development:** Erection of garage, hardstand, new vehicular access and  
replacement of section of existing boundary wall  
**Site Address** 43 DARTMEET AVENUE PLYMOUTH  
**Case Officer:** Jody Leigh  
**Decision Date:** 08/01/2013  
**Decision:** Issue Certificate - Lawful Use

---

**Item No 84**

**Application Number:** 12/02090/FUL **Applicant:** Mrs L Stock  
**Application Type:** Full Application  
**Description of Development:** Replacement of timber windows with uPVC  
**Site Address** 24 ADMIRALTY STREET STONEHOUSE PLYMOUTH  
**Case Officer:** Jess Maslen  
**Decision Date:** 10/01/2013  
**Decision:** Grant Conditionally

---

**Item No 85**

**Application Number:** 12/02091/FUL **Applicant:** Millbridge Property  
**Application Type:** Full Application  
**Description of Development:** Change of use and conversion of building at rear to form dwellinghouse  
**Site Address** 17 WILTON STREET PLYMOUTH  
**Case Officer:** Liz Wells  
**Decision Date:** 16/01/2013  
**Decision:** Grant Conditionally

---

**Item No 86**

**Application Number:** 12/02104/FUL **Applicant:** Mr David Ahern  
**Application Type:** Full Application  
**Description of Development:** Erection of detached motor garage with storage above  
**Site Address** BELLIVER HOUSE, TAMERTON ROAD PLYMOUTH  
**Case Officer:** Rebecca Exell  
**Decision Date:** 02/01/2013  
**Decision:** Grant Conditionally

---

**Item No 87**

**Application Number:** 12/02105/FUL **Applicant:** Mr Edward Chaplin  
**Application Type:** Full Application  
**Description of Development:** Widening of existing garage and re- roofing and conversion to bedroom and sitting room for a disabled person  
**Site Address** 28 HEMERDON HEIGHTS PLYMOUTH  
**Case Officer:** Rebecca Exell  
**Decision Date:** 11/01/2013  
**Decision:** Grant Conditionally

---

**Item No 88**

**Application Number:** 12/02107/FUL **Applicant:** Mr & Mrs Tomlinson  
**Application Type:** Full Application  
**Description of Development:** Develop part of garden by erection of detached two-storey dwellinghouse, alterations to stone boundary wall to form vehicular access from Old Warleigh Lane and site landscaping works  
**Site Address** KUMARA, STATION ROAD TAMERTON FOLIOT PLYMOUTH  
**Case Officer:** Robert McMillan  
**Decision Date:** 16/01/2013  
**Decision:** Refuse

---

**Item No 89**

**Application Number:** 12/02118/FUL **Applicant:** Plympton Cricket Club  
**Application Type:** Full Application  
**Description of Development:** Single storey side extension to the cricket club equipment shed (NE corner of Harewood Park, adjacent to the swimming pool)  
**Site Address** HAREWOOD PARK, RIDGEWAY PLYMOUTH  
**Case Officer:** Jeremy Guise  
**Decision Date:** 09/01/2013  
**Decision:** Refuse

---

**Item No 90**

**Application Number:** 12/02121/FUL **Applicant:** Miss J Rowe  
**Application Type:** Full Application  
**Description of Development:** Construction of first floor extension to side of property  
**Site Address** 40 FIRCROFT ROAD PLYMOUTH  
**Case Officer:** Rebecca Exell  
**Decision Date:** 08/01/2013  
**Decision:** Grant Conditionally

---

**Item No 91**

**Application Number:** 12/02123/TCO **Applicant:**  
**Application Type:** Trees in Cons Area  
**Description of Development:** Willow - Reduce to previous pruning points  
**Site Address** 114 DEVONPORT ROAD PLYMOUTH  
**Case Officer:** Chris Knapman  
**Decision Date:** 03/01/2013  
**Decision:** Grant Conditionally

---

**Item No 92**

**Application Number:** 12/02129/FUL **Applicant:** Mr Richard Wood  
**Application Type:** Full Application  
**Description of Development:** Two-storey side extension and diversion of footpath.  
**Site Address** 39 WALNUT DRIVE PLYMOUTH  
**Case Officer:** Mike Stone  
**Decision Date:** 11/01/2013  
**Decision:** Grant Conditionally

---

**Item No 93**

**Application Number:** 12/02133/TCO **Applicant:** Mr Raymond Hall  
**Application Type:** Trees in Cons Area  
**Description of Development:** Sycamore - Re-pollard  
**Site Address** THE WILLOWS, ROCK HILL PLYMOUTH  
**Case Officer:** Chris Knapman  
**Decision Date:** 09/01/2013  
**Decision:** Grant Conditionally

---

**Item No 94**

**Application Number:** 12/02134/ADV **Applicant:** Mr Chris Christophi  
**Application Type:** Advertisement  
**Description of Development:** 1 Externally illuminated high level sign, 1 externally illuminated fascia sign and 4 fixed menu boards  
**Site Address** ARRIBAS, 58 NOTTE STREET PLYMOUTH  
**Case Officer:** Olivia Wilson  
**Decision Date:** 17/01/2013  
**Decision:** Grant Conditionally

---

**Item No 95**

**Application Number:** 12/02136/PRDE **Applicant:** Mrs Yifat Fay  
**Application Type:** LDC Proposed Develop  
**Description of Development:** Rear dormer  
**Site Address** 69 OLD LAIRA ROAD PLYMOUTH  
**Case Officer:** Niamh Boyle  
**Decision Date:** 15/01/2013  
**Decision:** Issue Certificate - Lawful Use

---

**Item No 96**

**Application Number:** 12/02137/FUL **Applicant:** Mr A Pearson  
**Application Type:** Full Application  
**Description of Development:** Demolition of existing greenhouse and erection of garden office  
**Site Address** 131A LOOSELEIGH LANE PLYMOUTH  
**Case Officer:** Rebecca Exell  
**Decision Date:** 09/01/2013  
**Decision:** Grant Conditionally

---



**Item No 97**

**Application Number:** 12/02141/ADV **Applicant:** Mr Eric Hodges  
**Application Type:** Advertisement  
**Description of Development:** 2 X non illuminated 4m X 1m panel signs on 3m high posts to be displayed in the car park, overlooking Montpellier Road  
**Site Address** 40 MONTPELIER ROAD PLYMOUTH  
**Case Officer:** Mike Stone  
**Decision Date:** 03/01/2013  
**Decision:** Grant Conditionally

---

**Item No 98**

**Application Number:** 12/02145/FUL **Applicant:** Eco concepts  
**Application Type:** Full Application  
**Description of Development:** Retrospective application for ground mounted photovoltaic (solar) panels  
**Site Address** 30 PARK ROAD PLYMOUTH  
**Case Officer:** Mike Stone  
**Decision Date:** 11/01/2013  
**Decision:** Grant Conditionally

---

**Item No 99**

**Application Number:** 12/02149/FUL **Applicant:** AD Building Developments Ltd  
**Application Type:** Full Application  
**Description of Development:** Erection of detached dwellinghouse (renewal of 09/01166/FUL)  
**Site Address** R/O 129 CROWNHILL ROAD PLYMOUTH  
**Case Officer:** Simon Osborne  
**Decision Date:** 17/01/2013  
**Decision:** Grant Conditionally

---

**Item No 100**

**Application Number:** 12/02155/TPO **Applicant:** The Occupier  
**Application Type:** Tree Preservation  
**Description of Development:** Ash tree: Reduce end weight on damaged limb by 5 metres.  
**Site Address** 13 ALEXANDRA ROAD MUTLEY PLYMOUTH  
**Case Officer:** Jane Turner  
**Decision Date:** 15/01/2013  
**Decision:** Grant Conditionally

---

**Item No 101**

**Application Number:** 12/02162/CAC **Applicant:** Mr & Mrs A Gribble  
**Application Type:** Conservation Area  
**Description of Development:** Removal of existing first floor balcony on rear elevation and replacing with a larger balcony; removal of existing rear boundary to create parking space. Removal of garage door on front elevation to be replaced with patio door and raised decking. Addition of balcony to second floor windows on rear elevation  
**Site Address** 3A CLOVELLY VIEW PLYMOUTH  
**Case Officer:** Jess Maslen  
**Decision Date:** 14/01/2013  
**Decision:** Application Withdrawn

---

**Item No 102**

**Application Number:** 12/02167/EXDE **Applicant:** Mrs Barbara Cribbett  
**Application Type:** LDC Existing Develop  
**Description of Development:** Existing hardstanding to front of property  
**Site Address** 23 THETFORD GARDENS PLYMOUTH  
**Case Officer:** Niamh Boyle  
**Decision Date:** 11/01/2013  
**Decision:** Issue Certificate - Lawful Use

---

**Item No 103**

**Application Number:** 12/02168/TPO **Applicant:** Mount Wise Limited  
**Application Type:** Tree Preservation  
**Description of Development:** Fell one oak, one lime and two sycamore (Also one dead elm - exempted work)  
**Site Address** ADMIRALTY HOUSE, MOUNT WISE CRESCENT  
PLYMOUTH  
**Case Officer:** Jane Turner  
**Decision Date:** 21/01/2013  
**Decision:** Grant Conditionally

---

**Item No 104**

**Application Number:** 12/02177/FUL **Applicant:** Mr Steve Tortora  
**Application Type:** Full Application  
**Description of Development:** Retrospective application for single storey extension and conservatory to rear of property  
**Site Address** 59 LYNWOOD AVENUE PLYMOUTH  
**Case Officer:** Rebecca Exell  
**Decision Date:** 16/01/2013  
**Decision:** Grant Conditionally

---

**Item No 105**

**Application Number:** 12/02191/FUL **Applicant:** Mr Phillips  
**Application Type:** Full Application  
**Description of Development:** Single storey extension to rear of property and erection of detached private motor garage to rear  
**Site Address** 53 LUCAS LANE PLYMOUTH  
**Case Officer:** Rebecca Exell  
**Decision Date:** 16/01/2013  
**Decision:** Grant Conditionally

---

**Item No 106**

**Application Number:** 12/02200/FUL **Applicant:** Mr Martin Scoble  
**Application Type:** Full Application  
**Description of Development:** Two storey side and rear extension with rear conservatory  
**Site Address** 92 SHIRBURN ROAD PLYMOUTH  
**Case Officer:** Mike Stone  
**Decision Date:** 11/01/2013  
**Decision:** Grant Conditionally

---

**Item No 107**

**Application Number:** 12/02209/FUL **Applicant:** Plymouth Community Homes  
**Application Type:** Full Application  
**Description of Development:** Replacement aluminium sliding sash windows to front elevation  
**Site Address** 13 - 16A WYNDHAM SQUARE PLYMOUTH  
**Case Officer:** Jess Maslen  
**Decision Date:** 18/01/2013  
**Decision:** Grant Conditionally

---

**Item No 108**

**Application Number:** 12/02214/TCO **Applicant:** Richard Prowse Arborists  
**Application Type:** Trees in Cons Area  
**Description of Development:** Evergreen shrub - remove  
**Site Address** 55 MANNAMEAD ROAD PLYMOUTH  
**Case Officer:** Jane Turner  
**Decision Date:** 21/01/2013  
**Decision:** Grant Conditionally

---

**Item No 109**

**Application Number:** 12/02221/FUL **Applicant:** Mr and Mrs A Doe  
**Application Type:** Full Application  
**Description of Development:** Two storey rear extension  
**Site Address** 37 SMALLACK DRIVE PLYMOUTH  
**Case Officer:** Rebecca Exell  
**Decision Date:** 11/01/2013  
**Decision:** Grant Conditionally

---

**Item No 110**

**Application Number:** 12/02224/FUL **Applicant:** Mr P Ryland  
**Application Type:** Full Application  
**Description of Development:** Single storey side extension  
**Site Address** 21 HIGHER COMPTON ROAD PLYMOUTH  
**Case Officer:** Mike Stone  
**Decision Date:** 18/01/2013  
**Decision:** Grant Conditionally

---

**Item No 111**

**Application Number:** 12/02233/FUL **Applicant:** Mr L Van Crugten  
**Application Type:** Full Application  
**Description of Development:** Removal of rear conservatory and rear extensions, erection of rear extension and enlargement of tenement to form new kitchen.  
**Site Address** 5 PRIORY ROAD PLYMOUTH  
**Case Officer:** Mike Stone  
**Decision Date:** 18/01/2013  
**Decision:** Grant Conditionally

---

**Item No 112**

**Application Number:** 13/00003/CAC **Applicant:** Mr William Tall  
**Application Type:** Conservation Area  
**Description of Development:** BALCONY  
**Site Address** 9 WYNDHAM STREET EAST PLYMOUTH  
**Case Officer:**  
**Decision Date:** 07/01/2013  
**Decision:** CAC Not Required

---

This page is intentionally left blank

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

Application Number **12/00134/FUL**  
Appeal Site **4 NETTLEHAYES PLYMOUTH**  
Appeal Proposal Develop part of rear garden by erection of detached two-storey dwelling (including rooms in the roof and associated dormers) and detached single private motor garage plus basement private motor garage, ground source heat pump and rainwater harvesting pump  
Case Officer Jon Fox

Appeal Category  
Appeal Type Informal Hearing  
Appeal Decision Allowed  
Appeal Decision Date 03/01/2013  
Conditions  
Award of Costs

Awarded To

Appeal Synopsis

The Inspector considered that the gable of the proposed dwelling would not be overbearing or dominant when viewed from garden of No.6 Nettlehayes and that the proposals were not in conflict with the Development Guidelines SPD, i.e. the Guidelines show that gables can be situated quite close to neighbours' gardens.

Application Number **12/00676/FUL**  
Appeal Site **7 & 9 SEATON AVENUE PLYMOUTH**  
Appeal Proposal Change of use, conversion and alteration of care home to form two student houses in multiple occupation (containing a total of 17 bedspaces) including removal of rear extensions to No.9 and formation of parking area and associated bin and cycle storage  
Case Officer Kate Saunders

Appeal Category  
Appeal Type Written Representations  
Appeal Decision Dismissed  
Appeal Decision Date 19/12/2012  
Conditions  
Award of Costs

Awarded To

Appeal Synopsis

The inspector notes that the property is well positioned, close to the university and Mutey Plain and would provide a high standard of accommodation. The student occupants would also have the potential to add to the vibrancy of the area and contribute to meeting the aim of creating a sustainable community. However the inspector notes that the proposal will bring the number of multiple occupancy properties in the street to over one third, and in an established residential area there is a need to ensure the development will not result in undue noise and disturbance. It is reasoned that the comings and goings from the nursing home cannot be compared with the proposal and there is a clear need for the property to be managed effectively. The inspector concludes that the submitted management plan is vague and insufficient to adequately manage and control the property and the appeal is therefore dismissed.

Application Number **12/01014/TPO**  
Appeal Site **68, HAWTHORN WAY, HIGHER COMPTON, PLYMOUTH**  
Appeal Proposal Reduce one Oak tree to earlier pollarding points at circa 10 metres above ground level  
Case Officer Chris Knapman

Appeal Category  
Appeal Type Written Representations  
Appeal Decision Dismissed  
Appeal Decision Date 12/12/2012

The appeal was dismissed on the basis that the Inspector did not find the evidence presented in favour of the proposed overall treework sufficient to overcome its impact upon the appearance and setting of the area. The impact of the work would significantly reduce the tree's contribution for a number of years.

The Inspector was not satisfied that the degree of shading from the tree or leaffall into gutters was sufficient to justify the extent and nature of the proposed reduction work.

Note:

Copies of the full decision letters are available on the website.